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DEPARTMENT OF
WATER RESOURCES

Attorney for Edwards Family, LLC

**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. 63-12, 63-13, 63-14,
	)	63-15, 63-16, 63-308, 63-2103A,
Case 39576	)	63-2103B, 63-3603, 63-4037, 63-5067,
	)	63-5195, 63-7595, 63-9758, 63-21875,
	)	63-27649, 63-27671, 63-30006, 63-30007,
	)	63-31050, 63-31051, 63-31052, 63-31053,
	)	63-31054, 63-31055, 63-31056, 63-31057,
	)	63-31058, 63-31059, 63-31060, 63-31062, and
	)	63-32895
	)	
	)	EDWARDS FAMILY, LLC'S
_____	)	WITNESS AND EXHIBIT LISTS

Comes now Edwards Family, LLC, by and through its attorney of record, Dana L. Hofstetter of Hofstetter Law Office, LLC and hereby submits the following witness and exhibit lists. Plaintiff reserves the right to supplement this list with additional witnesses and exhibits after full review of the other parties' exhibit and witness lists, and to offer witnesses and exhibits not identified herein in rebuttal or impeachment, or as otherwise required in the interest of justice.

Witness List

Garnette Edwards, Edwards Family, LLC, 4106 Sand Creek St., Boise, ID 83703;

Vicky Music, Idaho Department of Water Resources, 2735 Airport Way, Boise, ID 83705;

Ken Neely, Idaho Department of Water Resources, 322 E. Front Street, Boise, Idaho 83702;

Gary Spackman, Idaho Department of Water Resources, 322 E. Front Street, Boise, Idaho 83702;

Jeff Peppersack, Idaho Department of Water Resources, 322 E. Front Street, Boise, Idaho 83702;

Carter Fritschle, Idaho Department of Water Resources, 322 E. Front Street, Boise, Idaho 83702;

Terry Scanlan, SPF Water Engineering, 300 E. Mallard Drive, Ste. 350, Boise, Idaho 83706; and

J.L. Terteling, 3858 Garden Center Way, Ste. 300, Boise, Idaho 83703.

The Edwards Family LLC further reserves the right to use as witnesses additional Idaho Department of Water Resources ("IDWR") representatives, as needed to the extent some of the above-referenced IDWR witnesses are not available to testify at trial and/or with regard to introducing IDWR records into evidence. Further, the Edwards Family, LLC reserves the right to supplement this witness list to the extent that The Terteling Company, Inc. attempts to expand the issues to be tried beyond its Objection in 63-14, and as represented at the pre-trial conference.

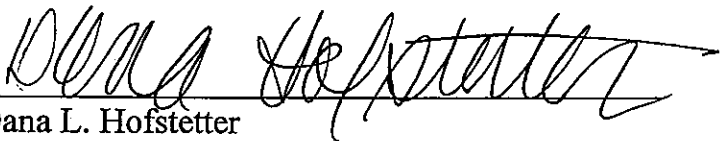
Exhibit List

1. Ada County, Idaho, Case Number 11748 – Decree – *Frances Silkey v. H. W. Tiegs, Thomas F. Edwards and J. Ryan.*
2. *Silkey v. Tiegs*, 51 Idaho 344, 5 P.2d 1049 (1931).
3. *Silkey v. Tiegs*, 54 Idaho 126, 28 P.2d 1037 (1934).
4. Certified Measurements pursuant to *Silkey v. Tiegs*, Commissioner of Reclamation of the State of Idaho, May 26, 1932.
5. Adjudication Field Report, Commercial Space Heating/Cooling Requirements for Cold or Geothermal Sources and March 15, 2005 Memo from Vicky Music, Water Resource Agent all from IDWR SRBA Adjudication Claim File, Water Right No. 63-14.
6. Adjudication Field Report from IDWR SRBA Adjudication Claim File, Water Right No. 63-31052.
7. Edwards Greenhouse, Geothermal Well Production Data 1980-2000 submitted to IDWR, or portions thereof.
8. IDWR, Application Processing Memo No. 23 – Rate of Flow for Heating Use, September 28, 1992.
9. Application for Transfer of Water Right – Transfer No. 68558.
10. Evaluation of the Flora Company's Geothermal Discharge Weir, Technical Memorandum and Report by Ed Squires/Hydrologic, Inc., February 12, 2002 from the IDWR File for Water Right No. 63-12.
11. Note in IDWR Water Right File 63-12, "Flora Hot Water Rates by Being Pumped," April 25, 2001.
12. Memorandum from Gary Spackman to IDWR File Nos. 63-00012 *et al.*, May 9, 2002.
13. Transfer Review Sheet, May 23, 2002 from the IDWR file for Water Right No. 63-12.
14. June 3, 2002, IDWR Approval Transfer of Water Right – Transfer No. 68558.
15. October 9, 2002 IDWR Amended Approval Transfer of Water Right – Transfer No. 68558.
16. Amended Preliminary Order and Order Denying Petition for Reconsideration, In the Matter of Transfer No. 68558, August 9, 2002.
17. Petition for Reconsideration, In the Matter of Transfer No. 68558, June 18, 2002.
18. Affidavit of Terry M. Scanlan P.E., Transfer 68558, In the Matter of Application for Transfer No, 68558, July 25, 2002.
19. Memorandum from Lori Graves to Transfer File No. 68558, from the IDWR file for Water Right No. 63-12, May 1, 2002.
20. Memorandum from Lori Graves to Steve Lester, from the IDWR file for Water Right No. 63-12, March 12, 2002.
21. Western Region Transfer Analysis, from the IDWR file for Water Right No. 63-12.
22. January 24, 2002 Settlement Agreement between The Terteling Company, Inc. and the Edwards Family, LLC.

The Edwards Family LLC further reserves the right to use as exhibits any SRBA Claims, Director's Report Recommendations or other filings in the above-captioned subcases or evidence already introduced into the record in these Subcases by Affidavit. Further, the Edwards Family, LLC reserves the right to supplement this exhibit list to the extent that The Terteling Company, Inc. attempts to expand the issues to be tried beyond its Objection in 63-14, and as represented at the pre-trial conference.

Dated this 16th day of September, 2010

HOFSTETTER LAW OFFICE, LLC


Dana L. Hofstetter

CERTIFICATE OF SERVICE

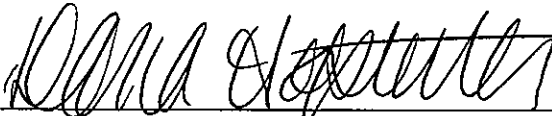
I hereby certify that I caused to be served a copy of the foregoing this 16th day of September, 2010, by U.S. Mail postage pre-paid (or by the pre-paid method as otherwise indicated below) to:

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Dana L. Hofstetter