

Jerry R. Rigby ISBN 2470  
RIGBY, ANDRUS & RIGBY, *Chartered*  
Attorneys at Law  
25 North Second East  
Rexburg, Idaho 83440  
Telephone: 208-356-3633

Attorneys for Idaho Fresh Pak, LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

|                                 |   |                                    |
|---------------------------------|---|------------------------------------|
| IN THE MATTER OF PERMIT TO      | ) |                                    |
| APPROPRIATE WATER NO.           | ) |                                    |
|                                 | ) | <b>WITNESS LIST AND DISCLOSURE</b> |
| 61-12274                        | ) | <b>OF EXHIBITS</b>                 |
| IN THE NAME OF LOUIS D. JEFFREY | ) |                                    |
| _____                           | ) |                                    |

TO: IDAHO DEPARTMENT OF WATER RESOURCES

COMES NOW the firm of Rigby, Andrus & Rigby, *Chartered*, and through Jerry R. Rigby, a partner in said firm, and hereby submit the following intended witness list and disclosure of exhibits in the above entitled matter:

**LIST OF WITNESSES/INTENDED WITNESSES**

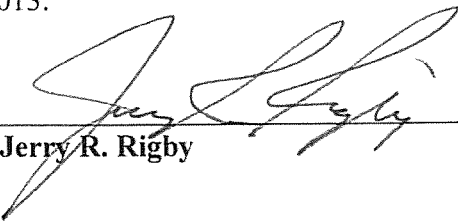
1. Robert K. Hall - Glenns Ferry, Idaho
2. John R. Solosabal - Glenns Ferry, Idaho
3. Jerry L. Heath and Shirley A. Heath - Glenns Ferry, Idaho
4. Elizabeth Eichholz - Glenns Ferry, Idaho
5. Fred Mackey - Glenns Ferry, Idaho
6. Edward T. Potucek - Glenns Ferry, Idaho

7. Gary N. Nelson and Nancy Nelson - Hagerman, Idaho
8. Any witness required to establish a foundation for an exhibit.
9. Any witness required for rebuttal.
10. Any witness endorsed or produced by other party.

#### **DISCLOSURE OF EXHIBITS**

1. Amended Expert Witness Report of Rocky Mountain Environmental.
2. Agreement between Magic West, Inc. and Robert K. Hall.
3. Agreement between Magic West, Inc. and John R. Solosabal.
4. Agreement between Magic West, Inc. and Jerry L. Heath and Shirley A. Heath.
5. Agreement between Magic West, Inc. and Elizabeth Eichholz.
6. Agreement between Magic West, Inc. and Fred Mackey.
7. Agreement between Magic West, Inc. and Edward T. Potucek, Gary N. Nelson and Nancy Nelson.
8. IDWR Water permit Report

DATED This 3<sup>rd</sup> day of September, 2013.

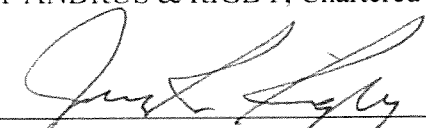
  
Jerry R. Rigby

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY  
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 3<sup>rd</sup> day of September, 2013.

RIGBY ANDRUS & RIGBY, Chartered

  
\_\_\_\_\_  
Jerry R. Rigby

Vicki Music  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705  
[vicky.music@idwr.idaho.gov](mailto:vicky.music@idwr.idaho.gov)

☒ Mail  
☐ Hand Delivery  
☐ Facsimile  
☒ - E-Mail

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☐ Hand Delivery  
☐ Facsimile

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Glenns Ferry, ID 83623

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☐ Hand Delivery  
☐ Facsimile

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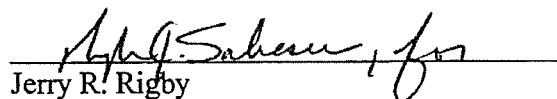
Attorneys for Idaho Fresh Pak, LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES  
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| IN THE NAME OF LOUIS D. JEFFREY | ) |                                                                         |
| _____                           | ) |                                                                         |
|                                 | ) | <b>NOTICE OF SUBMISSION OF<br/>EXPERT WITNESS REPORT TO<br/>PARTIES</b> |

Comes now Idaho Fresh Pak, LLC by and through their attorney of record, Jerry R. Rigby of Rigby, Andrus & Rigby, Chtd., and hereby gives notice that the Expert Witness Report of Rocky Mountain Environmental was sent to all parties this 19<sup>th</sup> day of August, 2013. The report was not sent on Friday due to Counsel's copy machine failing to work properly. Motion is hereby made to grant the extension to this 19<sup>th</sup> day of August, 2013.

Respectfully submitted this 19th day of August, 2013.

  
Jerry R. Rigby

## Westra, John

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**From:** Music, Vicky  
**Sent:** Thursday, September 05, 2013 10:09 AM  
**To:** Westra, John  
**Subject:** FW: Permit Number 61-12274 - Louis D. Jeffrey  
**Attachments:** Idaho Fresh Pak Witness List & Exhibits.pdf

Vicky M

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**From:** Mandy Davis [<mailto:mdavis@rex-law.com>]  
**Sent:** Tuesday, September 03, 2013 1:44 PM  
**To:** Music, Vicky  
**Subject:** Permit Number 61-12274 - Louis D. Jeffrey

I have attached herewith a copy of our Witness List and Disclosure of Exhibits, due to the size of the exhibits I have not included them herewith, but have mailed all the originals to your office.  
If you have any questions, please contact our office. Thanks.

Mandy Davis  
Assistant to Jerry R. Rigby  
Rigby, Andrus & Rigby  
25 N. 2nd E.  
Rexburg, ID 83440  
Tel: 208-356-3633  
Fax: 208-356-0768