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| <p>DISTRICT COURT, WATER DIVISION NO. 1,<br/>STATE OF COLORADO<br/>Weld County Courthouse<br/>901 9th Avenue, P.O. Box 2038<br/>Greeley, Colorado, 80632<br/>(970) 351-7300</p>   |   |
| <p><b>Plaintiff:</b> The Jim Hutton Educational Foundation, a Colorado non-profit corporation,</p> <p>v.</p> <p><b>Defendants:</b> Dick Wolfe, in his capacity as the Colorado State Engineer; et al.</p>   | <p>▲ COURT USE ONLY ▲</p>                           |
| <p>Attorneys for Don Andrews, Myrna Andrews, and Nathan Andrews<br/>Stuart B. Corbridge, Atty. Reg. #33355<br/>Geoffrey M. Williamson, Atty. Reg. #35891<br/>Vranesh and Raisch, LLP<br/>1720 14th Street, Suite 200<br/>Boulder, CO 80302<br/>Telephone Number: (303) 443-6151<br/>Fax Number: (303) 443-9586<br/>E-mail: <a href="mailto:sbc@vrlaw.com">sbc@vrlaw.com</a>; <a href="mailto:gmw@vrlaw.com">gmw@vrlaw.com</a></p> | <p>Case Number: 2015CW3018<br/>Water Div. No. 1</p> |
| <p><b>INITIAL C.R.C.P. 26(A)(1) DISCLOSURES OF DON ANDREWS, MYRNA ANDREWS, AND NATHAN ANDREWS</b></p>   |   |

Defendants, Don Andrews, Myrna Andrews, and Nathan Andrews (“Andrews”), by and through their undersigned attorneys, hereby submit the following initial disclosures pursuant to Rule 26(a)(1) of the Colorado Rules of Civil Procedure.

1. The name, address, and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings:

- a. Don Andrews, 6421 County Rd. LL.5, Idalia, CO 80735, (970) 354-7487. Mr. Andrews is the owner of wells with final permits to withdraw designated ground water located within the boundaries of the Northern High Plains designated ground water basin and the Arikaree Ground Water Management District. He is familiar with the historical use of these wells and with the historical use of the Hale Ditch water right, and may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation and issues arising from these claims.
- b. Myrna Andrews, 6421 County Rd. LL.5, Idalia, CO 80735, (970) 354-7487. Mrs. Andrews is the owner of wells with final permits to withdraw designated ground water located within the boundaries of the Northern High Plains designated ground water basin and the Arikaree Ground Water Management District. She is familiar with the historical use of these wells and may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation and issues arising from these claims.
- c. Nathan Andrews, 6421 County Rd. LL.5, Idalia, CO 80735, (970) 354-7577. Mr. Andrews is the owner of wells with final permits to withdraw designated ground water located within the boundaries of the Northern High Plains designated ground water basin and the Arikaree Ground Water Management District. He is familiar with the historical use of these wells and may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation and issues arising from these claims.
- d. Linda Shivley, 1189 County Rd. LL.5, Burlington, CO 80807, (970) 354-7294. Ms. Shivley is familiar with the Hutton Ranch farming operations and with the historical use of the Hale Ditch water right. She may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation and issues arising from these claims.
- e. Dick Wolfe, State Engineer and Executive Director of the Colorado Ground Water Commission, Department of Natural Resources, Division

of Water Resources, 1313 Sherman Street, Room 818, Denver, CO 80203, (303) 866-3585. Mr. Wolfe may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation related to water administration for compact compliance purposes, and issues arising from these claims.

