

RECEIVED

FEB 20 2007

DEPARTMENT OF
WATER RESOURCES

Josephine P. Beeman #1806
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, ID 83702
(208) 331-0950
(208) 331-0954 (Facsimile)
jo.beeman@beemanlaw.com

Sarah A. Klahn
William A. Hillhouse II
White & Jankowski, LLP
511 16th St., Suite 500
Denver, CO 80202
303-595-9441
303-825-5632 (Facsimile)
sarahk@white-jankowski.com

Attorneys for City of Pocatello

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

	)	Subcase Nos. 29-00271, et al. (see attached Exhibit A)
In Re SRBA	)	
	)	Pocatello's Witness and Exhibit List
	)	
Case No. 39576	)	
_____	)	

The following is the City of Pocatello's witness and exhibit list.

WITNESSES:

Gregory K. Sullivan, P.E.
Spronk Waters Engineers, Inc.
1000 Logan Street
Denver, CO 80203
(303) 861-9700

Karen Wogsland
Spronk Waters Engineers, Inc.
1000 Logan Street
Denver, CO 80203
(303) 861-9700

Jon Herrick
Water Pollution Control Department
City of Pocatello
P. O. Box 4169
Pocatello, Idaho 83205
(208) 234-6254

Jay Ulrich
Superintendent
Pocatello Water Department
P. O. Box 4169
Pocatello, Idaho 83205
(208) 234-6254

Harold Hargreaves
Pocatello Water Department
P. O. Box 4169
Pocatello, Idaho 83205
(208) 234-6254

Tom Dekker
Former Superintendent for the City of Pocatello
40 Orchard
Pocatello, Idaho 83204

Representatives of IDWR, including Dave Tuthill, and Carter Fritschle
P. O. Box 83720
Boise, Idaho 83720-0098
(208) 287-4800

EXHIBITS:

City of Pocatello exhibit	Well #21 Documents: File Wells 10/21/1947; Minutes of Adjourned Meetings of the City of Alameda City Council, 3/31/1955 and 8/8/1955; City of Alameda 1954-554 Municipal Water Project, Pine Street Pumping Station
---------------------------	--

City of Pocatello exhibit	"A Scant Supply in 1924" from Griffin, H. Leigh Pocatello Portrait: The Early Years, 1878-1928, pp 170-171
City of Pocatello exhibit	July 17, 1924 The Pocatello Tribune article
City of Pocatello exhibit	4/10/1952 Alameda Enterprise news article
City of Pocatello exhibit	7/20/1952 Alameda Enterprise news article
City of Pocatello exhibit	"Alameda The Fastest Growing City in the State..." Polk's Pocatello City Directory 1962
City of Pocatello exhibit	7/31/1952 Alameda Enterprise news article
City of Pocatello exhibit	City of Alameda Application for Permit
City of Pocatello exhibit	IDWR file for License 29-2324
City of Pocatello exhibit	2/2/2004 City of Pocatello 11 th Annual POTW Biosolids Report
City of Pocatello exhibit	9/7/1999 City of Pocatello National Pollutant Discharge Elimination System Permit (Permit No. ID-002178-4)
City of Pocatello exhibit	Part 503 Final Rule Signed 11/25/1992, "New Sludge Rules"
City of Pocatello exhibit	2/1998 City of Pocatello Biosolids Management Plan
City of Pocatello exhibit	5/17/2005 City of Pocatello Crop Management Plan
City of Pocatello exhibit	Map of Eastern Snake River Basin (oversized)
City of Pocatello exhibit	Map of Pocatello Vicinity and LPRVA (oversized)
City of Pocatello exhibit	Map of Pocatello's SRBA surface water and ground water claims (oversized)
City of Pocatello exhibit	Map of Pocatello's SRBA surface water claims and ground water APODs (oversized)
City of Pocatello exhibit	Map of Pocatello's SRBA ground water claims (City and Airport Interconnected systems) and ground water APODs (oversized)
City of Pocatello exhibit	Map of Pocatello's SRBA Biosolids Program ground water claims (oversized)

