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JAN 12 2009
DEPARTMENT OF
WATER RESOURCES

Attorneys for Protestant Darwin McKay

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

Subcase Nos. 63-31194A & 63-31194B

**PROTESTANT DARWIN MCKAY'S
WITNESS DISCLOSURE PURSUANT
TO TRIAL SCHEDULING ORDER**

COME NOW, Protestant Darwin McKay's, by and through his attorneys of record, Ringert Law Chartered, and hereby provides the following list of witnesses to be called at Trial set to begin on September 10, 2009.

Lay Witnesses

1. Roger L. Anderson, General Partner
Sundance Investments LTD
2. Chris L. Anderson
Sundance Investments LTD
3. Ryan L. Anderson
Sundance Investments LTD
4. Jack Miller
940 South Ash Avenue
Kuna, Idaho 83634

PROTESTANT DARWIN L. MCKAY'S WITNESS DISCLOSURE PURSUANT TO TRIAL
SCHEDULING ORDER - Page 1

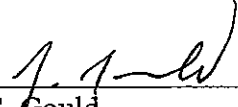
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5. Christopher J. Kepus
6502 American Way
Placerville, CA 95667
6. Kathleen M. Kepus
6502 American Way
Placerville, CA 95667
7. Alfred W. Sturr
11433 S.W. Northgate Court
Portland, OR 97219
8. Patricia A. Sturr
11433 S.W. Northgate Court
Portland, OR 97219
9. Richard Lavender
P.O. Box 75
Hamilton, Montana 59840
10. Barbara Lavender
P.O. Box 75
Hamilton, Montana 59840
11. Designated Representative of the Loyal A. and Irene Mehroff Trust
Address unknown
12. Jack E. Miller and/or Carol A.K. Miller or other Designated Representative of the Miller
Family Trust
13. Fred Nakaji
6635 Rio Oso Dr.
Rancho Murieta, California 95683
14. Molly Nakaji
6635 Rio Oso Dr.
Rancho Murieta, California 95683
15. Mary Ballantyne as Personal Representative of the Estate of James H. Ballantyne

16. Mary Ballantyne
10250 Whispering Cliffs Drive
Boise, Idaho 83704
17. Marjorie Pickett
P.O. Box 398
Donnelly, Idaho 83615
18. Patricia E. McKay
6100 S. Eagle Road
Meridian, Idaho 83652
19. Donna McKay
6249 W. Cohiba Lane
Boise, Idaho 83703
20. Fred Delgadillo, Sr.
1440 Whiporwill Way
Boise, Idaho 83705
21. Diane Delgadillo
1440 Whiporwill Way
Boise, Idaho 83705
22. Bob Delgadillo
7505 Blue Stone Drive
Reno, Nevada 89503
23. Fred Delgadillo, Jr.
260 Capitol Hill Ranch Road
Walnut Creek, California 94585
24. L. Darwin McKay
6100 S. Eagle Road
Meridian, ID 83642
25. Robert Johnson
6100 S. Eagle Road
Meridian, ID 83642

26. Michael Ballantyne
Thornton Oliver Keller Commercial Real Estate
250 South 5th Street, Second Floor
Boise, Idaho 83702
27. Lori Graves
SPF Water Engineers LLC
300 E. Mellard Dr.
Boise, ID 83706
28. James Patterson
1901 S. Maple Grove Road
Boise, ID 83709
29. Louis Muroitio
7373 S. Maple Grove Road
Boise, ID 83709
30. Designated Representative of the Idaho Department of Water Resources
- DATED this 8th day of January, 2009.

RINGERT LAW CHARTERED

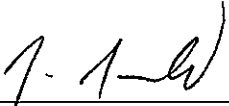
By: 
Jon C. Gould
Attorneys for Darwin L. McKay

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 2009, I caused to be served a true and correct copy of the foregoing document, U.S. mail, postage prepaid to the following:

Richard W. Stover
Eberle, Berlin, Kading, Turnbow & McKlveen, Chtd.
1111 West Jefferson Street, Ste. 530
P.O. Box 1368
Boise, Idaho 83701

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098



Jon C. Gould