TESTIMONY LOG

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-32573 IN THE)
NAME OF M3 EAGLE LLC)
)

April 15-16, 22-24, & May 4-5, 2009
Beginning at 9:00 a.m. (MDT)
Hearing Officer: Gary Spackman

DIGITAL AND TAPE INFORMATION:

DIGITAL TRACK NO.	DIGITAL LOCATION HRS-MIN-SEC	TAPE NO. & TIME STAMP TO	TAPE LOCATION FROM	TESTIMONY DESCRIPTION
0007	~~00 35 30 17~~	~~0006~~ 186	0006	Begin Hearing
007	00 06 20	1520	186	Fereday Opening
	00 50 17	1520		Fereday end opening
	00 51 29	1876	1558	Mr. Thornton Opening
		1876		Mr. Spackman - objection ruling
	~~01~~ 00 02 14		1900	Mr. Thornton - continue opening
	01 02 41	1915		Mr. Thornton - end opening
				Break
	01 02 55	3398	1925	William Brownlee testimony
				Lunch
008	00 00 02		~~00~~ 3398	Brownlee continued
	~~00~~ 53 13	5463		Brownlee - end of testimony
	~~00~~ 53 30		5470	Thornton - cross of Brownlee
	01 34 16	7350		Thornton - end of cross
	01 34 16		7350	Smith - cross of Brownlee
	01 55 26	8486		end of tape
	01 55 26		0023	Smith cross - continued
		548		end of day
	End of Testimony on 4/15/09			

4/16/09 Testimony Log Muscle Page 1 of

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5	~:10	:10:40	~~:25~~	:25		Brownlee - Exam by Mr. Smith cross
	10:40		~~6:50~~	6:50		Objections to questions re economic effect on surrounding wells.
				10:8:40		
	16:32		~~11:80~~	11:80		Board S. asks Smith to defer questioning
	21:21			1292		Pierce Gulch Sand Aquifer
	25:08			15:28		
	25:10			15:42		Fereday - redirect of Brownlee
	27:21			16:-/22:		Exh 57
	36:-			22:40		Fereday - end of redirect
	37:50			22:80		Thorton - re cross of Brownlee
	48:35-53:44			30:92-34:50		Exh 55 - letter to Dave T
	53:			35		re-cross resumes
	51:10			36:91		Smith - re cross of Brownlee
	1:06:-			43:51		Exh 58 -
	1:11:25			47:78		Board's questions
						Flack property.. Beacon light surrounding property - use
	1:13:45			49:56		Exh 53 - agreement
						fabric
						City of Eccles -
	1:16:54			52:36 -		p. 24 - future dev of Flack #
				54:30		City willdraw to accounce water rts - potential conflicts
	1:19:50			54:61		Irr of golf courses - effluent #
						groundwater would be used.. low 1st, then effl
	1:21:15			55:85		Fereday - re direct Exh 55
	1:22:00			56:40		Exh 56 p. 2 re phasing
						Exh 55 & 56 offered into evidence
	1:24			58:90		Thorton - re cross
						importance of monitoring
	1:30:-			63:40		Exh 58, p 24
	1:31:10			64:56		Smith - re cross

 1:35:14 68:23

4/16/09 Testimony LC6 - M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5	1:36:-		69:-	69:~~83~~		Barry S. explains his questions water rts & interaction w/ water rts ~~of~~ municipal act.
						End of Brownlee testimony
	1:35		10:20			Church testimony - economist
						Feveday direct
	1:38:		12:10			Exh 40
	1:42		16:			present economy
	1:45		19:41			economic trends
	1:48		81:45			Pinnacle West - Suncor - Avimor
	1:48:50		82:55			growth trends N. Ada CO.
	1:51:30		85:65			growth in Eagle
	1:52:40		86:85			N Ada CO. highway projects
	Tape #		2			New tape Change.
						Church Testimony (cont)
	1:54		:20			Highway projects - beltway
	1:58:50		2:60			Eagle in next 30 years.
	2:		3:50			Exh 40 - Table 2
	2:03		5:10			current forecast
						Exh 59, 61
	2:03:50		5:			Exh 59 - Housing Ada CO.
	2:06:20		6:99			M3 Eagle - 20 yr. build out
	2:01:		7:			Exh 61 - past employment trends
	2:21:20		16:40	16:80		30 year planning horizon
	2:22:45		17:12	19:60		Exh 59 60 - 30 year
	2:26:40		19:70	20:51		Exh 40
	2:28:		20:80	21:60		Water Demand Projections
	2:30		22:40			30 year M3 Eagle planning

4/16/09 Testimony LOG - M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	From TAPE # 2	TAPE LOCATION FROM	TO	NOTES
5	2:31:30		23:01	24:80		Exh 62 - Water Volumes
	2:34:25		25:20	25:50		current economic downturn
	2:30:14		26:38			Fenday - End of Direct. Lunch Break
	2:38:45		28:-	40:89		Thorton - Cross of Dr. Church
	2:55:10		41:-	45:90		Smith - Cross of Dr. Church
						Fenday - re direct - none
				46:30		End of Dr. Church Testimony
	3:01:50			46:50		Witness Given Hdlt
	3:04:			49:10		Exh 32L - resume
	3:05:50			50:20		scope of work we did for M3
	3:07:30		51:80			Exh 42 - Amd App. spreadsheet Tdb A5-1
	3:15:		59:70	60:65		Reference Sources
	3:16		61	61:50		Wastewater
	3:17		61:70			Exh 32L - Engineering Report
			:32		*	Tape 3 *
	3:20		:35			ET Data - references
	3:22		3:60			volume
	3:27:50		4:-			other reference data & how used
	3:28:		4:60	6:54		Exh 32L - Slide 2 - Summary of M3 water uses at full buildout
	3:32:20		6:60			Exh 42 - A5 Spreadsheet - p. 3
						Average Daily Well Diversions -
	3:35:10		8:40			Rows 149 - 154 - 149 - irr season
						ROW 151 - non irr season
	3:37:		9:45			ROW 191 - Total Annual well Div. Vol.
	3:38		10:30			ROW 164 - max Daily well Div - irr season
	3:40:45		11:80			Exh 32 - Eng report.
	3:41:15		12:10			L Slide 1 - pie chart - volume
	3:44		13:68			reuse of indoor potable
	3:45		14:50			Exh 42 Tdb 5, p 2 - spreadsheet

Rows 121-132

4/16/09 Testimony Log M3 Exc

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
						1992 afy
	3:46		15:05			Row 124 - total effluent committed 1660 afy - ROW 132 C - available for irrigation.
	3:47		15:50			
	3:47:25		15:85	16:50		How reuse water used
	3:51:25		18:40			Golf courses - 240 acres
	3:53:30		19:70	23:50		Exh 32 L Slide 3 - Well Field Div.
	3:59					Effluent Treatment
	4:-		24:10			Losses from Ponds
	4:-:50		24:60			Storage & how its affects peak hr demands
	4:02:50		25:80			surface water rts & how used
						in calculations
	4:05:-		27:40			Exh 32 L - discrepancy in Farmers Union shares used
	4:06:		28:40	28:80		shares = 147 acres w/ corrections &
						add shares acquired
	4:07:40		29:30			50 acre discrepancy
	4:10:-		31:70	32:45		margin of error
	4:13		33:-			assumptions re system efficiencies to ↓ demand - assumed very
						efficient
	4:14:30		34:12	36:100		Exh 42 A, P 4
						water conservation measures being
						considered by M3
	4:17:25		36:20	36:70		duty of water < than standard
	4:18		36:80			standard volume ... M3 < $ standard
	4:19		37:40	38:		reuse water on Golf Course & pressures
			38:38			Exh 42A - tab A5, slide 2
	4:21		38:70			Bar Chart Exh Exh 5.2
	4:21:30		39			Amount of Effluent available
						cumulatively thru each Phase
	4:22/4:22:50		39:50	40:05		Phase 1-5 1995 af
			40:30			consumptive use estimates 538 af
	4:23		40:50	42:60		Exh 32 tab L, Slide 9

4/16/09 Testimony LOG M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE # 3	TAPE LOCATION FROM	TO	NOTES
				43:-		= afternoon break
	4:27:-		43:45	~~44:30~~		consumptive use = 82% of water diverted - consistent w/ efficiencies
	4:28:10		44:40	45:85		efficiencies of irrigation systems
	4:30:20		46:-	41:-		consumptive uses
	4:30:40		41:20	41:50		reuse - now it contributes to efficiency
	4:33:-		41:80	48:60		m3 demand estimate + how it compares to industry standards + the area
	4:34:		49:-			30 year planning horizon + reasonableness
	4:35		49:10			End of Direct of Steve Holt
	4:35:35		49:80	50:65		Thornton - cross of Holt
	4:36:30		50:80	54:86		Smith - cross of Holt
	4:41:40		55:-	56:00		Redirect
						conservation measures + efficiencies
			56:90			no recross
	4:44:		57:15			Geary S. questions.
						reuse available 1660 af - irr
						1818 af - difference is evap.
						~~from water effluent ponds~~ - irr
	4:45:47		58:36	59:30		158 af = evap. loss from
						effluent storage ponds >
						pond has been filled in winter
	4:47:-		59:55	62:25		irr demand + consumptive use
						calculation - how much irr of
						each lot varies throughout
						development
	4:50:-		62:35	63:60		redirect by Mr. Lawton of
						reuse volume available: 1818 af is
						reuse water available @ full

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buildout. All

4/16/09 Testimony LOG M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
			3 From			
	4:52:-		03:80	66:30		3500 ft² irr area per single family lot - 42% of lot - conservatively high
	4:54:30		66:50	01:40		Smith - re cross of Holt
						End of Holt testimony
	4:56:10		67:50	69:20		Testimony of Scott Wonders
	4:58:30		69:30	10:-		Scope of work - 2006 - submittals & engineering, FEMA, water & sewer, road access - Plan
	4:59:-		10:10	15:17		verbal resume
	5:03:40		15:30	16:35		Exh 32k - Summary of Facts & Opinions
	5:05:-		16:45	17:		Engineering Plans - Status
	5:06:-		17:30	19:-		Exh 53 - M3 Master Plan prepared by Stanley - Still accurate
	5:08:-		19:50	81:-		Process - Distribution System - Master Plan
	5:09		81:-	85:65		Exh 38 - Potable Water Planning - Still preliminary
	5:13:-		85:70	end of tape		Phasing
						Change to Tape #4
	5:16:-		:30	1:10		Phasing.
	5:18:-		1:80			Slide #11 - Exh. 38 - Master Plan Schematic

