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DEPARTMENT OF
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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 Numbers: See Attachment
A ["Minidoka Credit Remark"]**

**CITY OF POCATELLO'S
WITNESS AND EXHIBIT LIST**

Pocatello submits its list of witnesses and exhibits to be used in the trial in this matter. Pursuant to agreement of counsel, this list was provided on May 6, 2009, by email to opposing counsel for the claimants and counsel for the objectors.

WITNESSES

1. Karl Dreher
2. Tony Olenchiak

3. Any witness called by any other party
4. Any witness necessary for rebuttal

EXHIBITS

1. Director's Order, *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* ("SWC Call") February 14, 2005
2. Director's Order, *SWC Call*, May 2, 2005.
3. Director's Supplemental Order Amending Replacement Water Requirements, *SWC Call*, July 22, 2005
4. Director's Second Supplemental Order Amending Replacement Water Requirements, *SWC Call*, December 27, 2005
5. Director's Third Supplemental Order, *SWC Call* , June 29, 2006
6. Director's Fourth Supplemental Order, *SWC Call* , July 17, 2006
7. Director's Fifth Supplemental Order Amending Replacement Water Requirements Final 2006 & Estimated 2007, *SWC Call*, May 23, 2007
8. Director's Sixth Supplemental Order Amending Replacement Water Requirements and Order Approving IGWA's 2007 Replacement Water Plan, *SWC Call*, July 11, 2007
9. Director's Seventh Supplemental Order, *SWC Call* , December 20, 2007
10. Letter from Amy Chestnut to Karl Dreher, *Re: Water Accounting for the Snake River, Neeley to Milner – Minidoka Project credit*, June 11, 2003
11. Letter from Amy Chestnut to Karl Dreher, *Re: Water Accounting for the Snake River, Neeley to Milner – Minidoka Project Credit*, July 17, 2003
12. Barker, Rosholt, & Simpson, LLP, *Water Accounting for the Snake River, Neeley to Milner – Minidoka Project credit ("Foster Decree Submittal")* June 11, 2003, updated July 17, 2003, including attached Exhibits to Foster Decree Submittal
13. Letter from Ken Fletcher to C. McHugh, *Re: Return Flows*, August 13, 2008, and attached documents regarding Minidoka credit and data used in negotiations between parties to the 2006 settlement agreement
14. Water District 01 Storage Reports

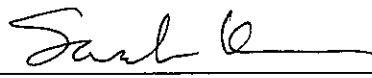
15. Water District 01 Annual Reports
16. Pocatello's Palisades Contract
17. Partial Decrees for Pocatello's ground water rights
18. Water Right Accounting and Flow Distribution for Water District 1, Upper Snake River Idaho, by Robert Sutter and Alan Robertson, October 1980
19. Water Rights Accounting on the Upper Snake River Water District 01, Southeastern Idaho, A Thesis, by V. Bruce Sandoval, July, 1992
20. Any exhibit endorsed by any other party.
21. Any exhibit necessary for cross-examination and/or rebuttal.

Respectfully submitted, this 7th day of May, 2009.

CITY OF POCATELLO ATTORNEY'S
OFFICE

By 
A. Dean Tranmer

WHITE & JANKOWSKI, LLP

By 
Sarah A. Klahn

ATTORNEYS FOR POCATELLO

ATTACHMENT A = "MINIDOKA CREDIT REMARK" subcases

Subcase Nos:

01-00209
01-00210
01-00211A
01-00211B
01-00212
01-00213
01-00214A
01-00214B
01-00217
01-00218
01-00219
01-10187
01-10188
01-10192
01-10194

CERTIFICATE OF MAILING/SERVICE

I hereby certify that on this 7th day of May, 2009, a true and correct copy of **Pocatello's List of Exhibits and Witnesses for SRBA Surface Water Coalition Water Rights Cases [Minidoka Credit Remark Subcases]** was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following. This list was previously served by email on May 6, 2009 to opposing counsel.



Sarah A. Klahn

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US Department of Justice Environment & Natural Resources 550 W Fort St MSC 033 Boise ID 83724 [US, USDI Bureau of Reclamation]	James S. Lochhead Brownstein Hyatt 410 – 17 th St Ste 2200 Denver CO 80202 [Idaho Power Co]