City of Pocatello exhibit	Photographs of surface water diversions and wells
City of Pocatello exhibit	Photographs of Pocatello and Vicinity
City of Pocatello exhibit	City of Pocatello, Existing System Hydraulic Schematic
City of Pocatello exhibit	List of SRBA claims and corresponding well numbers
City of Pocatello exhibit	Idaho Department of Water Resources, Table, City of Pocatello Claims (www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ/asp)
City of Pocatello exhibit	Water Department, City of Pocatello, Monthly Report (January to December, 1962 - 1993)
City of Pocatello exhibit	Memorandum from Tom Dekker, City of Pocatello Water Department, to Ivan Legler, City Attorney, City of Pocatello (March 31, 1989) (Surface Supply from Mink Creek and Gibson Jack Creek)
City of Pocatello exhibit	Report, City of Pocatello, Yearly Water Consumption from 1956 to Present (April 12, 1989)
City of Pocatello exhibit	Daily Mink Creek Use for June 1985.
City of Pocatello exhibit	City of Pocatello Historical Water Level Data for City's wells (beginning of period of record to March 2006 (print out of spreadsheets prepared by the City of Pocatello Water Department)
City of Pocatello exhibit	Spronk Water Engineers, Inc., Expert Report Dated September 29, 2006, Prepared for the City of Pocatello
City of Pocatello exhibit	Spronk Water Engineers, Inc. Expert Rebuttal Report Dated December 1, 2006, Prepared for the City of Pocatello
City of Pocatello exhibit	Summary of State-law SRBA Claims
City of Pocatello exhibit	Idaho Department of Water Resources, Table, City of Pocatello Claims
City of Pocatello exhibit	Idaho Department of Water Resources, Director's Report of Pocatello's SRBA claims
City of Pocatello exhibit	Idaho Department of Water Resources, Supplemental Director's Report Regarding City of Pocatello's Basin 29 State-Based Water Rights, dated April 13, 2006, and Exhibits

City of Pocatello exhibit	Idaho Department of Water Resources Director's Supplemental Report Exhibit F
City of Pocatello exhibit	Brockway Engineering PLLC Rebuttal Expert to Spronk Water Engineers Inc. Expert Report Dated September 29, 2006 Prepared November 2, 2006
City of Pocatello exhibit	Table - 38 State-law SRBA Claims and Sublisting of Claims with Alternate Points of Diversion
City of Pocatello exhibit	Table - 38 State-law SRBA Claims and Sublisting of IDWR Recommendations for Ground Water Claims with Alternate Points of Diversion
City of Pocatello exhibit	Idaho Code Section 42-1425
City of Pocatello exhibit	Example - Table listing wells and cumulative rate by priority date for pumping with and without APOD operation
City of Pocatello exhibit	Graphs - Measured Ground Water Levels for Interconnected Wells
City of Pocatello exhibit	Table - Average Measured Pumping Drawdown 1987, City of Pocatello Wells
City of Pocatello exhibit	Figure - Interconnected Wells, Average Measured Ground Water Level Drawdown During Pumping, Beginning of Record to 1987
City of Pocatello exhibit	Welhan, J.A., and Meehan, C., 1994, Hydrogeology of the Pocatello Aquifer: Implications for Wellhead Protection Strategies, 30 th Symposium, Engineering Geology and Geotechnical Engineering, Boise, Idaho
City of Pocatello exhibit	Welhan, J.A., Meehan, C, and Reid, T., 1996, The Lower Portneuf River Valley Aquifer: A Geologic/Hydrologic model and Its Implications for Wellhead Protection Strategies
City of Pocatello exhibit	Welhan, John, 2006, Idaho Geologic Survey Staff Report, -5-6, Water Balance and Pumping Capacity of the Lower Portneuf River Valley Aquifer, Bannock County, Idaho
City of Pocatello exhibit	CH2M-Hill, 1994, Hydrogeology and Assessment of TCE Contamination in the Southern Portion of the Pocatello Aquifer - Phase I Aquifer Management Plan

