

# TESTIMONY LOG

IN THE MATTER OF APPLICATION )  
 FOR TRANSFER NO. 73811 (SHEKINAH )  
 INDUSTRIES); APPLICATION FOR )  
 TRANSFER NO. 73834 (ORCHARD )  
 RANCH); APPLICATION FOR PERMIT )  
 NO. 63-32499 (MAYFIELD TOWNSITE); )  
 APPLICATION FOR PERMIT NO. )  
 61-12095 (NEVID-CORDER); )  
 APPLICATION FOR PERMIT NO. )  
 61-12096 (NEVID-CORDER); )  
 APPLICATION FOR PERMIT NO. )  
 63-32703 (ORCHARD RANCH); )  
 APPLICATION FOR PERMIT NO. )  
 61-12256 (INTERMOUNTAIN SEWER )  
 AND WATER); APPLICATION FOR )  
 PERMIT NO. 63-33344 (ARK )  
 PROPERTIES-MAYFIELD TOWNSITE). )

Beginning at 9:00 a.m.

April 18, 2013

Hearing Officer: Gary Spackman

## DIGITAL AND TAPE INFORMATION:

| DIGITAL TRACK | DIGITAL LOCATION | TAPE NO. & TIME STAMP | TAPE LOCATION | TESTIMONY DESCRIPTION                        |
|---------------|------------------|-----------------------|---------------|----------------------------------------------|
| NO.           | HRS-MIN-SEC      | TO                    | FROM          |                                              |
| 007           | 0                | 3                     | 00:14         | Spackman - Opens Hearing on Record           |
|               | 0:28             |                       | :28           | Norm Young Begins Testimony                  |
|               | 2:10             |                       | 80            | Mr Young Confirms Exhibit 2+4 for IPC        |
|               | 4:58             |                       | 156           | Simpson: Asks Mr Young about implementation  |
|               | 6:23             |                       | 197           | Mr Simpson: Question trust                   |
|               | 6:45             |                       | 212           | Semenko: Questions Purpose of Questioning    |
|               | 7:49             |                       | 240           | Simpson: Exhibit 3 Questions                 |
|               | 10:00            |                       | 310           | Simpson Question - Existing Water supply     |
|               | 11:04            |                       | 338           | Simpson asks Young's Opinion                 |
|               | 11:18            |                       | 345           | Smith: Objection                             |
|               | 12:00            |                       | 360           | Simpson: Explains Question                   |
|               | 12:47            |                       | 390           | Spackman Overruled Smith objection           |
|               | 14:00            |                       | 427           | Young: Existing WRs represent appropriation  |
|               | 14:39            |                       | 445           | Young: Opinion of Water Supply in Study area |
|               | 15:30            |                       | 471           | Smith: Objection                             |
|               | 16:00            |                       | 485           | Spackman: Overruled objection                |

| DIGITAL TRACK | DIGITAL LOCATION | TAPE NO. & TIME STAMP | TAPE LOCATION | TESTIMONY DESCRIPTION                                                                          |
|---------------|------------------|-----------------------|---------------|------------------------------------------------------------------------------------------------|
| NO.           | HRS-MIN-SEC      | TO                    | FROM          |                                                                                                |
| 007           | 16:42            | 3                     | 509           | Young: Responds (Pg 14) Exhibit 3 IPC                                                          |
|               | 22:14            |                       | 674           | Young: End Response                                                                            |
|               | 22:38            |                       | 687           | Simpson: Question                                                                              |
|               | 22:56            |                       | 698           | Semanko: Same testimony?                                                                       |
|               | 23:30            |                       | 713           | Simpson: Question                                                                              |
|               | 23:54            |                       | 726           | Smith: Objection                                                                               |
|               | 24:06            |                       | 757           | Spackman: Overruled                                                                            |
|               | 25:20            |                       | 770           | Creamer: Repeat Question                                                                       |
|               | 26:06            |                       | 796           | Young: Responds - No benefits of <sup>sup</sup> tail <sup>ag</sup> <sup>ag</sup> <sup>ag</sup> |
|               | 27:28            |                       | 835           | Simpson: New Question - Geothermal                                                             |
|               | 28:19            |                       | 861           | Young: Response - infiltration Geo Water study area                                            |
|               | 31:00            |                       | 946           | Simpson: Question -                                                                            |
|               | 31:52            |                       | 978           | Young: Rely on Exhibit 3+4                                                                     |
|               | 32:45            |                       | 1000          | Move Exhibits 3+4 into Evidence                                                                |
|               | 33:20            |                       | 1035          | Spackman Receive into Evidence                                                                 |
|               | 33:45            |                       | 1030          | Semanko: Cross Exam                                                                            |
|               | 35:14            |                       | 1077          | Mr Young: Responds to Figure 1 Question                                                        |
|               | 36:04            |                       | 1004          | Semanko: Question How many Protest                                                             |
|               | 37:00            |                       | 1135          | Semanko: Question about alternative source                                                     |
|               | 38:04            |                       | 1168          | Semanko: Review of IDWR Study Report                                                           |
|               | 38:33            |                       | 1180          | Young: Response                                                                                |
|               | 40:10            |                       | 1230          | Semanko: Question Study Area of IDWR                                                           |
|               | 41:40            |                       | 1280          | Semanko: Question Water budget Methodology                                                     |
|               | 43:02            |                       | 1327          | Young: Does not disagree with Mr Shaws testin                                                  |
|               | 45:41            |                       | 1412          | Young: Not enough water for existing WR's                                                      |
|               | 46:25            |                       | 1430          | Semanko: Pg 1+2 - Rebuttle Report Questions                                                    |
|               | 49:20            |                       | 1532          | Semanko: Question about study boundary                                                         |
|               | 50:58            |                       | 1584          | Semanko: Exhibit #3 Pg 4 question                                                              |
|               | 53:05            |                       | 1654          | Begin Cross examination Mr. Smith                                                              |
|               | 55:24            |                       | 1734          | Smith: Relevance of Mt. Home Plateau                                                           |
|               | 1:00:14          |                       | 1891          | Smith: Boundaries Cinder Cone Mts are                                                          |
| ✓             | 1:00:27          |                       | 1900          | Simpson: Objection                                                                             |
|               | 1:01:00          | ✓                     | 1923          | Spackman: Overruled Objection                                                                  |