4/16/04 testimony 400 M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	~~TO~~	TAPE #	TAPE LOCATION ~~FROM~~	TO	NOTES
5			from 4			Slide 11 - Exh 38 (con't)
	5:22:-		4:-		4:10	7 wells shown in Slide 11 but design can accomodate more 1900 - 2100 gpm / well - capacity
	5:23:-		4:30			
	5:24:-		5:32		6:30	Exh 39 - prelim sewer plan
	5:26:-		6:40		9:20	Design of various systems - transcribe
	5:30:30		9:30		10:30	DEQ
	5:33:25		11:-		12:10	Reclaim plants
	5:36:10		12:00		13:50	reuse & system expandable from IRV
	5:37!		13:60		14:00	DEQ
	5:38:10		14:10		14:30	City of Eagle
	5:39:-		14:40		15:45	Exh 42 - Application - cost est. of M3 at full buildout
	5:41:		15:55		16:-	System - reasonableness, industry standards
					1	End of Direct.
	5:42:-		16:20			Thorton - cross of Wonders
						Exh 53
	5:44:-		17:01		21:40	Exh 59
	5:50:-		21:50		25:05	Exh 53 - planning document
	5:55:30		25:10		25:80	Exh 59
	5:56:50		26:20		27:80	Doc - Boy? -
						off record to review document will not offer it.
	5:59:50		28:20			Thorton - end of cross of Wonders

4/16/09 Testimony Log M3 Eagle

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
	5: -		28:30			Smith - cross of Wonders
						End of Smith cross
	6:01:		29:20			Redirect of Wonders
	6:02:15		29:90	30:50		(Exh 42) A - reuse water
	6:03:20		30:80			Exh 53 - very preliminary
	6:05:		31:75	32:40		Exh 58
	6:06		32:55			3m gallons - tanks capacity -
			33:			End of redirect
	6:01		33:20	34:50		Thorton - re cross
			34:10			Geary 5 questions
	6:09:10		34:75	35:80		fire flows
	6:11: -		36			Exh 38 - Slides
	6:11:30		36:41	37:50		Slide 10 - fire flows
						6 storage calculation per pressure zones
	6:13:08		37:50	37:90		Holt testimony re fire flows
						Re direct - none
						re cross - none
	6:14:15		38:41			End of 4/16/09 Testimony

Begin 4-22 M3 Eagle LLC 63-32573

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC)		TAPE #	TAPE LOCATION		NOTES
① FROM	~~FROM~~	TO	① FROM	~~FROM~~	TO	
000005	00 00 05		0006	0098		Begin Hearing
000006	00 07 35		0099	0501		Mr Dittus testimony - Mr Fereday Witness
000736	00 09 30		0502	0606		Experience with Eagle area
000931	00 17 00		0607	1089		Exhibit 19 discussion - PGSA*
001701	00 19 28		1090	1245		Aquifer Impact to UW wells
001929	00 23 07		1246	1481		Exhibit 23 Discussion
002308	00 25 34		1482	1643		Exhibit 41 Discussion
002538	00 27 24		1644	1759		Pause for lights - Back to discussion
002725	00 37 42		1760	2449		Exhibit 45 - Figure 15 Discussion
003743	00 39 33		2450	2578		MP Well Discussion - South Ada Co
003934	00 45 44		2579	3009		Exhibit 12 Figure 51 Discussion
004545	00 48 38		3010	3209		North Ada Co Monitoring Discussion
004839	00 52 56		3210	3535		Exhibit 45 Figure 18 Discussion
005257	00 59 14		3536	4008		Exhibit 44 Figure 48 Discussion
005915	01 05 29		4009	4494		Floating Feather well discussion
010530	01 12 40		4495	5073		Exhibit 50 - Model Discussion
011241	01 17 39		5074	5500		Experience filing GW applications
011740	01 20 16		5501	5711		Break - Resume Mr Dittus Testimony
			~~5703~~			Artesian pressure definition
012017	01 22 49		5712	5941		- Cross Examination by Mr Thorten
012250	01 24 29		5942	6104		Question of origin PGSA term
012430	01 31 33		6105	6743		Define PGSA boundaries etc
013134	01 35 12		6744	7095		Knowledge of DOM wells that decline in Treasure Valley
013513	01 38 40		7096	7435		Exhibit 45 Figure 15
013841	01 44 14		7436	8038		Exhibit 12 Figure 51
014415	01 47 59		8039			Exhibit 50 - Experience Type Equation
014800	01 50 38		8440	8731		Characterization of DOM wells & PGSA
015039			8732			End - Begin Cross by Mr. Smith
			end tape ①			Surface Water sources for United Water
015039	01 55 49		#2 0015	0114		Replace Tape - System Capacity UW
015550	02 00 19		0115	0246		Questions about Eagle wells
020020	02 05 14		0247	0394		West Boise/South Eagle wells
020515	02 08 13		0395	0474		Questions about flow & recharge & discharge
020814	02 11 49		0475	0589		Concerns with M3 Application

* Pierce Gulch Sand Aquifer

4-22 M3 Eagle LLC 63-32573

DIGITAL TRACK (1) # FROM	DIGITAL LOCATION (HRS-MIN-SEC) ~~FROM~~ TO	TAPE # (#2) From	TAPE LOCATION ~~FROM~~ TO	NOTES
				(Continued Cross of Mr Dittus by Mr Smith)
021150	021704	0590	0739	Downey Downs Subdivision Wells - others
021705	022104	0740	0869	Brookwood well + effects
022105	022449	0870	0978	Discussion of faults in Eagle area - hydraulic effects
022450	022853	0979	1099	Questions of problems DOM wells in Eagle area
022854		1100	1227	Exhibit 50 Figure 3 Questions
2 (stop) 0325737		1228	1241	End - Redirect Mr Fereday following lunch Break
(start) 000001	000645	1242	1448	Mr Dittus " " " Questions about wells
000646	000959	1449	1549	~~Figure 3~~ Questions exhibits + wells in Eagle area
001000	001159	1550	1613	Exhibit 19B Figure 1 - faults
001200	001259	1414	1649	Re-Cross By Mr Thorton
001300	001502	1650	1711	Objection + discussion - scope
001503	002152	1712	1932	Continue re-cross Exhibit 50 Appendix A
002153	~~002544~~	1933	2055	end - start Recross by Mrs Smith
	002544		2055	Discussion of well problems
002545	002713	2056	2104	Exhibit 19B Figure 1 - faults
002714	002827	2105	2145	Exhibit 50 Figure 3 (pg 22)
002828		2146	⊗	End - Begin Hearing Officer Questions for Mr Dittus
				PGSA + Treasure Valley Hydrologic project
	003447		2352	Well Construction questions
003448	003729	2353	2447	Exhibit 45 Figure 18 questions
003730	003936	2448	2516	Re Direct from Mr Fereday -
003937	004016	2517	2538	End Mr Dittus Testimony
004017	004308	2539	2635	Start Mr Vincent Testimony
004309	005523	2636	3056	Questions - Knowledge TV area - geology
005524	010356	3057	3356	Discussion experience aquifer tests + PGSA
010357	011639	3357	3819	Memo - Peer Review - faults questions
011640	012129	3820	3989	Staff Memo pg 11 - "effects on GW flow
012130	012812	3990	4253	Exhibit 50 pg 9 -
012813	013120	4254	4376	Exhibit 19b Figure 1 -
013121	013959	4377	4699	Break - Start ~~Exhibit - Figure 6~~
014000	014346	4700	4859	Continued discussion related to faults
				Exhibit 67 (Applicant) 68 + 69
014347	014513	4860	4918	Mr Vincent correction of testimony
014514	014957	4919	5108	Exhibit 42 Tab A4 Figure 6

4-22 M3 Eagle LLC 63-32573

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC)		TAPE #	TAPE LOCATION	NOTES
② From	~~FROM~~	TO	② From	~~FROM~~ TO	(Continued Testimony of Mr Vincent)
014958	015529		5109	5344	Questions about M3 testing - 8
015530	020121		5345	5588	Exhibit 12 Figure 81 (pg 220) 82
020122			5589		Pause - Resume Mr Fereday questioning Mr Vincent
~~027419~~	020418		~~5700~~	5699	Exhibit 12 Figure 80
020419	020829		5700	5849	Questions experience, staff memo
020830	021644		5850	6259	Exhibit 23 Figure 1 - How discussion
021645	022249		6260	6539	Impacts to Aquifer - Reference to Floating Feather well
022250	022632		6540	6711	Exhibit 29 431 Grand - Water Level Contours
022633	022758		6712	6777	Exhibit 47 Figure 9
022759	023329		6778	7041	Exhibit 140 Figure 1 Water Levels Eagle + Pearl
023330	024014		7042	7379	Groundwater Chemistry discussion
024015	024644		7380	7699	Transmissivity discussion - recharge
024645	025250		7700	8034	Water Levels in PGSA - McVay
025251	025709		8035	8279	NAC activities (North Ada Co)
025710	025831		8280	8355	CAMP discussion
025832	~~025~~		8356	8439	Pause - Resume Concerns with testing
025832	030723		(#3) 0017	0225	Replace Tape - Resume Exhibit 12 Figure 88
030724			0226		End Mr Vincent testimony for now
	End		4-22-09	Testimony	
			0227		CROSS EXAMINATION BY FEREDAY
			0227	0322	CLARIFICATION BY VINCENT
00576			377	0390	RECALL BY THORTON W/AGREEMENT
00	010004		0390	0514	SMITH QUESTIONS VINCENT
10:004	1437		0514	0647	- REF EX #12
1437	1510		0647	0660	- NO FLOW BOUNDARY DISCUSSION
1510	2350		0660	2350	- ANCESTRAL WATER Q & A
2350	2430		0926	0945	- WATER RIGHT APPROVAL QUESTION
2430	2457		09:45	1019	REDIRECT BY FEREDAY
2457	2917		1019	1092	WELLS IN PGSA Q & A
2917	3050		1092	1130	MAGNITOMETER EVAL
3050	3215		1130	1207	SEISMIC Q & A
3215	3423		1207	1254	ANCESTRAL WATER REF EX43
3423	037 30		1254	1415	PAUSE - RESUME Q & A ANCESTRAL
3720	3900		1415	1459	GODDARD WELL R

4-23-09 NMS Eagle 63-32573

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3900	4130		1459	1555		RECHARGE BOISE R. MIXING
4130	4200		1555	1560		AGE DATING
4200	4220		1540	1546		END QUESTIONS FEREDAY
4220	4314		1570	1605		SMITH REBT & END QUESTIONS
4215	4455		1630	1720		WITNESS SQUIRES MS THESIS
4455	10647		1720	2364		-EXPERIENCE
10647	01 0900		2364	2438		-BOREHOLE GEOPHYSIC LOGGING
010900	01 1027		2438	2479		-DOWNHOLE VIDEO
011027	01 1147		2479	2527		- DRILLERS LOGS
01:11:47	01:1302		2527	2573		- GEOPHYSICS W/IN CASED WELLS
01:1300	01:14:41		2573	2626		- GEOPHYSICS FOR NMS EAGLE
11441	1 10 29		2626	2754		REF EX 7
1 1029	1 2930		2754	3130		REF EX 44 FIG 3 & 1
1:2930	1 3444		3130	3320		RUSA DIFFERENT AQUIFER DEEPER
1:3444	1 3740		3320	3430		FIG 2 EX 42 TAB A4
1 3740	1 4332		3430	3436		PAUSE. RETURN TO EX 42
1 4332	1 4629		3436	3742		EX 44 FIG 3
1 4628	1 4758		3742	3790		FIG 1
1 4750	1 5429		3790	4037		TEST WELLS & FIG 4
1 5429	1 5820		4037	4177		EX 26 X-SECTIONS
1 5820	2 0150		4177	4316		X-SECTIONS EX 27 FROM DRILLERS RPT
2 0150	2 0344		4316	4388		EX 26 AS DRAFT
20344	2:10:39		4388	4660		AS FINAL EX 44 FIG 3 & 4
						LUNCH BREAK
0	925		4660	5029		CON'T EX 26 & 27 WITNESS SQUIRES
925	10:44		5029	5081		FIG 3 OF EX 44
1044	1734		5081	5370		SUNCOR PROP. UNDER GROUND OVERVIEW
1734	2018		5370	5378		REF EX 42 FIG 6 WR APPLICATION
2018	2500		5378	5675		REF FIG 3 * GREEN LINE CONTACT
2500	2800		5675	5813		FIG 6 SCATTERED WELLS & FLOW
2800	3330		5813	6049		REF FIG 4 XSECT OF EX 44
3330	3958		6049	6340		WILLOW CR AQUIFER CHARACTER
3958	4822		6340	6729		OTHER WR. AQUIFER LIMITS & DEVELOPMENT

