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MAY 11 2009

DEPARTMENT OF
WATER RESOURCES

Attorneys for Minidoka Irrigation District

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*Attorneys for Burley Irrigation District,
North Side Canal Company and Twin Falls
Canal Company*

**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. 1-209, et al.
	)	(See List of 15 subcases attached)
Case No. 39576	)	"Minidoka Credit Remark"
	)	
	)	CLAIMANTS' JOINT NOTICE OF
	)	WITNESSES AND EXHIBITS FOR TRIAL
	)	
	)	

COME NOW, Burley Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company, Claimants in the above-referenced subcases, by and through counsel of record, and hereby jointly submit this *Notice of Witnesses and Exhibits for Trial*.

The Claimants may call the following persons as witnesses at trial in the above-captioned matter (in addition to any witnesses called by IDWR or the Objectors, or rebuttal witnesses as deemed necessary):

WITNESS LIST

Lay Witnesses:

Brian Olmstead, Manager (Twin Falls Canal Company)

Ted Diehl, Manager (North Side Canal Company)

Billy Thompson, Manager (Minidoka Irrigation District)

Randy Bingham, Manager (Burley Irrigation District)

Lyle Swank, Watermaster (Water District 01)

Tony Olenichak, Program Supervisor (Water District 01)

Expert Witnesses:

Dave Shaw, P.E. (ERO Resources)

Charles E. Brockway, Ph.D., P.E. (Brockway Engineering PLLC)

The Claimants may use the following exhibits at trial in the above-captioned matter (in addition to any exhibits identified by IDWR or the Objectors, or rebuttal exhibits as deemed necessary):

EXHIBIT LIST

1. Copy of decree entered in *Twin Falls Canal Co. v. Charles Foster et al.* (Twin Falls County Dist. Ct., 4th Jud. Dist., June 20, 1913).
2. Brief History re: "Minidoka Credit"
3. Table of 1919-2001 Data – "Minidoka Project Return Flow Credit"
4. *Settlement Agreement for Determining Natural Flows Pursuant to Foster Decree* (dated February 14, 2006)

5. Water District 01 Annual Reports
6. Lynn Crandall March 21, 1957 Letter to Lawrence Duffin

DATED this 6th day of May, 2006.

FLETCHER LAW OFFICES



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John K. Simpson
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Paul L. Arrington

*Attorneys for Burley Irrigation District,
North Side Canal Company, and
Twin Falls Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2009, I served a true and correct copy of the foregoing **CLAIMANTS' JOINT NOTICE OF WITNESSES AND EXHIBITS FOR TRIAL** on the following by the method indicated:

Clerk of the SRBA Court
253 Third Ave. North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ U.S. Mail, Postage Prepaid
☒ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Natural Resources Division Chief
State of Idaho
Attorney General's Office
P.O. Box 44449
Boise, Idaho 83711-4449

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☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort St., MSC 033
Boise, Idaho 83724

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☐ Overnight Mail
☐ Facsimile
☐ Email

IDWR Repository
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Boise, Idaho 83720-0098

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☐ Overnight Mail
☐ Facsimile
☐ Email

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Denver, CO 80202

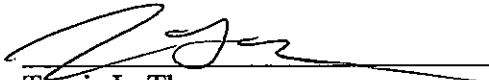
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Travis L. Thompson

Subcase Nos.

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