

RECEIVED
JUL 15 2011
Department of Water Resources
Eastern Region

Scott L. Campbell, ISB No. 2251
Andrew J. Waldera, ISB No. 6608
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
slc@moffatt.com
ajw@moffatt.com
24810.0000

Attorneys for Protestant
Portneuf Watershed Users Association, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 76779 IN THE NAME OF
THE CITY OF POCATELLO

PROTESTANT PORTNEUF WATERSHED
USERS ASSOCIATION'S FIRST
SUPPLEMENTAL DISCLOSURE OF
POTENTIAL WITNESSES

COMES NOW Protestant Portneuf Watershed Users Association, Inc.

("PWUA"), by and through undersigned counsel of record and pursuant to the Idaho Department of Water Resources' *Order Authorizing Discovery and Notice of Status Conference*, dated February 8, 2011, and the subsequent *Notice of Hearing and Order Setting Pre-Hearing Deadlines*, dated April 21, 2011, and hereby makes this First Supplemental Disclosure of Potential Witnesses who it may call during the July 2011 hearing in this matter.

ORIGINAL

A. Lay Witnesses

1. Dan N. Dimick
8742 S. Sunnyside Road
Lava Hot Springs, ID 83246
(208) 776-5834 | (208) 251-6316
2. Glenn Christiansen
316 N. 200 W.
Blackfoot, ID 83221
(208) 785-2021
7366 S. Blazer Highway
Lava Hot Springs, ID 83246
(208) 776-5628
3. Kirk Irick
P.O. Box 373
Lava Hot Springs, ID 83246
(208) 251-8095
4. Wayne Avery
8888 Sunnyside Road
Lava Hot Springs, ID 83246
(208) 776-5628
5. Earl H. Smith
7589 E. Maughn Road
Lava Hot Springs, ID 83246
(208) 776-5348
6. Shane Irick
10054 E. Old Oregon Trail Road
Lava Hot Springs, ID 83246
(208) 776-5298
7. Brett Casperson
8893 E. Maughn Road
Lava Hot Springs, ID 83246
(208) 776-5428
8. Gene Fagnant
9443 E. Merrick Road
Lava Hot Springs, ID 83246
(208) 776-5290

9. Lynden Symons
SYMONS FARM & RANCH
10098 E. Symons Road
Lava Hot Springs, ID 83246-0604
(208) 776-5248
10. Scott Gunnell
10396 E. Old Oregon Trail Road
Lava Hot Springs, ID 83246
(208) 776-5440
11. A representative of Indian Falls Water. Initially, PWUA disclosed Mr. Farrell Stevens as a witness for Indian Falls Water. However, Mr. Stevens passed away subsequent to his prior identification.
12. Stony Yakovac
6500 Highway 30 East
Lava Hot Springs, ID 83246
(208) 547-7256
13. Teresa Yakovac
6500 Highway 30 East
Lava Hot Springs, ID 83246
(208) 547-7256
14. Sherril Tillotson
P.O. Box 261
Lava Hot Springs, ID 83246

B. Expert Witnesses

1. Christian R. Petrich, Ph.D., P.E.
SPF Water Engineering LLC
300 East Mallard Drive, Suite 350
Boise, Idaho 83706
(208) 383-4140

C. Reservation of Rights/Supplementation

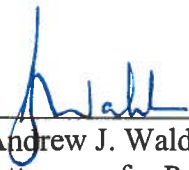
This Initial Disclosure of Potential Witnesses is preliminary. Consequently, the PWUA reserves the right to amend and supplement this witness disclosure as necessary. The PWUA will issue and serve a final hearing witness list on or before July 13, 2011, in accordance

with the Department's *Notice of Hearing and Order Setting Pre-Hearing Deadlines*, dated April 21, 2011.

The PWUA also reserves the right to call any and all witnesses (both lay and expert) named by any other party to this matter, including those named by Applicant City of Pocatello.

DATED this 22nd day of June, 2011.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 

Andrew J. Waldera – Of the Firm
Attorneys for Portneuf Watershed Users
Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 2011, I caused a true and correct copy of the foregoing **PROTESTANT PORTNEUF WATERSHED USERS ASSOCIATION'S FIRST SUPPLEMENTAL DISCLOSURE OF POTENTIAL WITNESSES** to be served by the method indicated below, and addressed to the following:

James Cefalo, Hearing Officer
IDAHO DEPARTMENT OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402
Fax: (208) 525-7177

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Michael C. Creamer
Jeffrey C. Fereday
GIVENS PURSLEY, LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701-2720
Fax: (208) 388-1300

☒ U.S. Mail, Postage Prepaid
☒ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Lynden and Candice Symons
SYMONS FARM AND RANCH LLC
P.O. Box 604
Lava Hot Springs, ID 83246

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

John Schwarz
Box 240
McCammon, ID 83250

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

James A. Spinner
ATTORNEY AT LAW
P.O. Box 6009
Pocatello, ID 83205-6009
Fax: (208) 232-1808

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Travis L. Thompson
BARKER ROSHOLT & SIMPSON, LLP
113 Main Avenue West
Suite 303
Twin Falls, ID 83301
Fax: (208) 735-2444

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Randall C. Budge
RACINE OLSON NYE BUDGE & BAILEY, CHTD.
201 E. Center
P.O. Box 1391
Pocatello, ID 83204-1391

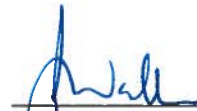
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Tom Barnes, President
PORTNEUF-MARSH VALLEY CANAL COMPANY
22465 S. Cambridge Road
Downey, ID 83234

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Mark Bennett, Secretary
PORTNEUF-MARSH VALLEY CANAL COMPANY
3670 E. Richards Road
Downey, ID 83234

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Andrew J. Waldera

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

RECEIVED

JUL 15 2011

Department of Water Resources
Eastern Region

Boise
Idaho Falls
Pocatello

Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns
Michael E. Thomas
Patricia M. Olsson

Christine E. Nicholas
Bradley J. Williams
Lee Radford
Michael O. Roe
Nancy J. Garrett
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Kimberly D. Evans Ross
Jon A. Stenquist
Mark C. Peterson
Tyler J. Anderson
Andrew J. Waldera

Dylan B. Lawrence
Paul D. McFarlane
C. Edward Cather III
Benjamin C. Ritchie
Amy A. Lombardo
Noah G. Hillen
Matthew J. McGee
David J. Dance
Mindy M. Willman

Robert E. Bakes, *of counsel*

Willis C. Moffatt, 1907-1980
Eugene C. Thomas, 1931-2010
John W. Barrett, 1931-2011
Kirk R. Helvie, 1956-2003

July 13, 2011

Mailing Address
PO Box 829
Boise ID 83701-0829

Physical Address
US Bank Plaza
101 S Capitol Blvd 10th Fl
Boise ID 83702-7710

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Idaho Department of Water Resources-Eastern
Region

900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Transfer No. 76779
MTBR&F File No. 24810.0000

Dear Clerk:

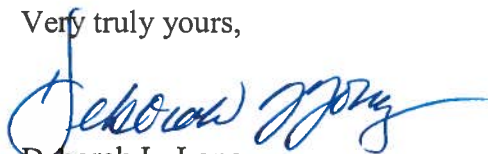
Enclosed for filing in the above-referenced matter is the following original document:

1. Protestant Portneuf Watershed Users Association's First Supplemental Disclosure of Potential Witnesses

Please conform the copy of this document and return it via the enclosed self-addressed, postage prepaid envelope.

Thank you for your assistance.

Very truly yours,



Deborah L. Long
Administrative Assistant to
Scott L. Campbell

/dl
Enclosures