- f. David Nettles, Division Engineer, Water Division No. 1, 810 9<sup>th</sup> Street, Suite 200, Greeley, CO 80631, (970) 392-1816. Mr. Nettles may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation related to water administration for compact compliance purposes, and issues arising from these claims.
- g. Colorado Ground Water Commission and Staff, 1313 Sherman Street, Suite 821, Denver, CO 80203, (303) 866-3581. The Colorado Ground Water Commission and Staff may have discoverable information concerning the claims raised in the Complaint filed in this case by the Jim Hutton Educational Foundation related to the permitting and administration of designated basin ground water and wells, and issues arising from these claims.
- h. Each individual identified in the Rule 26(a)(1) Disclosures of the Jim Hutton Educational Foundation and the other parties in this case.
- i. Andrews reserves the right to call at trial for purposes of testimony any person identified in the 26(a)(1) or 26(a)(2) Disclosures of Andrews or any other party, or otherwise identified, disclosed, or endorsed by Andrews or any other party, and any persons necessary to lay foundation or authenticate documents, or for rebuttal.

2. Listing of all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings (Rule 26(a)(1)(B)):

- a. State of Colorado Ground Water Commission Final Well Permit Nos. 6348-FP, 6524-RFP, 9627-FP, 13819-FP, and 20450-RFP.

- b. Other well permit information for Well Nos. 6348-FP, 6524-RFP, 9627-FP, 13819-FP, and 20450-RFP.
- c. Deeds and other conveyance documents showing Andrews' ownership of Well Nos. 6348-FP, 6524-RFP, 9627-FP, 13819-FP, and 20450-RFP.
- d. Water use records for Well Nos. 6348-FP, 6524-RFP, 9627-FP, 13819-FP, and 20450-RFP.
- e. Maps depicting the Republican River basin and the Northern High Plains Designated Basin.
- f. State of Colorado Ground Water Commission Rules and Regulations for the Management and Control of Designated Ground Water.
- g. Rules and Regulations of the Northern High Plains Management Districts, including the Marks Butte, Frenchman, Sandhills, Central Yuma, Plains, WY, Arikaree, and East Cheyenne Ground Water Management Districts.
- h. Division of Water Resources Republican River Use and Measurement Rules.
- i. Documents related to the Republican River Compact and administration thereof.
- j. Pleadings and other documents, classes of documents, tangible things, or other information filed or submitted in this case.
- k. Documents, data compilations, and tangible things identified in the 26(a)(1) Disclosures of the Jim Hutton Educational Foundation and the other parties in this case.
- l. All documents, data compilations, and tangible things referenced in or attached to any engineering reports filed in this matter by the Jim Hutton Educational Foundation, and similar information filed by other parties in this case pursuant to C.R.C.P. 26(a)(2).
- m. Andrews reserves the right to use for purposes of trial any document, class of document, data compilation, or tangible thing identified, disclosed, or endorsed by Andrews or by any other party in this case.

Subject to applicable law governing privileged and protected documents, materials, and information, Andrews' documents are available for inspection and copying at reasonable cost by appointment at the offices of Vranesh and Raisch, LLP, in Boulder, Colorado. Some of the identified documents are also available from the State Engineer's Office, the Division Engineer's Office, and/or the Water Court for Water Division No. 1. By identifying individuals or documents in this disclosure, Andrews is not waiving any rights or privileges it may have, including but not limited to attorney-client, work product, or deliberative process privileges. To the extent that any documents related to this case that are in the possession of or otherwise available to Andrews are identified as privileged and are requested by another party, such documents will be included in a privilege log that will be provided by Andrews to the requesting party.

3. Computation of Damages (Rule 26(a)(1)(C)):

As of this disclosure Andrews does not seek damages in this matter. Andrews reserves the right to seek attorneys' fees and/or costs incurred in this case.

4. Insurance (Rule 26(a)(1)(D)):

Not applicable.