4-23-0 M3 Eagle 63-32573

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
						TESTIMONY BY SQUIRES CON'T
4822	5350		6729	6980		XSECTION MAP EX 70 ADDED
5350	5725		6980	7168		BROWNLEE HIRE REQUESTS
5725			7168	7168		PAUSE BRK CHG TAPE
5725	01:05:55		0	ZZZ		REF HYDROGRAPH EX 45 FIG 18
10555	01:21:30		ZZZ	695		CLARIFICATION OF 'GREEN LINE'
12130	1 2413		695	768		ROD'S DISCUSSION
1 2413	1 2758		768	885		REF FIG 13 GODDARD WELL HYDROGRAPH
1 2758	1 30 49		885	977		HYDRO-GEO STUDY SUMMARY
13049	1:35:34		977	1117		- REF EX 1
1:35:34	1 4645		1117	1477		WR APP FIG 11 EX 42
1 4645	1 4730		1477	1500		KEY WELL HE LOCATE & CONTOUR
1 4730	1 57 30		1500	1834		EX 18 MEMO W/ MAPS & TABLE
15730	1 59 57		1834	1917		EX 29 (NENTON) # 31 (LINDHOLM) CONTOUR MAPS
15957	2 03 39		1917	2040		LTR SCANLAN TO TUTHILL
20339	2 06 11		2040	2130		FIG 9 DR RALSTON CONTOUR MAP
2:06:11	2:13:13		2130	2375		WELL CONSTUCTION REF EX 101 QUESTIONAI EX 3 MAP
2:13:13	2:26:20		2375	2840		DRILL METHODS & ISSUES
2:26:20	2:33:30		2840	3112		BK - RESUME 'DRY' WELL DISCUSSION
2:33:30	2:35:27		3112	3187		MUNI SYS EFFICIENCY & QUALITY
	END 04/23					
	BEGIN 04/24					
TRACK #1 00:00:03	:06:45		3188	3420		DR. SPENCER WOOD, WORK EXPERIENCE, PUBLICATIONS
00:06:45	:21:30		3420	3640		WORK FOR HYDROLOGIC INC., PIERCE GULCH SANDS
00:11:30	:16:45		3640	3850		EXHIBIT 44 FIG. 6, X-SECTION, GEOPHYSICAL LOGS
00:16:45	:23:00		3850	4110		EXHIBIT 44 FIG. 8, EXHIBIT 196, TREASURE VALLEY GEOLOGY
:23:00	:31:00		4110	4460		EXHIBIT 45 FIG. 3 & 4, MAP WELL LOCATIONS, GEOPH. LOGS
:31:00	:39:40		4460	4850		FAULTING, MAG. SURVEY, EXHIBIT 19 FIG. 1 MAP, FAULTING
:39:40	:50:00		4850	5340		EXHIBIT 44 FIG. 3, X-SECTION, GEOPH. LOGS, EXHIBIT 45 FIG. 2
:50:00	1:09:43		5340	6367		CROSS-EX DR. SPENCE WOOD
	CHANGE TAPE/BREAK					
~~1:09:43~~			~~6387~~			
1:09:43	1:25:28		0015	0465		CONT. CROSS DR. SPENCE WOOD
1:25:28	1:36:30		0465	0800		EXHIBIT 45 FIG. 4 & 3, PGS CONTINUITY
						END CROSS BY MR. THORNTON

DIGITAL TRACK # 1	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
~~1:37:53~~ ~~1:36:30~~			~~0838~~			~~CONT. CROSS DR. SPENCE WOOD~~
1:37:53	1:51:40		0838	1260		CONT. CROSS DR. SPENCE WOOD, BY MR. SMITH
						EXHIBIT 19B FIG. 1
						THORNTON: EX. 33B PG. 6, POT. SURF. & FLOW DIR.
1:51:40	2:22:56		1260	2301		RECALL ED SQUIRES FOR DIRECT CONT.
						Q: PGSA DESCRIPTION, DRAWN GRAPH
	33:08:09					MONITORING PROGRAM, TVHP MODEL
	BREAK/LUNCH					
TRACK #2 00:00:00	23:00		2308	3135		RESUME: DIRECT OF ED SQUIRES CONT. FROM JEFF FEREDA
						AQUIFER TESTING, EX12 & 42, KLING WELL TEST
						EX. 12 PG. 219 MAP, PG. 217, SVR 7 TEST (EX. 44)
23:00	35:10		3135	3610		EX. 44, ED SQUIRES EXPLANATION OF SVR 7 WELL TEST
35:10	4505		3610	4010		GEOCHEMISTRY, EX. 33, EX. 43 FIG. 1 MAP &
45:05	54:50		4010	4425		FIG. 5 OF EX. 43, TRILINEAR DIAGRAM, WATER CHEMISTR
54:50	1:08:10		4425	5031		AQUIFER MODELING
	BREAK					
1:08:10	1:12:45		5031	5250		RESUME: DIRECT OF ED SQUIRES FROM JEFF FEREDAY
						AGE OF WATER IN PGSA
1:12:45	1:14:20		5250	5325		FLOW DIRECTION/GRADIENT
1:14:20	1:18:00		5325	5510		PROPOSED WELLS
1:18:00	1:23:05		5510	5770		COST OF STUDY WORK, SUFFICIENCY OF WATER SUPPLY
						OPINIONS, CONCLUSIONS, MONITORING
						END DIRECT OF ED SQUIRES
1:24:07	1:30:20		5821	6150		CROSS OF ED SQUIRES BY THORNTON
						EX. 16 PG. 14, MODELING, STUDY AREA
1:30:20	1:31:40		6150	6230		OBJECTION, SUSTAINED
1:31:40	1:33:25		6230			CONT. EX. 16 7-7
	END TAPE 6327					
1:33:30			0015			RESUME, NEW TAPE (#2)
			0075			OBJECTION, ANSWER QUESTION
1:36:30	1:42:50		0110	0300		SOURCE OF WATER SUPPLY, BOISE RIVER, RECHARGE ARE
1:42:50	1:49:10		0300	0490		RECHARGE AREA FOR PGSA, EX. 16 PG. 50/FIG. 6
1:49:10	1:52:55		0490	0600		MODEL DEVELOPMENT & RECHARGE
1:52:55	1:55:20		0600	0680		DRY WELLS,

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC)		TAPE #	TAPE LOCATION		NOTES
2	FROM	TO		FROM	TO	
1:56:10	1:57:45		0700	0755		CONT. CROSS OF ED SQUIRES BY THORNTON
						IDWR STAFF MEMO, WATER LEVELS IN PGSA WELLS
1:57:45	2:01:30		0755	0871		EX. 50 APPENDIX A, MEMO FROM MIKE MCVAY, TABLE, LAST GR
2:01:30	2:04:00		0871	0950		GRAPH - DECLINE WATER LEVEL, EX. 45
2:04:00	2:06:05		0950	1015		EX. 45 FIG 23
2:06:05	2:08:45		1015	1100		OBJECTION, ~~FOSTER~~ Q? in aid of objection OVERRULED
2:08:45	2:12:04		1100	1207		EX. 45 FIG. 8, BREAK
	BREAK					
2:12:04	2:22:40		1207	1550		CONT. CROSS OF ED SQUIRES BY THORNTON
						EX. 45 FIG. 8, HLI RESPONSE TO STAFF MEMO
2:22:40	2:27:25		1550	1715		EX. 45 FIG. 14, REGRESSION ANALYSIS, INCREASE IN WATER LEVEL
2:27:25	∅		1715	1966		WATER LEVELS IN WELLS, MONITORING WELLS
TRACK #3	BREAK					
00:00:00	06:20		1971	2186		CONT. CROSS OF ED SQUIRES BY THORNTON
						REGRESSION LINES, WATER LEVELS
06:20	10:45		2190	2340		EX. 45 TABLE 1 KILLERMAN WELL, TABLE 2
10:45	17:25		2340	2584		EX. 45 FIG. 5, WATER LEVEL FLUX
17:25	22:27		2584	2765		EX. 12, LEXINGTON HILLS WELL, APP. A
22:27			2765	2916		EX. 50 IDWR STAFF MEMO,
STOP 30:06:46						
	BREAK FOR DAY					
	END 04/24					

5/4/09 Beginning of day

DIGITAL TRACK NO.	DIGITAL LOCATION HRS-MIN-SEC	TAPE NO. & TIME STAMP TO	TAPE LOCATION FROM	TESTIMONY DESCRIPTION
#2	0	118	152	5/4/09 Begin Hearing
	0100	152	6689	Thornton cross examination of Squires
	1327	817	2575	Reference to exhibit 45
	2249	1508	1790	Reference to exhibit 16
	4558	3130	3700	Reference to Exhibit 16 P6.2
	5317	3700	4107	Exhibit 45 figure 2 - Seismic Profiles
	5812	4107	5057	" figure 3 - Chevron Line
	1:01:39	4399	~~6689~~ "	" figure 4 - Cross Section of fig. 3
	1:08:58	5057	—	- AM Break -
	1:08:58	5057	6689	Continued cross examination of Squires
	1:15:31	5690	6689	Exhibit 68 reference
	1:24:00	6689/25	~~6689~~ 825	End of tape 1 - Beginning Tape #2 X-examine of Thornton Squires
	1:25:10	46	250	Exhibit 33B - Geochemistry + Isotope Study
	1:34:41	317	825	Exhibit 68 Reference fig. 1
	1:42:00	534	825	Exhibit 45 ~~Exhibit~~ Fig 1 reference
	1:51:40	825	—	Break - End of Squires Cross Examination by Thornton
	1:51:40	830	2416	Smith X-examination of Squires
	2:09:28	1390	1468	Exhibit 12 Page 241 Referenced by Smith
	2:11:58	1468	1597	" Page 7
	2:17:56	1665	1752	P. 240 " Exhibit 12 referenced by Smith
	2:20:30	1752	1846	Exhibit (50) ~~P.19~~ referenced 19E P. 14
	2:23:23	1846	1988	Exhibit 42 P.7 reference & P.13
	2:32:24	2158	2319	" " A4 P. 1
	2:37:12	2319	2416	Exhibit 50 p. 18 reference
	2:49:46	2416	—	End of cross examination of Squires by Smith -> lunch
#3	00	2423	3015	Friday cross examination of Squires
	~~2820~~ 1122	2820	3015	Exhibit 50 P. 18-19 reference
	11623	3025	3778	re-cross examination by Thornton of Squires
	2008	3163	3255	Exhibit 42A4 referenced by Squires fig. 2+3
	2244	3255	3345	Exhibit 19A/C " "
	2451	3345	3495	Exhibit 45 fig 3 " "

