

<p>DISTRICT COURT, WATER DIVISION NO.1  WELD COUNTY, COLORADO  901 9<sup>th</sup> Avenue / P.O. Box 2038  Greeley, Colorado 80631  (970) 351-7300</p>	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p>
<p>PLAINTIFF, The Jim Hutton Educational  Foundation,  v.  DEFENDANTS, Dick Wolfe, in his capacity as the  Colorado State Engineer, et al.</p>	
<p><b>Attorneys For Intervenor-Defendant  Colorado Ground Water Commission</b>  CYNTHIA H. COFFMAN, Attorney General  CHAD M. WALLACE, #30022*  PATRICK E. KOWALESKI, #09598*  Senior Assistant Attorneys General  Ralph L. Carr Colorado Judicial Center  1300 Broadway, 7<sup>th</sup> Floor  Denver, CO 80203  Telephone: (720) 508-6281 (Mr. Wallace)  (720) 508-6297 (Mr. Kowaleski)  Fax: (720) 508-6039  chad.wallace@coag.gov  patrick.kowaleski@coag.gov  *Counsel of Record</p>	<p>Case No. 2015CW3018  Div.: 1</p>
<p><b>INITIAL C.R.C.P. 26(a)(1) DISCLOSURES OF THE  COLORADO GROUND WATER COMMISSION</b></p>	

The Colorado Ground Water Commission (“Commission”), by and through the undersigned counsel, hereby submit their disclosures pursuant to C.R.C.P. 26(a)(1) and the Uniform Local Rules for All State Water Court Divisions, Rule 11.

**I. The name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying who the person is and the subjects of the information:**

- A. DICK WOLFE, P.E., State Engineer and Director of the Colorado Division of Water Resources, 1313 Sherman Street, Ste. 818, Denver, Colorado 80203; business telephone number (303) 866-3581. Mr. Wolfe is also an Ex Officio Commissioner and Executive Director of the Colorado Groundwater Commission. Mr. Wolfe may have knowledge and information regarding the administration of water rights in the Republican River Basin, Water Division No. 1, the Northern High Plains designated ground water basin, and Compact Administration.
- B. DAVID L. NETTLES, P.E., Division Engineer, Water Division 1, Colorado Division of Water Resources, 810 Ninth Street, 2<sup>nd</sup> Floor, Greeley, CO 80631; telephone (970) 352-8712. Mr. Nettles has knowledge and information as to the administration of water rights in the Republican River Basin and Water Division No. 1, and Plaintiff's water rights.
- C. KEITH VANDER HORST, P.E., Team Leader, Designated Basins, Division of Water Resources, 1313 Sherman Street, Room 818, Denver, CO 80203, (303) 866-3581. Mr. Vander Horst may have knowledge and information of the Northern High Plains designated ground water basin and well administration within the Basin.
- D. CHRIS GRIMES, Water Commissioner, Designated Basins, Republican River, Division of Water Resources, 1313 Sherman Street, Room 818, Denver, CO 80203, (303) 866-3581. Mr. Grimes may have knowledge and information as to the Northern High Plains designated ground water basin and well administration within the Basin.
- E. DEVIN RIDNOUR, Water Commissioner, District 49 and 65, Division of Water Resources, (970)- 352-8712.
- F. DAVE KEELER, Republican River Water Commissioner, Division of Water Resources, 39887 County Road 32.5, Wray, Colorado 80758, (970) 630-2844.
- G. CHRIS KUCERA, Republican River Groundwater Commissioner, Division of Water Resources, (970) 352-8712.

H. BREANN FERGUSON, Republican River Deputy Groundwater Commissioner, (970)-352-8712.

I. Persons identified in the disclosures of other parties.

## **II. Documents, data, compilations, and tangible things.**

A. The Commission's case files for Case No.15CW3018, Water Division 1. The Commission's case files typically include the following kinds of documents and information:

1. The complaint and other pleadings filed in connection with this case.
2. Decrees (if any) and well permits related to water rights in the proximity of or otherwise relating to the subject water right(s).
3. Correspondence to or from Colorado Ground Water Commission personnel in connection with the complaint filed in this case.
4. Correspondence and documents to or from the Plaintiff or other parties to this case concerning the matters identified in the complaint.
5. Field notes (if any) of the local water commissioner(s) pertaining to the subject and neighboring water rights.
6. Engineering data, reports, or analyses (if any) generated by Colorado Ground Water Commission personnel in connection with the complaint filed in this case.
7. Engineering data, reports or analyses (if any) provided by the Plaintiff or other parties to this case.
8. Maps and aerial photographs (if any) of the general area in which the subject water right(s) are located.

The documents and other information identified above may be inspected or photocopied by prior arrangement with the undersigned counsel. This disclosure does not waive any claims of privilege or confidentiality that may apply to a document.

B. The Colorado Ground Water Commission maintains other documents and information, which may have a bearing on the complaint filed in this case. Potentially relevant documents and information include but are not limited to: rules and policies, designation orders and any records on proceedings, well permit applications and any records on proceedings, nontributary designation applications and any records on proceedings.

The documents and related information identified above can be found in the Records Section of the Colorado Division of Water Resources, 1313 Sherman Street, 8<sup>th</sup> Floor, Denver, CO 80203 are available to the public during normal business hours or on the Commission's website: <http://water.state.co.us/groundwater/CGWC/Pages/default.aspx>. This disclosure does not waive any claims of privilege or confidentiality that may apply to a document.

C. Documents identified and produced by other parties to this case.

**III. A computation of any category of damages:**

Not applicable

**IV. Any insurance agreement:**

Not applicable.

