

AUG 11 2008

DEPARTMENT OF
WATER RESOURCES

Attorneys for Pioneer Irrigation District
and Settlers Irrigation District

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

In Re SRBA,
Case No. 39576

Subcase No. 63-3618
(Lucky Peak Reservoir)

**PIONEER IRRIGATION DISTRICT AND
SETTLERS IRRIGATION DISTRICT LAY
WITNESS DISCLOSURE**

COME NOW Pioneer Irrigation District ("Pioneer") and Settlers Irrigation District ("Settlers") and herein disclose their lay witnesses in this matter in accordance with this Court's Third Order Amending Schedule Deadlines, dated May 23, 2008.

1. Alan Newbill, Board President, Pioneer Irrigation District, 3700 Lake Avenue, Post Office Box 426, Caldwell, Idaho 83606, may provide testimony regarding his knowledge, including, but not limited to, Pioneer operations, notice (or lack thereof) provided to

Pioneer on pertinent issues, the issue of the need for additional water and authentication of records and documents.

2. Leland Earnest, Board Member, Pioneer Irrigation District, 3700 Lake Avenue, Post Office Box 426, Caldwell, Idaho 83606, may provide testimony regarding his knowledge, including, but not limited to, Pioneer operations, notice (or lack thereof) provided to Pioneer on pertinent issues, the issue of the need for additional water and authentication of records and documents.

3. Robert Greenfield, Board Member, Pioneer Irrigation District, 17353 Lower Pleasant Ridge Road, Caldwell, Idaho 83607, may provide testimony regarding his knowledge, including, but not limited to, Pioneer operations, notice (or lack thereof) provided to Pioneer on pertinent issues, the issue of the need for additional water and authentication of records and documents.

4. Jeff Scott, Superintendent, Pioneer Irrigation District, 3700 Lake Avenue, Post Office Box 426, Caldwell, Idaho 83606, may provide testimony regarding his knowledge, including, but not limited to, Pioneer operations, notice (or lack thereof) provided to Pioneer on pertinent issues, the issue of the need for additional water and authentication of records and documents.

5. Current and former agents, employees and/or representatives, or other staff members whose names may not yet be known of Pioneer Irrigation District, 4700 Lake Avenue, Post Office Box 426, Caldwell, Idaho 83606, may provide testimony regarding his/her/their knowledge, including, but not limited to, Pioneer operations, notice (or lack thereof) provided to Pioneer on pertinent issues, the issue of the need for additional water and authentication of records and documents.

6. Tom Davis, Board Member for Settlers Irrigation District, 2740 East Ustick, Meridian, Idaho 83642, may provide testimony regarding his knowledge, including, but not limited to, Settlers operations, notice (or lack thereof) provided to Settlers on pertinent issues, the issue of the need for additional water and authentication of records and documents.

7. Dave Pera, Board Member for Settlers Irrigation District, 4546 Daphne, Meridian, Idaho 83642, may provide testimony regarding his knowledge, including, but not limited to, Settlers operations, notice (or lack thereof) provided to Settlers on pertinent issues, the issue of the need for additional water and authentication of records and documents.

8. David Vail, Board Member for Settlers Irrigation District, 7448 Winward Drive, Meridian, Idaho, 83646, may provide testimony regarding his knowledge, including, but not limited to, Settlers operations, notice (or lack thereof) provided to Settlers on pertinent issues, the issue of the need for additional water and authentication of records and documents.

9. Nathan Draper, Settlers Irrigation District, Post Office Box 7571, Boise, Idaho 83707, may provide testimony regarding his knowledge, including, but not limited to, Settlers operations, notice (or lack thereof) provided to Settlers on pertinent issues, the issue of the need for additional water and authentication of records and documents.

10. Current and former agents, employees and/or representatives, or other staff members whose names may not yet be known of Settlers Irrigation District, 1910 North Garden, Post Office Box 7571, Boise, Idaho 83707, may provide testimony regarding his/her/their knowledge, including, but not limited to, Settlers operations, notice (or lack thereof) provided to Settlers on pertinent issues, the issue of the need for additional water and authentication of records and documents.

11. Robert Sutter, Idaho Department of Water Resources, 322 East Front Street, Post Office Box 83720, Boise, Idaho 83720-0098, may provide testimony regarding his knowledge, including, but not limited to, the "dynamic nature" of the accounting and allocation programs, modifications made to programs and procedures and policies related thereto, authentication of reports and documents, and consistent with the testimony provided in his deposition related to this matter taken on March 28, 2008 and April 16, 2008.

12. Jerrold Gregg, Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho 83702-4520, may provide testimony regarding his knowledge, including, consistent with the testimony provided in his deposition related to this matter on January 30 and 31, 2008.

13. Lee Sisco, prior Watermaster, formerly located at 6616 Overland Road, Boise, Idaho 83709, may provide testimony regarding his knowledge, including, but not limited to, allocations during irrigation season and authentication of records and documents.

14. Rex Barrie, current Watermaster, Post Office Box 767, Star, Idaho, 83669-0767 may provide testimony regarding his/her knowledge, including, but not limited to, allocations during irrigation season and authentication of records and documents.

15. Other staff members whose names may not yet be known for Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho 83702-4520, may provide testimony regarding his/her/their knowledge, including, but not limited to, their positions and authentication of records and documents.

16. Other staff members whose names may not yet be known for Idaho Department of Water Resources, 322 East Front Street, Post Office Box 83720, Boise, Idaho 83720-0098, may provide testimony regarding his/her/their knowledge, including, but not

limited to, their positions, programs relevant thereto, accounting and allocations, interaction/direction/authority with respect to other entities and personnel and authentication of records and documents.

17. Other staff members whose names may not yet be known for U.S. Army Corps of Engineers, 304 North 8th Street, Boise, Idaho 83702, may provide testimony regarding his/her/their knowledge, including, but not limited to, releases and authentication of records and documents.

All rights are reserved to call any witness named by any other parties in their lay witness disclosures.

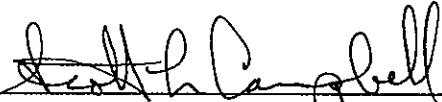
Pioneers Irrigation District and Settlers Irrigation District have not had the opportunity to depose many of the witnesses in this case, and witnesses have not yet been disclosed to Pioneer and/or Settlers Irrigation Districts. Accordingly, they reserve the right to supplement this disclosure of lay witnesses in the event individuals, information and facts become known subsequent to disclosures or otherwise through written reports, deposition testimony, or written discovery answers.

Pioneer Irrigation District and Settlers Irrigation District reserve the right to supplement this disclosure in the event additional individuals, facts and information become known prior to trial.

By making this disclosure, Pioneer Irrigation District and Settlers Irrigation District do not represent that they will call any and/or all the disclosed witnesses or that any of the disclosed witnesses will be present at trial.

DATED this 8th day of August, 2008.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Scott L. Campbell – Of the Firm
Attorneys for Pioneer Irrigation District
and Settlers Irrigation District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2008, I caused a true and correct copy of the foregoing LAY WITNESS DISCLOSURE to be served by the method indicated below, and addressed to the following:

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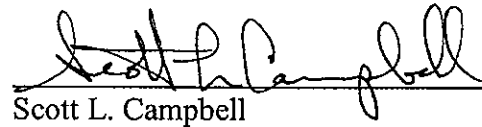
COURTESY COPIES

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