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	
NO.	HRS-MIN-SEC	TO	FROM	TESTIMONY DESCRIPTION
#3	2830	3495	3778	Exhibit 68 P.7 Referenced by Thornton
	3545	3778	—	End of recross examination by Thornton of Squires
	3653	3824	4109	Smith re-cross examination of Squires by Smith
	—	—	—	Squires done w/ questioning
	4413	4125	240	Glanzman - Fereday examining Glanzman Intro.
	4100	4248	4270	Exhibit 32 - Tab I Glanzman Resume
	5024	4397	4598	Glanzman Powerpoint - overview
	5500	4598	4660	Cross section of Pierce Gulch Aquifer - Powerpoint p. 13
	5640	4661	5316	Total Dissolved Solids Slides from Powerpoint + Discussi
	1:10:21	5316	5630	Pierce Sand Gulch Aquifer Discussion + Powerpoint Slid
	1:15:21	5638	5702	Powerpoint Slide #9 - Ion exchange discussion
	1:18:07	5703	5783	Powerpoint Slide #10. Terteling Springs Formation Discussio
	1:19:46	5790	5840	Powerpoint Slide #11 - WCA Ion Chemistry
	1:20:15	5845	5933	" " #12 MJ well samples
	1:2331	5940	6000	" " #13 Aquifer Cross section
	1:23:50	6013	6180	" " #14 WCA Summary / Discussion
	1:27:06	6180	6219	" " #15 MJ well Samples
	1:27:49	6220	6309	" " #16 SVR Ion Chemistry
	1:29:25	6309		" " #17 SVR Summary / Discussion
	—	—	—	end of tape 2
	1:30:43	23	75	Still slide #17
	1:32:30	75	124	Powerpoint Slide #18 Ion chemistry - Emmett
	1:34:13	125	240	" " #19 Emmett Wells Summary
				-Break-
	1:38:17	245	1040	Glantzman Testimony Cont'd Fereday Questioning
	1:39:34	283	325	Powerpoint slide # 20 Summary of Aquifers
	1:40:59	328	366	Exhibit #43 "Ancestral" discussion
	1:42:22	366	760	Slide #22 Exhibit 33G - Table 5: Age dating
	1:55:38	760	798	Slide #21 Age dating Questions / discussion
	1:56:42	799	946	Slide #23 Isotope Questions + Discussion
	2:01:28	948	1040	Slide #24 Deuterium Ranges
	—	—	—	End of Fereday Questioning of Glanzman
	2:04:40	1047	2520	Thornton Cross examination of Glanzman

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	
NO.	HRS-MIN-SEC	TO	FROM	TESTIMONY DESCRIPTION
#3	2:05:16	1064	1100	Thornton refers to Exhibit 32 I - Glenzman Resume
	2:17:14	1548	1550	Exhibit 71 entered into evidence
	2:12:14	1551	2520	Exhibit 71 discussion/questioning by Thornton
	2:27:37	1791	1838	Statistical Integrity of reports in Powerpoint
	24835	2514	2520	wrap up questions - Thornton cross examine complete
	24858	2530	3037	Smith cross examining Glenzman
	24930	2531	2750	Exhibit 43 p.4 questioning - ancestral water vs modern
	25144	2629	2750	" " p.5 " - geologically ancestral
	30251	3037	-	Adjourn for the day
#1	0	0		5/5/09 BEGIN HEARING (TAPE 1 BEGINNING)
	0:13:05	394	474	THORTON RE CROSS EXAMINATION OF GLENZMAN
	0:15:29	475	719	LOOK AT EXHIBIT 336
	23:12	720	730	APPLICANTS DO NOT CALL ROB WHITNEY
	23:59	731	747	MR. SMITH OBJECTS TO NOT CALLING MR. WHITNEY
	[redacted]	[redacted]		
	24:44	752	818	MR. SMITH EXAMINATION OF GLENZMAN
	26:49	819		HEARING OFFICER ASKS GLENZMAN OF EXHIBIT 71
	31:48	972	1085	DIRECTED TO PAGE 6 OF [redacted] EXHIBIT
	35:34	1090	1180	EXPOSURE TO MINEROLOGY
	38:37	1185	1215	CONTINUATION OF FEREDAY QUESTIONING [redacted] OF GLENZMAN
	[redacted]	[redacted]		
	39:38	1217	1220	MR. SMITH OBJECTS → OVERULED
	39:50	1221	1355	CONTINUATION OF FEREDAY QUESTIONING
	43:55	1356	1410	THORTON QUESTIONS GLENZMAN
	45:56	1417	1454	SMITH QUESTIONS GLENZMAN / GLENZMAN QUESTION [redacted]
	47:06	→		BREAK
	—	—	—	—
	47:44	1469	1610	FEREDAY EXAMINES MARK UTTING
	52:06	1616	1913	DIRECTED TO EXHIBIT 12, EXAMINATION CONTINUE
	53:08	1815	2085	EXHIBIT 12, P 237, EXAMINATION CONTINUE
	1:06:18	2090	2270	EXHIBIT 12, FIG 80. EXAMINATION " "
	1:11:45	2275	2408	EXHIBIT 12, FIG 81. " "

DIGITAL TRACK NO.	DIGITAL LOCATION HRS-MIN-SEC	TAPE NO. & TIME STAMP TO	TAPE LOCATION FROM	TESTIMONY DESCRIPTION
#1	1:15:40	2410	2558	TEXT ON PG 204, EXHIBIT 12, EXAMINATION CONTINUES
CONT.	1:19:50	2560	2625	SVR 7 AQUIFER TEST, EXAM
	1:21:40	2633	2790	EXHIBIT 44, DESCRIPTION, EXAM
	1:26:27	2797	2855	OBJECTION BY SMITH, → HEARSAY
	1:28:17	2864	3085	EXAM CONTINUES
	1:34:25	3090		EXHIBIT 45, FIG 5, EXAM CONT.
	1:43:30	3457		BREAK
	—	—	—	—
#2	0:00:13	3462	4155	FEREDER CONTINUATION OF EXAM OF MARK UTTING
	17:15	4160	4280	UTTING CONCLUSIONS ON SVR 7 TEST
	20:15	4286	4425	OTHER UTTING CONCLUSIONS
22:34		4430	4610	EXHIBIT 18, FIG 1
	27:60	4610	4920	QUESTIONS ON RECHARGE
	34:30	4920	5510	EXHIBIT 16
	46:50	5550	5760	EXHIBIT 41
	51:45	5765	6100	EXHIBIT 53 OR 58? FIG 3.
	58:20	6120	↙	WOULD UTTING DO ADDIONAL STUDIES?
	1:00:35	6249		LUNCH BREAK
#3	0:00:00	6260		FEREDER TO UTTING ON SENSITIVITY ANALYS
				→ END OF TAPE 1; CHANGE TO TAPE 2
	0:02:21	15	290	FEREDER TO UTTING ON SENSITIVITY ANALYSIS
	11:45	295	570	PGS 58-59, EXHIBIT 16: CALIBRATION
	21:02	578	760	POSSIBLE QUESTIONS UTTING MAY HAVE ON MODEL
	37:40	770	1105	UTTING'S THOUGHTS ON REDUCED RECHARGE
	38:14	1108	1125	FUTURE OF MODEL USED TO PREDICT PUMPING IMPACT
	39:07	1130	1188	WATER BUDGET FOR THE TREASURE VALLEY HYDRO PROJE
	41:16	1204		→ BREAK
			NEXT	PAGE CONT. →

DIGITAL TRACK NO.	DIGITAL LOCATION HRS-MIN-SEC	TAPE NO. & TIME STAMP TO	TAPE LOCATION FROM	TESTIMONY DESCRIPTION
#3 cont.	41:14	1204	1315	THORTON CROSS OF MR. UTTING
	45:10	1325		THORTON DIRECTS TO EXHIBIT 16 / MODEL
	53:52	1611	1620	FEREDER OBJECTION (FOUNDATION) → SUSTAINED
	57:00	1719	1721	FEREDER OBJECTION (SPECULATION) → OVERRULED
	1:00:00	1809	1910	UTING DIRECTS THORTON TO FIG. 16
	1:03:30	1920	2100	THORTON PROPOSES NEW EXHIBIT / FEREDER OBJECTS
	1:08:45	2105	2425	EXHIBIT 850 INTRODUCED BY PROTESTANT AND ACCEPTED BY HEARING OFFICER
	1:17:05	2430		THORTON DIRECTS TO EXHIBIT 16, A.27
	1:22:47	2637	2660	FEREDER OBJECTION → OVERRULED
	1:24:10	2690	2750	THORTON DIRECTS TO EXHIBIT 33
	1:26:00	2757	3200	THORTON BACK TO EXHIBIT 16
	1:39:35	3266	3400	THORTON DIRECTS TO EXHIBIT 33A
	1:43:00	3400	3410	FEREDER OBJECTION → OVERRULED
	1:43:30	3415	3619	UTING'S RESPONSE TO ? THAT WAS OBJECTED TO
	1:48:30	3619	3675	FEREDER OBJECTION → SUSTAINED
	1:50:10	3680		EXHIBIT 16, P. 28
	1:51:15	3723		EXHIBIT #285 SUBMITTED BY PROTESTANT
	1:53:42	3827		BREAK
	1:53:42	3827		CONTINUATION OF THORTON EXAM OF UTTING ON MODI
	1:56:40	3947	3990	OBJECTION BY FEREDER
	1:57:40	4000	4037	CONTINUATION OF CROSS EXAM OF UTTING
	1:58:50	4038	4041	FEREDER OBJECTION
	1:59:00	4042	4134	CONTINUATION
	2:02:30	4185	4245	EXHIBIT #285 ACCEPTED INTO EVIDENCE BY OFFIC
	2:03:40	4245	4275	FEREDER OBJECTION → OVERRULED
	2:04:50	4293	4429	DISCUSSION ON EXHIBIT 285
	2:08:00	4429	4800	FEREDER OBJECTION THEN CONTINUATION OF DISCUSSI
	2:16:29	4807	4820	UTING TEMPORARILY STEPS DOWN, FEREDER RE-EXAMIN MR. GLENZMA
	2:23:05	5116	5120	MR. GLENZMAN STEPS DOWN
	2:23:12	5130	5372	CONTINUATION OF THORTON CROSS EXAM OF UTTIN
	2:28:12	5372		PAUSE FOR OFF-RECORD