**V. C.R.C.P. 26 (e) Supplementation.**

The disclosures made herein are based upon the Commission's present understanding of the claims and defenses asserted and issues raised by the pleadings with particularity. As these claims, defenses and issues are more fully developed during the progress of this case, additional persons with knowledge or additional relevant documents may become known. The Commission will supplement or revise the disclosures contained herein in accordance with Rule 26(e), C.R.C.P.

Respectfully submitted this 4<sup>th</sup> day of March 2016,

CYNTHIA H. COFFMAN  
Attorney General

*/s/ Chad M. Wallace*

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Chad M. Wallace\*  
Patrick E. Kowaleski\*  
Senior Assistant Attorneys General  
Natural Resources & Environment Section  
Attorneys for Intervenor-Defendant  
Colorado Ground Water Commission  
\*Counsel of Record

**CERTIFICATE OF SERVICE**

This is to certify that on this 4<sup>th</sup> day of March, 2016, I caused a true and correct copy of the foregoing **INITIAL C.R.C.P. 26(a)(1) DISCLOSURES OF THE COLORADO GROUNDWATER COMMISSION** to be served electronically via ICCES upon the following:

<b>Party Name</b>	<b>Party Type</b>	<b>Attorney Name</b>
Arikaree Ground Water Management District	Defendant	David C Taussig Eugene J Riordan Leila Christine Behnampour (Vranesh and Raisch)
City of Burlington, Colorado	Defendant	Alix L Joseph Steven M. Nagy (Burns Figa and Will P C)
City of Holyoke	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
City of Wray Colorado	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
Colorado Agriculture Preservation Association	Defendant	Bradley Charles Grasmick (Lawrence Jones Custer Grasmick LLP)
Colorado Division of Water Resources	Defendant / Opposer	Daniel E Steuer Ema I.G. Schultz Preston Vincent Hartman (CO Attorney General)
Colorado Parks And Wildlife	Defendant / Opposer	Katie Laurette Wiktor Timothy John Monahan (CO Attorney General)
Colorado State Board Land Commissioners	Defendant	Virginia Marie Sciabbarrasi (CO Attorney General)
David L. Dirks	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
David Nettles	Defendant /Opposer	Daniel E Steuer Ema I.G. Schultz Preston Vincent Hartman (CO Attorney General)
Dick Wolfe	Defendant / Opposer	Daniel E Steuer Ema I.G. Schultz Preston Vincent Hartman (CO Attorney General)

<b>Party Name</b>	<b>Party Type</b>	<b>Attorney Name</b>
Dirks Farms Ltd., Julie Dirks and David L. Dirks	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
Division 1 Engineer	Division Engineer	Division 1 Water Engineer (State of Colorado DWR Division 1)
Division 1 Water Engineer	Opposer	Ema I.G. Schultz Preston Vincent Hartman (CO Attorney General)
Don, Myrna and Nathan Andrews	Defendant	Geoffrey M. Williamson Stuart B. Corbridge (Vranesh and Raisch)
East Cheyenne Ground Water Management District	Defendant	John David Buchanan Timothy Ray Buchanan (Buchanan and Sperling, P.C.)
Happy Creek, Inc., J&D Cattle, LLC, 4M Feeders, Inc., May Brothers, Inc., May Family Farms, 4M Feeders, LLC, May Acres, Inc., Thomas R. May, James J. May, Steven D. Kramer, Kent E. Ficken, and Carlyle James as Trustee of the Chester James Trust	Defendant	Johanna Hamburger William Arthur Paddock (Carlson, Hammond & Paddock, L.L.C.)
Harvey Colglazier, Marjorie Colglazier Trust, and Lazier, Inc.	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
Mariane U. and Timothy E. Ortner	Defendant	Alvin Raymond Wall (Alvin R Wall Attorney at Law )
Marks Butte Ground Water Management District, Frenchman Ground Water Management District, Central Yuma Ground Water Management District, WY Ground Water Management District, and Arikaree Ground Water Management District	Defendant	David C. Taussig Eugene J Riordan Leila Christine Behnampour (Vranesh and Raisch)
North Well Owners	Defendant	Kimbra L. Killin Russell Jennings Sprague (Colver Killin and Sprague LLP)

<b>Party Name</b>	<b>Party Type</b>	<b>Attorney Name</b>
Protect Our Local Community's Water LLC	Defendant	John David Buchanan Timothy Ray Buchanan (Buchanan and Sperling, P.C.)
Republican River Water Conservation District	Defendant	David W Robbins Peter J Ampe (Hill and Robbins PC)
Saving Our Local Economy LLC	Defendant	John David Buchanan Timothy Ray Buchanan (Buchanan and Sperling, P.C.)
State Engineer, Colorado Division of Water Resources	State Engineer	Ema I.G. Schultz Preston Vincent Hartman (CO Attorney General)
The Jim Hutton Educational Foundation	Plaintiff / Applicant	Karen Leigh Henderson Steven J Bushong (Porzak Browning & Bushong LLP)
Tri State Generation And Transmission As	Defendant	Aaron S. Ladd Justine Catherine Shepherd (Vranesh and Raisch)
Yuma County Water Authority Public Improvement District	Defendant	Dulcinea Zdunska Hanuschak John A Helfrich Steven Owen Sims (Brownstein Hyatt Farber Schreck LLP)

*Filed pursuant to C.R.C.P. Rule 121 § 1-26.  
A duly signed original is on file with the  
Office of the Attorney General for the State of Colorado.*

*/s/ Nan Edwards*

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Nan Edwards