5. Privileged Information (Rule 26(b)(5)):

Pursuant to C.R.C.P. 26(b)(5), the following categories of information and documents are not discoverable and have been or may be withheld by Andrews on the basis of privilege, or protected as trial preparation materials.

a. All documents or communications that constitute attorney-client communications.

b. All documents or communications that constitute attorney work product including, but not limited to, letters, notes, research, memoranda, statutes, cases, regulations and similar authorities, legal analysis, and the like (including drafts).

c. Copies of documents that would otherwise be made available through disclosure, which bear notes of counsel prepared in contemplation of litigation or which are intended to be in furtherance of Andrews' interest in the litigation of this case or any other case.

d. Any confidential co-party joint defense or common interest communication in this case or any other case including, without limitation, communications among Andrews and its counsel.

6. Future Supplementation:

The disclosures made herein are based upon Andrews' current understanding of the claims and issues in this matter. Additional persons and/or documents, classes of documents, data compilations, or tangible things that may contain relevant information may be identified or developed as work on this case continues. Information concerning such additional persons or documents, classes of documents, data compilations, or tangible things will be provided to the parties by future supplemental disclosures, in accordance with C.R.C.P. Rule 26(e).

Respectfully submitted this 4th day of March, 2016.

VRANESH and RAISCH, LLP  
*Signature on file pursuant to C.R.C.P. 121 § 1-26(7)*

By: /s/ Stuart B. Corbridge  
Stuart B. Corbridge (#33355)  
Geoffrey M. Williamson (#35891)

ATTORNEYS FOR DON ANDREWS, MYRNA  
ANDREWS, AND NATHAN ANDREWS

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of March, 2016, I served a true and correct copy of the foregoing **INITIAL C.R.C.P. 26(A)(1) DISCLOSURES OF DON ANDREWS, MYRNA ANDREWS, AND NATHAN ANDREWS** by ICCES e-filing addressed to the following:

|  |                           |                                  |
|--|---------------------------|----------------------------------|
| City of Holyoke                          | Alvin Raymond Wall        | Alvin R Wall Attorney at Law     |
| City of Wray Colorado                    | Alvin Raymond Wall        | Alvin R Wall Attorney at Law     |
| Colorado Department of Natural Resourc   | Ema I.g. Schultz          | CO Attorney General              |
| Colorado Department of Natural Resourc   | Preston Vincent Hartman   | CO Attorney General              |
| Colorado Department of Natural Resourc   | Daniel E Steuer           | CO Attorney General              |
| Colorado Department of Natural Resources | Ema I.g. Schultz          | CO Attorney General              |
| Colorado Department of Natural Resources | Preston Vincent Hartman   | CO Attorney General              |
| Colorado Division of Water Resources     | Ema I.g. Schultz          | CO Attorney General              |
| Colorado Division of Water Resources     | Preston Vincent Hartman   | CO Attorney General              |
| Colorado Division of Water Resources     | Daniel E Steuer           | CO Attorney General              |
| Colorado Division of Water Resources     | Ema I.g. Schultz          | CO Attorney General              |
| Colorado Division of Water Resources     | Preston Vincent Hartman   | CO Attorney General              |
| Colorado Division of Water Resources     | Daniel E Steuer           | CO Attorney General              |
| Colorado Parks And Wildlife              | Katie Laurette Wiktor     | CO Attorney General              |
| Colorado Parks And Wildlife              | Timothy John Monahan      | CO Attorney General              |
| Colorado Parks And Wildlife              | Katie Laurette Wiktor     | CO Attorney General              |
| Colorado Parks And Wildlife              | Timothy John Monahan      | CO Attorney General              |
| David Nettles                            | Ema I.g. Schultz          | CO Attorney General              |
| David Nettles                            | Preston Vincent Hartman   | CO Attorney General              |
| David Nettles                            | Daniel E Steuer           | CO Attorney General              |
| David Nettles                            | Ema I.g. Schultz          | CO Attorney General              |
| David Nettles                            | Preston Vincent Hartman   | CO Attorney General              |
| David Nettles                            | Daniel E Steuer           | CO Attorney General              |
| Dick Wolfe                               | Ema I.g. Schultz          | CO Attorney General              |
| Dick Wolfe                               | Preston Vincent Hartman   | CO Attorney General              |
| Dick Wolfe                               | Daniel E Steuer           | CO Attorney General              |
| Dick Wolfe                               | Ema I.g. Schultz          | CO Attorney General              |
| Dick Wolfe                               | Preston Vincent Hartman   | CO Attorney General              |
| Dick Wolfe                               | Daniel E Steuer           | CO Attorney General              |
| Division 1 Engineer                      | Division 1 Water Engineer | State of Colorado DWR Division 1 |
| Division 1 Water Engineer                | Preston Vincent Hartman   | CO Attorney General              |
| Division 1 Water Engineer                | Ema I.g. Schultz          | CO Attorney General              |