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	
NO.	HRS-MIN-SEC	TO	FROM	TESTIMONY DESCRIPTION
#3 CONT.	2:28:22	5372	5600	CONTINUATION OF THORTON CROSS-EXAM OF UTTING
	2:33	5600	5900	EXHIBIT 45 DISCUSSION
	2:38:54	5905	6240	EXHIBIT 47 DISCUSSION
	2:46:09	6298		EXHIBIT 42(A4) DISCUSSION
				→ END OF TAPE 2, CHANGE TO TAPE 3
	2:46:20	21	110	BEGINING W/ CONTINUATION OF THORTON
				CROSS EXAM OF UTTING ON EXHIBIT 42(A4)
	2:49:31	110	420	EXHIBIT 47
	3:00:10	424	520	BACK TO EXHIBIT 42(A4)
	3:03:20	520	790	MR. SMITH CROSS-EXAM OF UTTING
	3:12:39	797	801	MR. SMITH QUESTIONING ENDS
	3:12:56	808	829	FERFDER RESTS
	3:14:00	829		END OF 5/5/09 DAY
	0:00:02	832	1748	Beginning of 5/11/09 Day (Mr. Smith dept ~~witnesses~~)
	0:28:26	1749	1831	Mr. Thorton, Mr Faraday
	0:31-10	1832	2025	Mr. Smith ~ M3 not a municipality; Mr Faraday
	0:36:56	2026	3336	Sean Vincent/IDWR powerpoint presentation
				ref. Exh. 45, Exhibit 69, Exh. 12
				ref. Exhibit 67, Exhibit 44
	001:12:53	3337	5234	S. Vincent continued Complex Stratigraphy, ref. Exh. 190, Exh. 12
				ref. Exh. 44, Exh. 27, Exh. 2; Trends/Trend Correction
				Exh. 45 figure 5 + figure 7 (late or incomplete
				correction) also exh. 49 figure 23; Aquifer Continuity
	001:57:10	5235	5990	clarity of submittal
		~~5990~~		summation
Tape #4	000:00:00	5990	→	End of tape 3, changed to Tape 4
	000:00:00	5990	6616	Staff narratives today + posted on IDWR website
				Continuation of Sean Vincent's summation
				staffs prospective of faulting
	000:21.09	6616	6714	Flow direction significance
	000:24:24	6714	6852	Residence Time Issue
	000:28:48	6852	7019	Aquifer Testing
				Criticisms of Staff's Review

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	
NO.	HRS-MIN-SEC	TO	FROM	TESTIMONY DESCRIPTION
#4 cont.	000 : 34:10	7019	7074	Closing Thoughts by Sean Vincent
	000:00:03	7074	7320	Dennis Owsley power point
	000: 07:51	7320	7783	- Inconsistant Items
	000 : 22:01	7783	8083	- Aquifer Continuity between Boise + the Foothills
	000:30:43	8083	8653	- Aquifer Testing
				- Subdivisions of Idaho Group Sediments
				- Recharge Mechanisms
NEDE con't	46:42	8653	8968	- Exhibit 44 Fig 46 Graph
	55:24	8968	9036	- Exhibit 14 Appendix B Tables 3 & 4 - Water Budget
	57:11	9036	9094	- Geo Chem
	58:50	9094	9177	- Sustainability of Aquifer
	1:00:43	9177	9300	- misc & close Owsley exhibits organization
	104:09	9300	9509	
	109:19	9509	9557	McVay Introduction
	1:10:34	9557	10364	testimony Mike McVay
	1:29:58	10364	10438	- response to HLI 'memo' critique
	1:31:30	10438	10753	- response to HLI analysis of McVay
				pause for calendar
	1:38:38	10851		
Beginning of Testimony				5/28/09
Digital back #1		Tape #1		
	-:-:13	35		Barry S. opening statements
	1:21	63		IDWR staff: Sean Vincent.
	1:50	80		Pro Se. Smith motion to Dismiss - reconsideration & applicant response
	11:55	3:76		Barry S. will rule ~~Feb~~ verbally 5/29
	13:53	4:33		Friday direct of Sean Vincent
	14:40	4:56		Exh 902

5/28/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			
	-:15:30		4:08			Thesis analysis
	-:17:00		5:20			predictions are reasonable
	-:28:30		9:-			Exh 131, 132, 133 admitted
	29:50		9:-			recharge based on stable water level
	-:31:-		9:60			Discussion of Exh 131 - memo.
	-:33:35		10:30			~~Yes~~ - HLI proposed sources of recharge & conclusion
	-:34:50		10:73			hydraulic gradient not always upward - may be local sources of recharge
	-:36:-		11:14			Test well 4 & 1
	-:37:20		11:55			Dedicated monitoring well program
	-:32:55		12:00			Exh 133 p. iii - Dr. Petrich -
						witness doesn't recall - already covered
	-:40:50		12:60			Geanangelo re source of recharge -
	-:42:10		13:03			Exh. 44 Fig. 13 MB TW4 zone 3
	-45:		13:			completed in 2530 msl unnamed alluvial
	-:47:33		14:78			~~Ba~~ Geary S. - questions
	-:48:		15:15			MB TW4 piezometer west - upward
	-:49:40		15:40			gradient - from PBSW ⇒ unnamed
						alluvial aquifer
	-:50:15		15:66			TW1 piezometer west - downward
						gradient from alluvial sand ⇒ PBSW
	-:50:50		15:90			Geanangelo considers downward gradient
						significant
	-:52:50		16:40			Geary S. - Fig 13
	-:53:40		16:70			zones 1, 2, 3 - upward gradient -
						Geanangelo
	-:56:00		17:50			TW1, 5 zones - # from bottom ⇒
						top - zone 1 at bottom - deepest
	-:56:50		17:80			Fig 13 TW4, zones 1, 2, 3
						↳ lower rt. of figure 13

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			
						(Sean Vincent testimony - cont)
	-:51:54		19:20			zone 1, TW1 - in proximity of M3 property - downward gradient is anomalous
	-:59:30		19:69			Fig 5, Exh 2 - more significant anomaly
	-:59:50		19:90			zone 1, TW1 - downward gradient in unnamed alluvial aquifer that overlays PBSA - significant
	1:1:31		19:40			all other pertinent tests & correlating PBSA & unnamed alluvium
	1:03:03		19:81			aquifer test p. 14 Kings well - not completed in PBSA
	1:04:-		20:20			Kings test aquifer test.
	1:04:40		20:38			SPR1 test - significant drawdown. test was compromised.
	1:07:15		21:25			how test was compromised
	1:08:30		21:70			recovery data suspect & why
	1:09:50		22:-			where is data 30' & ~~200~~ ?"
	1:10:25		22:30			Big Gulch Stock well 180' deep
	1:11:50		22:90			Sean admits Big Gulch Stock well responds to PBSA pumping
	1:12:30		23:10			TW1 shallowest zone & potential recharge
	1:13:18		23:40			Exh 45 Fig 5 - relationship between TW1 & TW4 & - orange line - Fig. 5 - January 2001 - doesn't see data going downward
	1:17:10		24:80			SPR1 test - Sean says he was mistaken in part - he now understands drawdown was a response in Kings but not in SPR1
	1:10:25		25:25			Sean can reconcile HLI data

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			(Sean Vincent testimony - Feb 24 direct - cont)
	1:19:30		25:50			transmissivity affects time of recovery
	1:20:15		25:80			appears to recover relatively quickly
	1:21:40		25:40			analysis of drawdown & time
	1:22:10		26:60			usefulness of Kliros test
	1:23:25		27:00			quality of pumping well & affect on drawdown
	1:30:50		29:77			p. 36, (Exh 27) - ~~cross~~ cross section
	1:32:00		30:26			Exh 70 - A'A'' NE of M3 property
						lack of geologic correlation of the 13 cross-sections is important
	1:36:34		31:90			WLI said - all 13 x-sections are significant - Sean says no formal GEO analysis of faulting, etc so can't see that the x-sections are significant.
	1:37:30		32:30			agrees that drillers data can provide evidence of faulting
	1:39:50		32:77			p. 37 - conceptual depiction of PBSA x-section
	1:40:00		33:30			agrees this x-section shows evidence of faulting
	1:41:05		33:60			facies change
	1:42:00		33:90			p. 39 of Sean testimony (Exh 44, Fig. 3 - same as p. 39). increase in dip - section is generally up-dip. PBSA dips under M3
	1:44:30		35:02			p. 43 - notes break in W. Eagle fault - agrees that fault is in ferred.

5/4/2011

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			(Sean Vincent testimony – Feb day direct cont)
	1:46:00		35:55			Stratigraphy is complex in PBSA under M3 – Sean has stated many reasons why PBSA is complex
	1:48:00		36:35			W. Boise Eagle fault in PBSA as well as other faults
	1:48:50		36:70			Goddard well – negative hydrolic boundary – doesn't know if this means a fault
	1:50:00		37:20			Sean's clear statement regarding faulting p. 84 (Exh 45, Fig 2 is larger version of graphic)
	1:51:20		37:78			doesn't show data re faulting he is not aware of other seismic data that would indicate faulting no data in upper 1000' of PBSA
	1:53:25		38:60			there can be shallow faulting not evidence in basement rocks. little info (seismic) from 1992 Wood report – Sean clarifies that (p. 73) little to change understanding since Wood report. suggestion of faulting but (p. 73) ultimately unknown
	1:55:40		39:50			doesn't expect much different
	2:00:00		41:35			in drawdown due to distance alone.
	2:00:50		41:72			pumping curve – hypothetical
	2:03:50		43:00			pumping on M3 & relation to regional drawdown ~~response~~ – Sean concern – wells NE M3 didn't fluctuate as much as wells in panhandle.

5/24/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			Sean Vincent testimony Feredays direct - cont
	2:05:-		43:-			well fluctuations "up bench" v. " " panhandle - order of magnitude difference but trends are similar.
	2:09:00		44:36			order of magnitude difference is an anomoly.
	2:01:50		44:60			a regional water level trend is not well specific
	2:09:40		45:52			hypothetical posed by Feredays re well responses & regional trends Sean - indicates complexity - not necessarily contrary of HLI analysis - analysis uncertain aquifer is productive but difficult to predict long term effects because app. on low end of production & what one would expect at full build out
	2:13:50		47:35			
	2:15:00		47:90			(Fig ~~C2~~ C3 ?) Big Bench stock well - did not appear to be trending to full recovery & that concerned Sean.
	2:18:50		49:50			P 50 Fig. 27 was of concern Fig C3 - Sean says Feredays elaborating pt. re recovery during pumping period. purpose ~~of~~ - of C3 was for reference
	2:21:00		50:10			that recovery does not come back to zero is the concern. The 0.4' drawdown is not a concern.

5/27/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1			1			(Sean Vincent testimony Faveday direct cont'd)
	2:22:30		51:40			C3 pre-irrigation season ± significance · 0.4' is not enough drawdown to be meaningful
	2:23:45		52:00			FIG. 27, P-50 This is analysis
	2:25:40		52:90			FIG 27 - data error - corrected plot was provided so Seans comments on p.50 was ∠ correction
	2:26:40		53:40			p.52 - analysis of corrected data. bottom line - regional trend analysis may not be accurate -- must have significant drawdown. "Regional trend" is a fudge factor to account for low drawdown.
	2:24:00		54:60			insufficient stress on aquifer to make conclusions.
	2:29:40		54:90			Exh 12, FIG 6. p.46 of Seans testimony - incomplete or delayed recovery - City of Eagle - can't recall if we analyzed "application" Gary S. comments re City of Eagle line of questioning -
	2:33:-		56:80			
	?		57:25			Break for lunch
* 2			* Tape 2			
	-:-:20		35			Faveday - re City of Eagle line of questioning
	1:40		79			p.52 - narrative testimony

5/24/01

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2			2			Sean Vincent testimony Friday direct - cont
	:3:10		1:10			T/T' .05 foot lack of recovery inconclusive as to whether it significantly decayed or incomplete recovery.
	:6:00		2:06			Fig 7 - corrected graphic
	:6:30		2:20			SVR 7 test - partially penetrated PGSA. Partial penetration effects not intuitively apparent
	:6:15		2:10			in 3 monitoring wells
	:9:30		3:00			AQTSOLV software used by HLI
	:10:15		3:30			Exh 12 - HLI test. Sean doesn't know if wells fully penetrated PGSA
	:14:02		4:38			terrace displacement - Dr. Wood and suggested shallow faulting -
	:15:35		4:59			p 53 - SVR 7 well. Residual drawdowns, though not large, have to be considered. When 1.5' is drawdown, has to consider small drawdowns relative to total drawdown.
	:18:40		5:20			Discrepancy between max. drawdown (7.1') & max residual drawdown. Initial drawdown = 2.3' is ... where are missing data? Need to see entire shape of curve
	-:21:14		6:50			Exh 44. Distance of wells from other pumping wells.
	-:23:11		7:11			Exh 44 Fig 4b - Plot of 9 wells - Annual trends for each well.

7/20/01

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2			2			Sean Vincent testimony Faraday direct - cont
	:24:46		1:60			make sense for SVR1 to be plotted as the Linder well? Sean reiterates that applies regional trends introduces uncertainty - he is not critical analysis.
	:29:00		9:50			King well - more fluctuation Sean doesn't know where the pumping centers are - has never been shown map.
	:29:00		10:00			
	:30:00		9:20			SRV1 - corrected drawdown plot - there was well specific trends - that is extraordinary - looked at well recovery
	:32:45		10:05			P56 aquifer continuity & the Squires etal study re City of Boise aquifer.
	:35:40		10:80			numerical model by ITL1 etal
	:37:06		11:45			P66A continuity - doesn't know if sands are faulted & the effect & it has on flow.
	:39:14		12:10			model boundaries
	39:50		12:20			flow in P66A towards Payette if so - not sure it says something about recharge. Aquifer boundaries & sources of recharge important but direction of flow not important water budget - tvitp model
	:44:05		13:60			ITL1 discharge pts: Boise & Payette W Boise Eagle fault - Swift well
	:44:25		13:75			1992 shows Swift well on upthrown side but there is map that shows it on downthrown side.

01/10/01

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2			2			Sean Vincent testimony Feedback direct - cont'd
	:47:10		14:60			Swift well P65 - points out inconsistency in HL1
	:48:30		15:00			Lake Harbor - not the modelled recharge area.
	49:45		15:45			wells upstream of Capital Bridge
	50:00		15:60			numerical model - inflow in model from SE
	52:20		16:40			DGSA - recharge - unknowns across that is recharge.
	:55:00		17:00			Conceptually anthropogenic water recharged long time ago. knowledge of recharge mechanisms is limited.
	58:00		18:00			Carry's sustains prof opt - not Sean's responsibility to evaluate, applicants proposal - burden is on applicants.
	59:10		18:55			recharge -
	1:01:10		19:15			predictions from aquifer tests & numerical models - reasonable given the assumptions.
	1:02:20		19:65			P-98 - narrative - drawdown in alluvium & effect on BOR-R.
	1:03:25		20:00	21:24		Exh 50, Fig 4 worst case drawdown map. < 5' @ 50 years. > 5' drawdown by Eagle Island Break --
* 3 - I hit stop by mistake at the break						

5/24/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			2			Sean Vincent testimony Friday direct - COWA
	-:-:31		21:24			recharge & where it is ~~occurring~~ -
	-:2:05		21:20			P.90 - aquifer testing - his criticism of HLI & length of test - tries not look at cost
	-:9:20		24:20			aquifer test - aquifer not stressed enough. combination of wells & pumping rate.
	:11:20		24:99			concerned about response of Big Lava Rock well.
	:12:00		25:33			End of ~~Friday~~ questioning
	:12:00		25:33			Thorton questioning
	:13:30		25:50			not a homogeneous aquifer - PBSA variably permeable unit both & laterally & vertically.
	:15:00		26:25			boundaries of PBSA - he doesn't know where they are. HLI defined lateral extent of bottom structure - extends to W Boise & they cite oil exploration drilling to explain extents to Payette.
	-:16:35		26:80			Exh 402, p. 56 - depositional environment. 2001 report by Dr. Wood & Mr. Seamons. Describes sand layers under City of Boise
	:19:15		27:81			Exh 41, Dr. Ralston, p. 6-1 mudstone lens
	:22:24		28:90			withdrawals (water) Eagle area in past 5 years - M3 would significantly impact withdrawals

5/24/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			2			(Sean Vincent testimony - Protestants exam - Yuma Co.)
	:24:18		29:10			Barry S - not seans job to scrutinize applications but to look at data.
	:25:05		29:90			aquifer test proposed not carried out ∴ effect
	:28:50		30:20			construction of Kline well
						p.14 of narrative re Kline's irr well - completed in upper 190' of PGSA
	:31:00		32:20			Kline's well test - Sean has concerns
	:32:00		32:60			Big Gulch stock well
	:32:25		32:75			SRV-1
	:33:00		32:90			Big Gulch well identified as a PGSA well but top of PGSA PGSA is below 190'.
	:33:50		33:30			SVR-1 & Big Gulch
	35:30		33:90			monitoring by HLI - want to well constructed wells but relied on data from Peoria County
	:36:20		34:25			Exh 44 table 1 - M3 TW1 PIEZ nest - zone 5 - screened 97'-137' last column - zone 5 - unnamed alluvium aquifer... zone 4 - deeper screened 353'-393' - PGSA.
						Gradient from shallow sand ⇒ PGSA different from TW4 PIEZ nest.
	:39:30		35:60			suggests complexity - no up gradient every where - makes serious HLI
						settlement re local recharge occurs from shallow aquifer ~~⇒ deeper~~
	:41:40		36:40			model - M3 - if no flow boundary model was run - simulation done to follow up Ralston's findings.

5/20/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			2			(Sean Vincent testimony - Protestant Thorton)
	:43:20		37:00			read a description of results.
	:44:20		37:40			length of aquifer test
	:45:20		37:80			End of Thorton questioning & Protestant Smith questioning
	:46:18		38:25			DOE/A know if anyone knows about recharge. ITL indicates recharge is robust.
	47:10		39:60			stressing the aquifer w/ fully penetrating well, & pumping rate, lower rate may provide more meaningful data
	:49:00		39:50			faulting
	:49:20		39:45			McKay memo re faulting - no info in memo re faulting.
	:50:00		39:70			why he divided wells into 2 groups - magnitude of of fluctuations.
	:51:35		40:00			Big Gulch well - conflicting info - if 180' then not completed in the PBSA
	:52:30		40:70			SRV 1 - test not long enough, high enough rate to provide good info shallow faults
	:53:20		41:00			
	:54:40		41:60			would like test across fault plain
	:55:10		41:85			Exh 43, p. 9 - Glancman - Emmett wells - at 2 locations - conclusion no connection between PBSA's Pumped 900 gpm ~ 2cfs
	:56:50		42:60			
	:57:44		43:00			Smith -
	:58:06		43:21			Break @ 3:30 pm
	58:10		43:25			Back after break
	58:45		43:51			Smith - recharge mechanisms

5/20/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			2			Sean Vincent testimony - Protestant Smiths - cont
	1:00:40		44:30			lateral vs sustainability of aquifer under M3 proposal - doesn't know some evidence that water was more limited than M3 proposed, but inconclusive. Exh 50, p. 6
	1:01:20		44:60			
	1:03:55		45:20			Exh 50, p. 6 top - 2nd paragraph - subjective - difficult to establish where PCSA begins. Easier to identify bottom of aquifer w/ geophysics
	1:06:10		46:68			p. 4 seismic survey - unsuccessful more seismic planned this summer
						no flow barrier between willow creek aquifer & PCSA. ~~Exh 44, Fig.~~ Exh 2, Fig. 5
	1:07:05		47:10			
	1:11:33		49:18			Exh 2, Fig 6 whether PCSA can flow into willow creek @ the fault - yes per this Fig 6
	1:12:22		49:51			flow - Payette R (≡), direction p. 7 why did tower start and flow to Payette is unconvincing - lack of control points, not impossible.
	1:15:40		51:05			
	1:16:30		51:50			~~Conceptual model~~ Kings will test
	1:17:04		51:75			fault identified by Dr. Wood have effect on other wells - fluctuation different on different sides of fault. ~~no effects seen across fault~~
	1:20:25		53:40			Exh 50, p 8

5/28/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			2			(Sean Vincent testimony – protestant smith cont)
	1:24:30		54:00			SBR 1 test & BIG GULCH p.9, Exh 50 paragraph 28 SWL monitoring – defer to Owsley on all water level conclusions.
	1:26:45		56:50			HLI & no flow boundary Exh 50, p. 10 Orig plan was to install high capacity wells to provide data at high pumping rate – not done.
	1:27:40		57:00			TW1 – GW of fault, SBR 1 test
	1:31:10		58:85			cone of depression – no flow barrier increase in drawdown when cone encounters no flow zone.
	1:32:30		59:55			evidence of a bounded aquifer
	1:33:01		59:80			why HLI says no water level declines
	1:33:50		60:30			can these pump tests provide confidence about pumping w/ high capacity wells & sustainability of aquifer.
	1:37:55		62:50			p 12, Exh 50 … 16 well test
3	*		tape 3 * →			(rewind tape)
	1:41:20		– :40			~~effect~~ ~~flow~~ bounded aquifer ancestral water
	1:45:20		1:92			p 13 – narrative re isotopic data available – may be able to indicate modern recharge sources
	1:50:30		3:40			p 12 – TDWR staff opinion re long term sustainability.
	1:53:40		4:30			~~Pump~~ recharged
	1:55:10		4:80			ancestral water p. 18

5/28/09 & 5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3			3			(Sean Vincent testimony, Protestant Smith cont)
	1:57:10		5:35			findings of Glanzman & Squire
	1:57:50		5:50			how long recharge would take.
	1:59:15		5:90			IDWR concerned that numerical model not a good tool to use to accurately predict hydrologic
			8:17			impacts.

