

1 on your land to address water problems?

2 A. What could I do? You told me to leave the
3 dam alone.

4 Q. Mr. Jones, I'm asking you, had you done
5 anything to resolve -- relevel water problems prior
6 to this?

7 A. You mean before this --

8 Q. Before these pictures.

9 A. No. What could I do? I'd done nothing, no.
10 I did nothing.

11 Q. Mr. Jones, you said you got somebody in there
12 to blow some sort of something up. I remember --

13 A. Pardon?

14 Q. I remember hearing the words to blow
15 something up in there.

16 A. Oh, I had beaver problems, myself -- And that
17 was long before this, though.

18 Q. But you did blow the beaver dam up -- or
19 somebody did?

20 A. Yes. I said right here, that he went in and
21 trapped them out, and he blew the dam and the
22 lodges.

23 Q. Mr. Jones, where was the lodge?

24 A. It was on Stephen's Creek. It was -- oh,
25 probably about 50 yards from your property -- up

1 west.

2 Q. The lodge was on your property; right?

3 A. At that time, yes.

4 Q. Okay.

5 THE COURT: Let me interrupt you
6 just a moment, Mr. Birnbaum. I want to
7 get one thing clear --

8 MR. BIRNBAUM: Yes, sir.

9 THE COURT: -- so the jury doesn't
10 get confused, because I'm right on the
11 verge of it, myself. The dam that you

12 just testified about having blown up,
13 that's not the same dam that we're --

14 MR. BIRNBAUM: No, sir.

15 THE COURT: -- down here to
16 litigate about?

17 MR. BIRNBAUM: No, sir. It sure
18 isn't it.

19 THE COURT: Okay. I just want to
20 be -- I didn't think that it was.

21 MR. JONES: It was on my property
22 line.

23 THE COURT: I understand. I just
24 want to be sure that the jury didn't get
25 too confused. Go ahead.

1 BY MR. BIRNBAUM:

2 Q. Okay. But there had been a dam on your
3 property, which was a beaver dam, which you had
4 blown up?

5 A. And had beavers trapped.

6 Q. But it had already been blown up; right?

7 A. Yeah.

8 Q. Okay. When you blew it up, was there water
9 behind it at that time?

10 A. Yeah.

11 Q. Where did all the water go, Mr. Jones?

12 A. Down-stream.

13 Q. On my property; right?

14 A. Yeah -- Through your property, on through it
15 and through somebody else's, too.

16 Q. Did it go through any of your property?

17 A. Some of it did, yeah.

18 Q. Did it leave any sand on your property?

19 A. No -- no more than a heavy rain does.

20 MR. BIRNBAUM: I pass and reserve
21 the right to recall the witness.

22 MR. RAY: Judge, I have just a few
23 more questions.

24 REDIRECT EXAMINATION

25 BY MR. RAY: