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RECEIVED

MAY 08 2009

DEPARTMENT OF
WATER RESOURCES

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

Subcases: 01-209 et al (See Attachment)
"Minidoka Credit Remark"

**GROUND WATER DISTRICTS' LIST OF
WITNESSES AND EXHIBITS**

COME NOW, ("Ground Water Districts") for an on behalf of their members, by and through counsel, hereby submit the following List of Witnesses and Exhibits that may be called or used at trial in this matter.

Witnesses

Tony Olenichak
Ronald D. Carlson
Any witness of any other party

Exhibits

1. *TFCC v. Foster*, et al. decree and related court documents.
2. *Burley Irrigation District, et al. v. Henry Eagle*, et al. decree and related court documents.

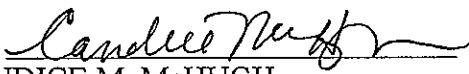
3. IDWR water right back file and adjudication claim file for 1-4050, 01-209, 01-210, 01-211A, 01-211B, 01-212, 01-213, 01-214A, 01-214B, 01-217, 01-218, 01-219, 01-10187, 01-10188, 01-10192, and 01-10194
4. Water District 01 Accounting records
5. Burley Irrigation District Facilities Title Transfer Draft Environmental Assessment, December 1999
6. Memo from Tony Olenichak to David Tuthill dated 7-10-07 relating to the Minidoka Return Flow Credit
7. Letter from Crandall (Watermaster) to Duffin of BOR Burley office dated March 21, 1957.
8. USGS Water Supply Paper 774
9. Kjelstrom USGS WRIR 87-4063
10. Letter from Stoutemyer to Director of USBR dated July 2, 1910
11. Memo from Stoutemyer to Director, Washington D.C. dated July 1, 1913 from USBOR:
12. Memo from District Counsel, Stoutemyer from USBOR to Project Manager, Burley re Information Requested by A.B. Hartley of the Hillsdale Irrigation District dated January 14, 1920.
13. Crandall on Snake River and Related Data dated May 2, 1917.
14. Water Distribution and Hydrometric Work in District No. 36 – 1921 – by Clyde Baldwin
15. Water Distribution and Hydrometric Work in District No. 36 – 1922 – by Clyde Baldwin
16. Water Distribution and Hydrometric Work in District No. 36 – 1923 – by Clyde Baldwin
17. Water Distribution and Hydrometric Work Water District 01, 1977 – United States Department of Interior Geological Survey (Process Date 12-21-77)
18. Water Distribution and Hydrometric Work District No. 01 Snake River, Idaho - 1978

19. Ronald Carlson, Watermaster of District 01, IDWR letter dated October 21, 1981 to Minidoka Project Office, Donald Tracy dated October 21, 1981
20. Memorandum dated November 13, 1981 from Project Superintendent, Burley to Regional Director -- USDI-BOR re Clarification of Foster Decree Relative to Minidoka Project:
21. Letter from Regional Planning Officer of USDI-BOR to Assistant Regional Director dated June 9, 1982 - computation of evaporation loss in Lake Walcott
22. Memorandum from the Project Superintendent, Burley of USDI-BOR to Regional Director of USDI-BOR dated July 8, 1983:
23. Snake River Reach Gains Between Blackfoot and Milner Dam Prepared by Tony Olenichak for Water District #1 January 7, 1998
24. Settlement Agreement for Determining Natural Flows Pursuant to Foster Decree dated February 14, 2006
25. Foster Decree Submittal by Amy Chestnut and partial or complete copies of exhibits and letters relating thereto.
26. Letter from Ken Fletcher to Candice McHugh, Re: Return Flows, data August 13, 2008 and partial or complete copies of attachments
27. USGS Measurements
28. Estimates of Snake River Gains and Losses from Heise and Ashton to King Hill: Eastern Snake Plain Aquifer, Minidoka to Milner, Idaho Water Resources Research Institute, University of Idaho, by Brenda K. Gilliland, July 2003, Eastern Snake Plain Aquifer Model Enhancement Project Recharge Calculation Design Document Number DDM-0171
29. Streamflow gains and losses in the Snake River and ground-water budgets for the Snake River plain, Idaho and eastern Oregon, U.S. Geological Survey Professional Paper 1408-C
30. Summaries of USGS Measurements and Historic Minidoka Credit Calculations
31. IDWR Orders entered in response to 2005 Surface Water Coalition Delivery Calls

32. Discovery responses in Minidoka Credit Subcases
33. Discovery responses in High Water Subcases
34. Documents listed by any other party, including IDWR
35. Summaries of Water District 01 Accounting Records
36. Illustrative Exhibits to assist with witness testimony
37. Rebuttal exhibits as deemed necessary

DATED this 6th day of May, 2009.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: 
CANDICE M. McHUGH
Attorney for the Ground Water Districts

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of May, 2009, the above and foregoing document was served in the following manner.

Clerk of the SRBA Court 253 Third Avenue North PO Box 2707 Twin Falls, ID 83303-2707	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Document Repository Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-287-6700 ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-878-2548 ☐ Overnight Mail ☐ Hand Delivery
W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, Idaho 83318-0248	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-878-2548 ☐ Overnight Mail ☐ Hand Delivery ☒ E-Mail wkf@pmt.org
John Simpson Travis L. Thompson Barker Rosholt P.O. Box 2139 Boise, Idaho 83701-2139	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-344-6034 ☐ Overnight Mail ☐ Hand Delivery ☒ E-Mail jks@idahowaters.com tlr@idahowaters.com
United States Department of Justice Environment & Natural Resources Division 550 W Forst St., MSC 033 Boise, ID 83724	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-344-6034 ☐ Overnight Mail ☐ Hand Delivery

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Dean Tranmer CITY OF POCATELLO P.O. Box 4169 Pocatello, Idaho 83205	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☒ E-mail dtranmer@pocatello.us

ATTACHMENT IDENTIFYING THE MINIDOKA CREDIT SUBCASES

1-209
1-210
1-211A
1-211B
1-212
1-213
1-214A
1-214B
1-217
1-218
1-219
1-10187
1-10188
1-10192
1-10194

The highlighted subcases indicate those in which the Ground Water Districts are not a party.