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DEPARTMENT OF
WATER RESOURCES

Attorneys for Protestants Eldon and Mary Ann Golightly,
individually and as Trustees of E & M Trust; Grant Chadwick,
Trustee of the Chadwick Trust; Bert and Laura Wheatley,
Seth and Beth Wheatley, and Wheatley Properties, LLC

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23868.0000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.
75705 IN THE NAME OF PRESTON-
WHITNEY IRRIGATION CO.

PROTESTANTS' LIST OF EXHIBITS FOR
HEARING

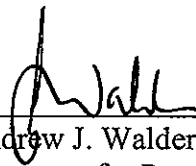
COME NOW, Protestants Eldon and Mary Ann Golightly, individually and as
Trustees of E & M Trust; Grant Chadwick, Trustee of the Chadwick Trust; Bert and Laura
Wheatley, Seth and Beth Wheatley, and Wheatley Properties, LLC (hereinafter collectively
"Protestants"), by and through its counsel of record, MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED, and pursuant to Idaho Department of Water Resources' Notice of Hearing
and Order Extending Discovery, dated December 30, 2010, hereby submit the following list of
exhibits which Protestants may offer into evidence at hearing:

See attached Exhibit "A" hereto and incorporated herein.

Protestants hereby reserve the right to supplement this exhibit list and to use any pleading filed/lodged with the Department in this matter. Further, Protestants reserve the right to use enlargements of any exhibit for demonstrative purposes at hearing. Protestants also reserve the right to use any exhibit offered by any other party to this matter.

DATED this 16th day of March, 2011.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 

Andrew J. Waldera – Of the Firm
Attorneys for Protestants
Eldon and Mary Ann Golightly,
individually and as Trustees of
E & M Trust; Grant Chadwick, Trustee
of the Chadwick Trust; Bert and Laura
Wheatley, Seth and Beth Wheatley, and
Wheatley Properties, LLC

CERTIFICATE OF SERVICE

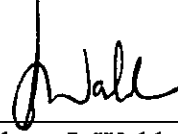
I HEREBY CERTIFY that on this 16th day of March, 2011, I caused a true and correct copy of the foregoing **PROTESTANTS' LIST OF EXHIBITS FOR HEARING** to be served by the method indicated below, and addressed to the following:

Robert Harris
HOLDEN KIDWELL HAHN & CRAPO
P.O. Box 50130
Idaho Falls, ID 83405

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

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
ATTN: Fredric W. Price
1387 S. Vinnell Way
Boise, ID 83709

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



Andrew J. Waldera

PROTESTANTS' EXHIBIT LIST						
Gary Spackman, Hearing Officer			Date: March 23, 2011			
Before the Department of Water Resources of the State of Idaho						
In the Matter of Transfer No. 75705 in the Name of Preston-Whitney Irrigation Company						
NO.	DESCRIPTION	DATE	ID	OFFD	OBJ	ADMIT
101	Protestants' Request for Official Administrative/Judicial Notice of IDWR Records	00/00/0000				
102	Amended Transfer Application and Cover Letter	10/18/2010	PROT_00001 to PROT_00002; PROT_00007; PROT_00003 to PROT_00004; PROT_00010 to PROT_00025; PROT_00005; PROT_00028; PROT_00006; PROT_00030 to PROT_00042			
103	Documents including various letters, notes, and photos demonstrating Golightly efforts to investigate/remedy water delivery concerns	Various	PROT_00465; PROT_00466 to PROT_00467; PROT_00488; PROT_00491 to PROT_00492; PROT_00571 to PROT_00573; PROT_00738; PROT_00742 to PROT_00743			
104	Memorandum to Water District 13-A File from Tim Luke re Worm Creek & Cub River Inventory; Water Right Administration Issues & Recommendations	6/25/2010	PROT_00151 to PROT_00244			
105	Protestants' Expert Witness Disclosure	9/17/2010				
106	Memorandum by Scott King of SPF Water Engineering to Andy Waldera re Preston-Whitney Irrigation Company Transfer No. 75705 Review	3/11/2011				
107	Worm Creek Drainage Basin Decree and Decree Amendments	8/15/1975 2/24/1986	PROT_00611 to PROT_00688; PROT_00689 to PROT_00715			
108	Excerpts of the McEwan Decree	7/9/1929	PWID0031 to PWID00034			
109	Bylaws of Preston-Whitney Irrigation Company	1/22/1996				

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NO	DESCRIPTION	DATE	ID	OFFD	OBJ	ADMIT
110	Select Documents from IDWR Backfile for Water Right No. 13-2298 (including License, Application for Permit, Report of Examiner (1971), Report of Engineer (1963))	Various	PWID00408 to PWID00413; PWID00422 to PWID00427; PWID00447 to PWID00451			
111	Select Documents from IDWR Backfile for Water Right No. 13-2104 (including Application for Permit, Permit, License, Report of Engineer (1930), Report of Engineer (1929), Deposition of Witness Statements of Joseph Jensen, Samuel Jensen and Aalter K. Barton)	Various	PROT_00366 to PROT_00368; PROT_00364; PROT_00354 to PROT_00355; PROT_00380 to PROT_00385; PROT_00374; PROT_00400 to PROT_00401			
112	Deposition Transcript of Preston-Whitney Irrigation Company's 30(b)(6) Witness Lyle Porter	12/3/2010				
113	Maps Prepared by PWICo depicting: Service Area, Water Distribution Facilities, Water Storage Facilities, Points of Diversion, and Points of Re-Diversion;		PROT_00294 to PROT00301; PROT_00422 to PROT_00423			
114	County/FSA Place of Use Maps produced by PWICo Witness and President Lyle Porter		Numbered 1 through 10			
115	Field Visit Notes/Maps prepared by Scott King		KING_00092 to KING_00093; KING_00150 to KING_00176; KING_00195 to KING_00196			
116	PWICo Place of Use Maps Prepared by Cindy Bird		PROT_00448 to PROT_00450			
117	Select Maps from/prepared/annotated by: Applicant or Applicant's Counsel; Protestants' Counsel (base maps: 13-2291 Backfile); and IDWR Online Backfile for Water Right No. 13-2298		PWID00002; PWID00484 to PWID00485;			
118	License for Water Right No. 13-2108	1/17/1939	PWID00053			
119	License for Water Right No.13-02288A	5/5/1995				
120						

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NO.	DESCRIPTION	DATE	ID	OFFD	OBJ	ADMIT
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	Protestants may present any additional exhibits identified after the date of this initial exhibit list					
	Protestants may present as hearing exhibits any and all pleadings, affidavits, briefs, deposition transcripts, deposition exhibits, discovery responses, or any document(s) identified or produced during the course of discovery in this matter, etc.					
	Protestants may present any exhibit identified by Applicant and any other party					
	Protestants may present any exhibit necessary for impeachment or rebuttal					
	Protestants may present charts, graphs, diagrams, and other demonstrative or illustrative exhibits					

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NO.	DESCRIPTION	DATE	ID	OFFD	OBJ	ADMIT
	Protestants reserves the right to use rebuttal exhibits or other unidentified exhibits for purposes of impeachment					