| DIGITAL TRACK | DIGITAL LOCATION | TAPE NO. & TIME STAMP | TAPE LOCATION | TESTIMONY DESCRIPTION                                              |
|---------------|------------------|-----------------------|---------------|--------------------------------------------------------------------|
| NO.           | HRS-MIN-SEC      | TO                    | FROM          |                                                                    |
| 007           | 1:02:30          | 3                     | 1970          | Smith: Cross exam continues                                        |
|               | 1:08:00          |                       | 2160          | Smith: End cross Exam                                              |
|               | 1:08:13          |                       | 2165          | Begin Mr. Creamer cross exam                                       |
|               | 1:09:55          |                       | 2225          | End Cross Exam                                                     |
|               | 1:10:17          |                       | 2238          | Mr. Simpson - No further Questions                                 |
|               | 1:10:36          |                       | 2266          | - Break - (Tape kept running)                                      |
|               | 1:10:36          |                       | 2593          | Begin Rebuttle Testimony                                           |
|               | 1:11:35          |                       | 2630          | Petrich called as Rebuttle Witness                                 |
|               | 1:13:23          |                       | 2697          | Smith: Offers M/N #6 as Evidence                                   |
|               | 1:14:32          |                       | 2739          | Exhibit M/N #6 Received into Evidence                              |
|               | 1:21:28          |                       | 2886          | Semanko - Questions Petrarch                                       |
|               | 1:24:37          |                       | 3115          | Mr Simpson - Begins X-examination                                  |
|               | 1:32:38          |                       | 3400          | Semanko - Objection question already answered                      |
|               | 1:37:14          |                       | 3446          | Spackman - Question needs to be answered                           |
|               | 1:36:59          |                       | 3595          | Semanko - Objection                                                |
|               | 1:38:06          |                       | 3638          | Spackman - Clarify answer "more or less"                           |
|               | 1:40:00          |                       | 3716          | Simpsons - Continues cross-exam of Petrarch                        |
|               | 1:44:22          |                       | 3892          | Simpson - Questions about Rebuttle Rpt                             |
|               | 1:48:29          |                       | 4064          | Smith - Objection (overruled)                                      |
|               | 1:53:55          |                       | 4290          | Simpson - References <sup>rebuttle</sup> Report + continues X-exam |
|               | 1:54:55          |                       | 4336          | Smith - Objection                                                  |
|               | 1:55:00          |                       | 4388          | Semanko - Objection                                                |
|               | 1:56:29          |                       | 4403          | - Break -                                                          |
|               | 1:56:30          |                       | 4404          | End Break - X-exam by Simpson Resumes                              |
|               | 1:57:52          |                       | 4466          | Semanko - Objection (overruled)                                    |
|               | 2:05:05          |                       | 4791          | Simpson: References Section ii - continues X-exam                  |
|               | 2:07:47          |                       | 4915          | Creamer: Begins X-exam of Petrarch                                 |
|               | 2:10:40          |                       | 5040          | Smith: Re-direct                                                   |
|               | 2:11:39          |                       | 5093          | Semanko: Re-direct                                                 |
|               | 2:15:48          |                       | 5293          | Simpson: Re-cross examination                                      |
|               | 2:18:49          |                       | 5438          | Smith: Objection (overruled)                                       |
|               | 2:21:28          |                       | 5572          | End Petrarch Testimony                                             |
|               | 2:31:29          |                       | 6095          | Close Record                                                       |