
	✓ 133 Map - Outlining Cactall use.	✓ 135
200 Partial Decree 74-740	Yes	Yes
201 Partial Decree 74-741		
202 Partial Decree 74-742		
203 Partial Decree 74-7147		
204 74-16008, Application for Permit		
205 74-16008, Amended Application for Permit		
206 80150 Application for Transfer		
207 Table of Herbst Water Right after Transfer 80150		
208 74-16008 Stipulation for Withdrawal of Protests		
✓ 209 Wild & Scenic Stipulation		
210 Order Approving Wild & Scenic Stipulation		
211 Amended Order Approving Wild & Scenic Stip		
✓ 212 75-13316 / 77-11941 Fed Reserve WR Decree		
213 Administrator's Memo #70		
214 Application Processing Memo #17		
215 Resume of David Shaw		
✓ 216 74-16004 Final Order		
217 Request for Admission #1		
218 Request for Admission #3		
219 Request for Admission #7		
220 Request for Admission #9		
221 IDWR List Rights Enjoying Subordination		
222 Basin 74 General Provisions		

Application for Permit 74-16008

Exhibit Number	Title of Exhibit	Introduced	Accepted / or.
✓ 100	Violation Letter	Yes	Yes
✓ 101	Application for Permit		
✓ 102	Amended Application for Permit		
✓ 103	Notice of Protest - IWB 1/4/2014		
104	Water Right Summary		
✓ 105	Field Visit Photographs		
✓ 106	GIS Map - 2015		
✓ 107	GIS Map - 2013		
✓ 108	GIS Map - 2011		
✓ 109	Proposed Finding of Facts - Additional page		
✓ 110	GIS Map		
111	Old WR License	NO	NO
112	Email from Bob Loucks	NO	NO
✓ 113	Stipulation for Withdrawal of Protest	Yes	Yes
✓ 114	Partial Decree, 75-13316, 77-11941		
✓ 115	Basin 74 General Provisions		
✓ 116	Administrator's Memo #70 Check H.		
✓ 117	Email from James Cefalo to Parties - check file		
✓ 118	Comparison of Water Right No. 75-13316		
✓ 119	Water Right Report 35-14336		
✓ 120	IWRB's Discovery Response		
✓ 121	Application for Permit 74-16010		
✓ 122	Amended Application for Permit, 74-16010		
✓ 123	Notice of Protest - IWB for Cockrell 2/24/2014		
✓ 124	Email from James Cefalo to Ann Vonde		
✓ 125	Letters from Mike Kossler		
✓ 126	Withdrawal of Protest - IWB		
✓ 127	Permit to Appropriate Water 74-16010		
128	Water Right Report 74-2047L		
129	Water Right Map - 74-2047L		
✓ 130	Water Right Report - 74-1835		
131	Water Right Map - 74-1835		
132	Application for Transfer 80150		

Applicant's Witness List	Called	Comments
Lynn Herbst	Yes 10:30 Am.	
Robin Herbst	N/A	
Bob Loucks	N/A	
Cynthia Bridge-Clark	Yes 11:37 Am.	
Protestant's Witness List	Called	Comments
David Shaw	Yes 1:55 pm	
Jeff Peppersack	N/A	
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TESTIMONY LOG

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 74-16008

) HEARING
) July 14, 2016
) Conducted by James Cefalo
) Hearing Officer

	TRACK/ TIME	COUNTER	TESTIMONY DESCRIPTION
10:20 Am	#3 00:00		James opening stmt
	08:00		Rob - Wild & Scenic Agreement - briefing
	09:26		Ann - 42-203 (5) - maybe -
	09:46		James - local public
	10:07		Rob - 1 witness - Mr Herbst / C. Clark
	11:15		James - Swears Herbst in
	11:25		Rob questions Lynn Herbst
11:24	1:04:21		James questions Herbst.
11:25	#4 00:00		Ann crosses Herbst.
	5:02		James - accuses L. Herbst
	5:27		James swears in Cynthia Clark
11:37	5:40		Rob questions Cynthia Clark
	39:38		James - pgs 15 #4 - Questions James -
	41:55		Rob continues w/ Cynthia.
	1:01:30		Ann crosses Cynthia Clark
	1:18:08		Rob re-crosses Cynthia Clark
	1:26:50		Stop
	#5 00:00		Ann calls Dave Shaw
	00:18		James swears in Shaw.
1:55pm	00:26		Ann questions Shaw
	48:58		Break - Stop - change tracks.
#6 4:44pm	00:00		Ann continues questioning w/ Shaw
	06:15		Rob crosses Dave.
	30:55		James jumps in - crosses Dave.
	35:15		Rob continues
	1:02:40		stop track -

HERBST

74-16008

July 14, 2014

TRACK/
TIME

COUNTER

TESTIMONY DESCRIPTION

#2/3:47

00:00

James - crosses Dave Glavin

10:27

Ann Acres Shaw

14:25

James - Re crosses Shaw.

14:07

Rob de Crosse Shaw

21:20

JAMES - end of hearing.

21:40

Aug 5 - briefing ~~the~~ deadline
on or before - can be served
by email.

20:25

HEARING

Application for Permit 74-16008

Date: July 14, 2016

Presiding Officer: James Cefalo

Assisted by: Sharla Cox

NAME	PHONE NUMBER ADDRESS, CITY, ZIP	EMAIL ADDRESS	REPRESENTING
Isa Thomas	523-0620, 1500 Riverwood Apt. Idaho Falls, ID 83405	thomas@idahoenergy.com	Herbst
Robin Herbert	756-2584 P.O. Box 21 Jenney, Id. 83468	dhec@centurytel.net	
Dave Shaw	4001 E Main St Emmett, ID 83617	dshaw@energyresources.com	IDWRB
John A. Harold	756-2584 P.O. Box 21 Tendoy Id 83468	dhec@centurytel.net	Self
Cynthia Bravre CPL	322 E Front St, Boise ID 83701 ~~408-278-4817~~ 208-278-4817	cynthia.clark@idwr.idaho.gov	IDWRB
Ann Vonder	700 W State Boise 208-334-4141	ann.vonder@ag.idaho.gov	IDWIRB

If you are the applicant or the protestant, you can sign in and add your phone number. If you are not the protestant or the applicant, please fill in all the address information. PLEASE MAKE SURE TO ALWAYS PUT YOUR PHONE NUMBER AND EMAIL, IF POSSIBLE.
Thank you, IDWR.