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| East Cheyenne Ground Water Mgmt Dist     | John David Buchanan                  | Buchanan and Sperling, P.C.                     |
| East Cheyenne Ground Water Mgmt Dist     | Timothy Ray Buchanan                 | Buchanan and Sperling, P.C.                     |
| Harvey Colglazier                        | Alvin Raymond Wall                   | Alvin R Wall Attorney at Law                    |
| Lazier Inc                               | Alvin Raymond Wall                   | Alvin R Wall Attorney at Law                    |
| Mariane U Ortner                         | Alvin Raymond Wall                   | Alvin R Wall Attorney at Law                    |
| Marjorie Colglazier Trust                | Alvin Raymond Wall                   | Alvin R Wall Attorney at Law                    |
| North Well Owners                        | Russell Jennings Sprague             | Colver Killin and Sprague LLP                   |
| North Well Owners                        | Kimbra L. Killin                     | Colver Killin and Sprague LLP                   |
| Protect Our Local Communitys Water Llc   | John David Buchanan                  | Buchanan and Sperling, P.C.                     |
| Protect Our Local Communitys Water Llc   | Timothy Ray Buchanan                 | Buchanan and Sperling, P.C.                     |
| Republican River Water Conservation Dist | Peter J Ampe                         | Hill and Robbins PC                             |
| Republican River Water Conservation Dist | David W Robbins                      | Hill and Robbins PC                             |
| Saving Our Local Economy Llc             | John David Buchanan                  | Buchanan and Sperling, P.C.                     |
| Saving Our Local Economy Llc             | Timothy Ray Buchanan                 | Buchanan and Sperling, P.C.                     |
| State Engineer                           | Colorado Division of Water Resources | State of Colorado - Division of Water Resources |
| State Engineer                           | Ema I.g. Schultz                     | CO Attorney General                             |
| State Engineer                           | Preston Vincent Hartman              | CO Attorney General                             |
| The Jim Hutton Educational Foundation    | Steven J Bushong                     | Porzak Browning & Bushong LLP                   |
| The Jim Hutton Educational Foundation    | Karen Leigh Henderson                | Porzak Browning & Bushong LLP                   |
| The Jim Hutton Educational Foundation    | Steven J Bushong                     | Porzak Browning & Bushong LLP                   |
| The Jim Hutton Educational Foundation    | Karen Leigh Henderson                | Porzak Browning & Bushong LLP                   |
| Timothy E Ortner                         | Alvin Raymond Wall                   | Alvin R Wall Attorney at Law                    |
| Yuma Cnty Water Authority Public Improv  | Steven Owen Sims                     | Brownstein Hyatt Farber Schreck LLP             |
| Yuma Cnty Water Authority Public Improv  | John A Helfrich                      | Brownstein Hyatt Farber Schreck LLP             |
| Yuma Cnty Water Authority Public Improv  | Dulcinea Zdunska Hanuschak           | Brownstein Hyatt Farber Schreck LLP             |

By: s/ Erich S. Fowler  
Erich S. Fowler,  
Paralegal/Litigation Case Manager  
/s/ signature on file  
Pursuant to C.R.C.P. 121, §1-26(7)

SIGNED DOCUMENT BEING RETAINED AT THE OFFICE OF VRANESH AND RAISCH, LLP