City of Pocatello exhibit	Costgrove D.M, Contor, B.A., and Johnson G.S., Enhanced Snake Plan Aquifer Model Final Report, Prepared for the Idaho Department of Water Resources, with guidance from the Eastern Snake Hydrologic Modeling Committee, Idaho Water Resources Research Institute Technical Report 06-002, July 2006
City of Pocatello exhibit	Illustrative Exhibit - Aquifer Properties and Pumping Tests in LPRVA
City of Pocatello exhibit	Figure - Centroid of Annual Well Production
City of Pocatello exhibit	Idaho Department of Water Resources, Enhanced Ground water Rights Transfer Spreadsheet (version 2.2)
City of Pocatello exhibit	Graph - Annual Depletions Resulting from Surface Water Diversions and Ground Water Pumping of Alternate Points of Diversion.
City of Pocatello exhibit	Table - Summary of Surface Water Use (1980 - 1987)
City of Pocatello exhibit _	Order, April 19, 2005, In The Matter of Distribution of Water to Various Water Rights Held by or for the Benefit of A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company
City of Pocatello exhibit_	Amended Order, May 2, 2005, In The Matter of Distribution Of Water To Various Water Rights Held by or for the Benefit of A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company
City of Pocatello exhibit_	Second Supplemental Order Amending Replacement Water Requirements, December 27, 2005
City of Pocatello exhibit	License 29-2274
City of Pocatello exhibit	License 29-2338
City of Pocatello exhibit	License 29-7375
City of Pocatello exhibit	Transfer No. 5452

City of Pocatello exhibit	License 29-7770
City of Pocatello exhibit	Permit 29-7770
City of Pocatello exhibit	Application for Permit 29-7770
City of Pocatello exhibit	10/12/1989 Letter from Jay Ulrich to Harold Jones, IDWR, re: Permit #29-7770, Additional Information and attachments
City of Pocatello exhibit	11/1991 Farm Lease between City of Pocatello and Smith
City of Pocatello exhibit	11/1991 Farm Lease between City of Pocatello and Smith (different document)
City of Pocatello exhibit	5/6/1969 Deed of Release made by U.S. Administrator of the Federal Aviation to the City of Pocatello

DATED this 15th day of February 2007.

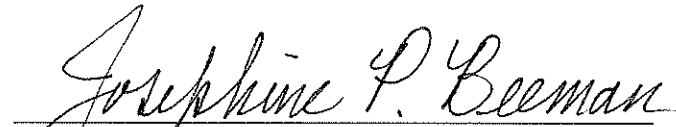
BEEMAN & ASSOCIATES, P.C.
Attorneys for the City of Pocatello

By Josephine P. Beeman
Josephine P. Beeman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of February 2007, I caused a true copy of the foregoing **POCATELLO'S WITNESS AND EXHIBIT LIST** to be served on the following by U.S. First Class Mail unless indicated as faxed or hand delivered:

UNITED STATES OF AMERICA REPRESENTED BY: US DEPARTMENT OF JUSTICE ENVIRONMENT & NAT'L RESOURCES 550 WEST FORT STREET, MSC O33 BOISE, ID 83724	C. TOM ARKOOSH ARKOOSH LAW OFFICES, CHTD. PO BOX 32 GOODING, IDAHO 83330
STATE OF IDAHO REPRESENTED BY: NATURAL RESOURCES DIV CHIEF STATE OF IDAHO ATTORNEY GENERAL'S OFFICE PO BOX 44449 BOISE, ID 83711-4449	W. KENT FLETCHER FLETCHER LAW OFFICE PO BOX 248 BURLEY, IDAHO 83318
DIRECTOR OF IDWR PO BOX 83720 BOISE, ID 83720-0098	ROGER D. LING LING ROBINSON & WALKER PO BOX 396 RUPERT, IDAHO 83350
	JOHN A. ROSHOLT TRAVIS L. THOMPSON BARKER ROSHOLT & SIMPSON 113 MAIN AVE. WEST, SUITE 303 TWIN FALLS, IDAHO 83301-6167


Josephine P. Beeman

ZA1776\100\LIT\TRIAL\7635

EXHIBIT A

Subcase Numbers

29-00271
29-00272
29-00273
29-02274
29-02338
29-02354
29-02382
29-02401
29-02499
29-04221
29-04222
29-04223
29-04224
29-04225
29-04226
29-07106
29-07118
29-07119
29-07222
29-07322
29-07375
29-07431
29-07450
29-07502
29-07770
29-07782
29-11339
29-11344
29-11348
29-13558
29-13559
29-13560
29-13561
29-13562
29-13636
29-13637
29-13638
29-13639