End of testimony on 5/28/09

Beginning of testimony on 5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			
:11			8:17			Gary S reads his decision on Protestants motion on Reconsideration re motion to Dismiss
						Ruling M3 can seek municipal WR, anticipated by statute. Gary not sure that M3 has qualified as municipal provider but can do that as part of the application process. Parties will fully brief it.
-:8:40			10:85			Feveday responds
-10:37			11:40			Protestant Smith
-11:29			11:70			Gary S. - decision will be part of final decision

5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			
-:13:16			12:25			Geary S.
-:15:40			12:46			Petition of review of Geary's decision on reconsideration as by the Director by Protestant Smith
-:17:01			13:50			Sean Vincent testimony - questioned by Protestant Smith - cont
:19:50			14:05			IDWR prediction of drawdown > 50 years of pumping
:19:40			14:38			p. 21, narrative. This proportional to rate of pumping
:20:50			14:65			Seen not sure 50 year calculation is more reliable than 1 year calc.
:21:55			15:06			hypothetical @ 23 cfs - obj sustained
:22:31			15:24			hyp hypothetical is average pumping rate more reliable gauge of what is happening in aquifer.
:25:10			16:09			effect on nearby wells
26:03			16:40			End of Smith
:26:20			16:48			Faraday questions Vincent
:27:10			16:60			source of recharge - Clarizmas conclusion that source is Boise R. - Vincent ~~opinion~~
:27:50			16:90			Exh 45, Fig 5 - comparing water level responses yes & they disagrees with conclusion he had made
:30:55			18:03			Exh 52 - Retco software - corrects for barometric pressure
:35:10			19:40			p. 220 - boundary in panhandle. drawdown not equivalent w/ graphic
						↓ FIG 81

5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			(Clean Vincent testimony - Friday
:31:30			20:20			Kings drawdown in 1st few minutes - he would not have filled it this way
:39:50			20:60			late data > 10 minutes - no barrier in aquifer.
39:39			20:80			Fig 64 Cooper Jacob analysis
						plot of drawdown v. log time
41:14			21:49			Cooper Jacob is used to establish
						boundaries
42:10			21:80			End of Friday questioning
42:10	43:20		21:90	22:20		Morton questioning - geology, etc...
43:20	45:40		22:20	23:04		Smith questioning - geochemistry
						End of Clean Vincent testimony.
			23:04	24:29		- machine did not turn off.
45:51			24:29			Dr. Ralston testimony sworn in
46:40			24:50			Morton recommendations
46:40	53:50		24:50	27:10		Ralston qualifications
:53:50			27:10			Exh 47 - conceptual model -
						definitions & descriptions of
						how model is developed
54:39			29:22			numerical model next step to
						fit conceptual model
1:00:20			29:40			M3 conceptual model
1:02:25			30:15			HLI 2007 report re PCSA
1:02:50			30:40			Exh 47 Fig 1 or 3 -- PCSA
						contours on bottom of PCSA
1:05:20			31:30			recharge areas
1:06:30			31:80			depositional environment - Regence
						& Orinda. Fig 1 & Fig 2 - conductor
						find PCSA is laterally extensive to
						Payette R.
1:09:90			32:70			W Boise Fault - will not establish
						that this is a PCSA boundary

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5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			(Dr Kalstan testimony - qualifications & direct exam cont'd)
1:10:08			37:19			concepts of low flow system - built upon conceptual model, identifies recharge & controls of recharge & discharge.
1:11:40			33:80			water balance - what happens when well is drilled.
1:17:50			36:20			M3 low flow system - his understanding
						Figs 3 & 4 - water level 2006 contour maps
						Fig 4 - water level contours (HLI) 2007 data - same normal change in interpretation.
1:23:20			38:40			Fig 9 & his opinion re M3/HLI flow system. south fit - ok. no basis for contours that show flow to north. He conducted HLI conclusion re to Paiute could not be supported by data.
1:27:10			39:90			Could not determine extent of PBSA no compelling evidence that PBSA extended to Paiute so had serious problems w/ M3/HLI numerical model
1:29:30			41:00			use of numerical models
1:30:30			41:85			M3/HLI numerical model - used models correctly. Have to select boundaries even if poorly understood. Multiple level model did a bit good job
1:33:40			42:75			calibration process M3/HLI. steady state ⇒ non steady state - introduces creativity.
1:34:40			43:15			He believes HLI conceptual model is

closed

5/29/04

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			(Dr. Ralston testimony - Thorton exam cont)
1:35:05			43:35			Calibration doesn't represent field data.
1:35:40			43:65			data says PBSA heterogeneous
1:36:30			44:00			Big Gulch stock well. Opinion up ~~Hells~~ Main yield wells & sustainability. doesn't know if Big Gulch completed in PBSA.
1:38:30	1:40:52		44:85	45:90		Final conclusion - insufficient evidence in conceptual model & then numerical model - PBSA doesn't extend to Payette no problem w/ numerical model predictions. Lack of understanding re recharge hydraulics.
1:40:52			45:96			Break 10:55 - 11:10
1:40:52			45:96			Thorton - exhibit of Ralstons notes
1:44:10			47:43			Friday cross exam of Ralston HLI - very good job of data collection but interpretation was was not well-founded issues: connection to Payette, water level contours, the recharge & discharge mechanisms. insufficient evidence.
~~1:45:00~~ 1:45:00			48:00 ~~48:00~~			
1:46:30			48:51			size of lake -- Lake Idaho extended to Glenns Ferry & Payette
1:48:30			49:45			opinion of HLI procedure re conceptual model
1:49:15			49:70			experience in St. Jo & St. Maries wells, scope of work, conceptual model, standards he used, numerical models & their boundaries
1:54:5			52:45			his concerns re his models

5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5			3			(Dr. Ralston testimony - Friday cross cont
1:56:00			52:70			Exh 45 - didn't have well logs, etc.. much weight
1:58:00			54:00			borehole geophysical logs &
						interpretations. He would not have
						interpreted same as Dr. Wood -
						considerable leap.
2:01:50			55:90			Faraday questions re Ralston's
						drawing, aquifer characteristics,
						recharge, wells,
2:04:50			51:40			PBSA recharge points - suspects
						there are recharge pts @ Boise
						R. but he has not seen evidence -
2:05:50			51:90			water budget, flow towards
						Payette R.
2:06:50			50:50			TVHP - familiar with this
2:08:25			59:35			Fig 9, Exh 47 & TVHP
2:14:00			62:40			Flownet
			Tape #4			
* 6			4			
						lunch
-:06			28			Faraday ⇒ Dr. Ralston
						Exh 47, Fig 9 - no flow boundary
						2575' contour rt. angle to W.
						Boise Valley fault
3:45			1:32			transmissivity calculation Exh 12,
						map i-1 • no other no flow
						boundary ⇒ Fig 9. map i-1 =
						transmissivity calculation - he has
						a question - 2 sets of calculations
						he raised a question about using
						partial penetration data.

5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
6			4			(Foreday cross of Dr. Ralston cont)
:7:35			2:40			calculations: transmissivity result of equations. Aquifer thickness not in equations for transmissivity. Actasolve.
9:20			3:00			transmissivity values south of M3 - relatively more values
10:30			3:29			model boundary Exh 16. cover Fig 6 - model domain - model boundaries depend on purpose of model. Doesn't know if model includes all recharge pts - if does - boundaries are reasonable.
12:10			3:78			
15:100			4:50			M3 model used JWHP values - reasonable
19:30			5:90			SE boundary M3 model - predicted drawdown ↑
20:30			6:26			Dr. Woods - Exh 19 6 - Lake Idaho Fig 2 → Exh 45 - Geophysical logs, HLI aquifer tests
:26:26			8:05			aquifer tests - Exh 12 - Kling test re-analysis of 16 wells - Fig 84 - drawdown plot; Fig 85 - recovery - no boundary seen.
:28:53			9:79			Exh 45 - Fig X 6 - Cooper Jacobs - looks like better drawdown late time than mels predicts ... could conclude a recharge boundary Fig 7 recovery - Big Gulch
:31:41			11:55			Exh 44 -- shows aquifer
44:44	50:15		13:75	15:52		Exh 45, Fig 5 - measurements to establish long term trends - complicated
						Break

5/29/09

Dib Track	Digital location	type # 4	type location	NOTES
6	-:50:12	1559		2 Pan break
	-:50:39	1561		Ralston contour map
	54:11	1845		End of Fereday cross
	54:12	1846		Smith ~~cross~~ cross of Ralston
	1:01:30	1920		Exh 50, p. 20
	1:01:50	2136		Exh 49 - Summary 1/12~~2009~~
	1:10:45	2238		Exh 46 - 11/26 memo
	1:15:15	2300		Exh 47, p13
	1:16:20	24:30		Exh 46 p5
	1:18:35	2517		Exh 49, p2 long-term sustain...
	1:20:47	2548		End of Smith
	1:21:00	2600		Thornton re-direct
	1:43:10	3423		Thornton asks that Ralston be recognized as expert in hydrogeology but not in geology
	1:44:46	3484		Gary S. recognized as expert
	1:44:50-	3490 - 3502		Thornton finds cross
	1:45:01	3502		Break 3:15
	1:45:01	3502		Fereday - re cross
	2:00:30	4125		End of Fereday
	2:00:30	4125-4169		Smith re direct
	2:01:45	4169		Gary S. questions.
	2:02:35	4210		Exh 16 - numerical model (M3)
	Full card	4540		- Full of card
(p.20)		~~4640~~ - 5008		

(over)

5022 Thursday - Ralston
5166-5320 Friday - Ralston -
5349 End of Testimony -
5/29/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES 6/5/09 AM
003	00:00:00		1	0051-3908		9:00 - Begin
to:	33:35:36			total		Dennis Owsley testimony
time =	1:54:24					Fereday questioning....
	38:20			1187		Thornton begins questions for Dennis.
	58:45			1857		Break 10:00 am
	58:46			1858		resume - Thornton -
						continued questions.
	1:42:58			3448		off record + back on.
						Continue - Thornton
	1:54:24			3908		Nothing further - any parties
004	~~1:55~~ 00:00		1	3909		New - Mike McVay
						testimony. Data + aquifer
						studies... High levels in
						wells, testing. - Fereday
						first. ↗
						Thornton questions - similar
						# of wells + levels.
						Smith - no questions.
	33:10:14			5021		
	25:20					Stopped - McVay
005	00:00:00			5022		Bill Lawton - Public interest
						concern of large development...
						Fereday asks questions -
						closeness of wells etc...
	32:56:41			5681		Stop - finished
time	13:31					
						Lunch break

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES 6/5/09 PM
006	00:00:00		2	0022-1636 total		1:15 resume John Thornton for protestants. Possibly evidence docs - already in place w/ NSWR No need to re-submit
						Calls ~~Boom~~ Bill Brownlee to stand. discuss 5 phases of development. By Thornton.
	59:27			1856		Break 2:15
	59:28			1857		resume - Thornton/Brownlee focus on financial issues. Lots of questions regarding money nature.
	1:34:57			3112		3:00 Break
	1:34:58			3113		resume - Thornton needs to base foundation + narrow questions ... Continued - Dallas Pension questions.
	2:30:05			5475		4:10 Break
	2:30:06			5476		resume - Smith - Questions about public water use etc. Conditional phasing. Fereday begins.
≈	2:35:00?					

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
≈	2:35:00?					Fereday – financial status + plans for M3.
						Thornton – asking about prior projects + finances. etc.
				~~6331~~		
	2:43:56			6201		Brownlee – finished & dismissed.
time:	2:46:18			6336		End of day
dt:	30:10:12					

M3 Hearing 6-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
						Protestants Alan Smith
2	00 -		1	00 -		Calls Jason Smith as witness examin
	95			1:48		objection overruled
	145			3:30		Objection - not expert overruled
				700		411 received into evidence
	365			1100		414 received into evidence
	478			1436		object to facts already into evidence - overrule for now
	497			1531		object to Mr Smith making comparison to United Water per capita #'s. - sustained
	675			2130		continue objection
	694			2200		Mike Lawrence asking questions to clarify
	785			2500		M3 still objects to document Comparing M3 uses to United Water
	943			3015		object to #'s
	986 - 1000			3133 - 3200		Recess
	1000 - 1136			3200 - 3625		exhibit 427 & 428 introduced United Water data from website
						object to X-428 & hand written notes. Will not be admitted into evidence
	11:36			3625		object again to data on overhead proposed exhibit mistakes # from Application & # of household - sustained for now but need foundation for #'s
	1340			4300		continued Objection - Gary will allow information

M3 hearing 10-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	DIGITAL LOCATION (HRS-MIN-SEC) TO	TAPE #	TAPE LOCATION FROM	TAPE LOCATION TO	NOTES
2	~~1:41:00~~		1	~~1451~~		offer 413 into evidence
						& with corrections made
	5235			1652		object to rereading info
						already submitted into
						evidence. - overruled
	5440			1718		object again - overruled
	5635			1785		object to discussion of dry
						Wells + map on wall
						preliminary warning - overruled
	1:00:52			1925		object to ~~st~~ how dry wells
						were indentified + are they
						relevant to M3 application.
						sustained in part.
	1:05:13			2075		off record
						417 + 418 into evidence
						objection to both pieces of
						evidence already in evidence
						as part of exhibit 42 already
						submitted receive into
						evidence w handwritten notes
						struck.
	1:14:00			2375		objection to chart - overruled
						on monitoring well
	1:17:00			2481		object to Mr Smiths "expertise"
						on Wells - overruled allow
						some testimony research done by Jason
						Smith.
	1:20:20			2596		objection to heresay on
						neighbors well needed to be
						replaced.
	1:22:40			2682		objection to statement of
						effects of non-pumping wells
						o

M3 Hearing 6-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2	1:30:60		1	2953		objection to 2005 well he [illegible] referenced - sustained
	1:31:35			3006		objection to map of dots & whether all orange colored d
			are wells that			have been replaced
	1:32:57			3060		off record to find
						document # 282 or 221 "239
				3060		exhibit 282 - introduced
				3095		object to origins of map
	1:33:90					on Page 1 of 282 - sustain
	1:35:00			3142		object to term dry wells
						on map & foundation
						sustain
						offer of proof accepted
						# 421 - bar graph not
						allowed needs foundational
						information
	1:39:32			3308		object to use exhibit as part
						of NAGMA testimony - OR
	1:41:00			3385		objection nothing noted to
						replacement - overruled
	1:42:85			3445		object - hersay on William
						George well sustained
	1:49:55			3715		object to well log &
						"replacement" being circled -
						sustained to characterization.
						- Kuelman?
						Roberts - Charles & Jay replacement
						Robert Jones - other - old 8"
						Larry Christensen
	1:54:00			3890		doesn't say replacement
						Kohler
						Bob Wood
				4040		Bill Lautin

M3 Hearing 06-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2	1:58:00		1	4064		Stiner
						Curt Hanson
	2:00			4130		Gary asked on what was
						written on orange dots on
						Map
						Josh or Jennifer Harmon
						Milan or Joyce Jackson
						Black Horse Construction - Hanley pla
						Robert Steele
	2:05			4367		offer 282 offer as Ext.
						object to map
						general representation of
						location of well received.
	2:10:85			4590		object to statement of lower
						of pump - sustained
	2:12			4670		object - cannot give expert
						testimony about Well going
						dry. + object to term
						dry well - sustained no
						basis that static water level
						is indication well won't dry
	2:15:00			4797		object to hand written notes
						"dry - shallow"
						hand written note stricken
	33:12:29			4911		Break for lunch
3	00:00		1	@4911		Robert Nichols - public testimony
						Thornton NAGWU no questions
						Allen Smith no questions
						Mr. Edwards - no questions
						Mr Lawrence - examine
4	00:00		1	5500		Barb Jekell - opposition
						thornton - few questions
	(2) 12:20			4628		referenced Exhibit 12

M3 Hearing 6-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
4			1			Barb Jekell - narrative testimony
						Thornton - examine
	14:55			0273		objection - sustained
						objection - hersay - overruled
	16			0355		No Question, Smith or Edwards
4	14:57		2	0378		Changed tapes &
	16:57			0000		Mr Lawrence examine
5	00:00		2	68		Joan Langdon - testify
						favors M3 development
						Mr. Lawrence examin no
						questions
						Thornton - no questions
						Smith - few questions
						objection - on well deepened
				225		Edwards no questions
6	00:00		2	~~200~~ 226		Gregory Taylor - opposed to
						Mr Thornton - no questions
						Mr Smith - few questions
						depth of well - letter from IDWR
						Mr Edwards - no questions
	5:39			-10:41		Mr Lawrence - few questions
7	00:00		2	10:41		Charles Roberts - testimony
						opposed to M3 application
						Thornton - couple questions
						Smith - One question
						Edwards - no questions
						Mr Lawrence - what aquifer
	835			-796		wells are drawing from?
8	00:00		2	800		Scott Nordstrom - support
						of M3 application
						Mr. Lawrence - questions
8	900		2	10:65		Thornton - questions
	1825			1370		Smith - no question
						Edwad - no question

M3 hearing 6-23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
8			2	1385		Gary ask questions of Scott Nordstrom
	20:30			1435		no further questions.
9	00:00		2	1455		Stanley Bastian favors M3 application
9	~~1670~~ 1640		2	16:90		Mr. Lawrence - questions
	~~1738~~ 1738			1838		Thornton - questions
	1443			1936		Smith - questions
	1540			1952		~~Edwards~~ - objection question asked + answered. overruled
				↑		objections of question on
				2000		Wells gone dry - overruled
	1700			2011		Edwards - no questions
10	0000		2	2052		David Koeppen - in favor of M3 application likes
	659			2207		"planned community"
						Mr. Lawrence - no questions
	7:15			2296		Mr. Thornton - questions
	1309			2500		Smith - question # of wells
	1351			2526		Edwards - no questions
11	0000		2	2555		Patricia Minkiewicz - opposes
	15:49			3100		M3 application.
	~~3100~~			~~15:49~~		Thornton - no questions
	1606			~~1606~~		Smith - no questions
						Edwards - no "
11	~~325~~ 1615		2	~~3625~~		Lawrence - " "
17:40	~~3660~~			~~3710~~		object to pamphlet from Az. Dept Water Resources
				3265		Break
12	00:00		2	3265		Resume questioning of Jason Smith
	4:20			3430		object to lowering of pump - overrule in interest of time
	520			3470		object to saying static

M3 hearing 23-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
12	520		2	3470		water level dropped -
						sustained new well -
						level didn't drop
				3530		offer Exhibit 426
						driller report Mosier/Christensen
						strike handwritten notation
						& received
12	10:22		2	3665		questioning by Mr Thornton
12	13:15		2	3783		cross-examine by Mr.
						Lawrence
12	32:20		2	4580		refer to Exhibit 78
	38:42			4868		refer to map 424
12	4147		2	5000		refer to xhibit 413
	4735			5250		refer to " 42
	5100			5456		refer to " 417
	5535			5489		& Rf record
				5967		

M3 Hearing 1-9-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2	00:00:00		1	479	to	9:15am start time
						Jason Smith witness for protestants - examine by Alan Smith
	15:50			490		Gary asked for clarification introduce evidence exhibit 429 421 & 424
						mr lawrence objects to wording of "dry wells"
	1920			620		received into evidence w/qualifications & whether they are replacement or dry wells.
	20:45			660		strike "dry wells" from exhibits
	23:19			740		redirect by Alan Smith
	29:30			9:31		object to witness providing expert testimony sustained 2nd objection - sustain
	30:50			9:65		refer to 42 (exhibit) figure 5
	32:45			10:20		Objection - attempting to give Xpert testimony - hold off on ruling
	34:15			1075		objection - not an expert sustained
3	00:00			1100		Mr Thornton questions Jason Smith
	725			1330		objection - overruled
	10:00			1415		introduce exhibit 867
	1125			1445		objection. ~~to~~ overruled for purpose of identification
	1535/1345			1535		objection witness is not expert - overruled
	15:20			1589		object to exhibit 867 can't connect Mr Taylor's well with supposed original well.

M3 Hearing 7-9-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
3	17:00		1	1642		discussion of heresay & availability of documents when Mr. Taylor was testifing
				17:00		allow exhibit 867 into record
	20:20			1751		exhibit 217
						object to excerpt of doc.
						would like entire document.
	34:31:31 left			1800.		Break
4				1803		x examine by Mr. Lawrence
						(redirect)
	31:20			2895		object to question asked &
						answered - overruled
						objection - overruled - question
						asked & answerd (Dennis Owsley
						measurements)
	36:45			30:98		end of questioning by
						Mr Lawrence.
5	00:00			31:42		Mr. Sorgy testify (narrative)
	02:35			32:35		Mr Thornton - x examine
				3370		Mr Smith - no questions
	6:11			3375		Mr. Lawrence - question Mr.
						Sorgy
	8:45			3476		end of questioning
6	[redacted]			35:10		motion to dismiss - based on
						applicant unable to provide
						financial statement or commitment
						by Alan Smith
	4:45			37:10		Mr. Fereday - responds to
						motion & statues
	6:00			3765		mr Smith - rebuttal
	1:00			3801		Gary talks on Motion - refuse
						to dismiss application
						denied motion to dismiss

M3 - Hearing 1-9-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
			1	39:10		record shows objection -
7	0-0			39:85		rebuttal witness called
						by Mr. Fereday - Dr. Wood
7	2:14			40:48		object to witness if he
						is impeaching other testimony
						overruled
8	0			~~[illegible]~~		~~questioning by Mr. Thornton~~
				49:44		Break for lunch
9	0					Rob Whitney - rebuttal
						witness - Mr Smith
						objection - ~~doesn't~~ isn't listed
						on witness list. overruled
9	1625	1		5741		continued objection on
						so-called "expert" testimony
9	22:20			6045		objection. leading witness
						overruled
9	29:30	2		00:00		replaced tape
10	0	2		3:80		Mr Thornton question Rob
						Whitney
10	14:16	2		795		fereday objects to questioning
						overruled
11	0	2		10:04		Mr. Smith questions Rob
						Whitney
11	4:24	2		11:40		refer to sources (not this to
						this) - Gary.
	12:50			14:08		fereday objects to questions
						overruled moving further
						from river + water levels.
11	1457	2		1475		fereday objection on staff memo
	1746			1565		further object to questioning on
						staff memo - Fereday overruled
	20:03	2		1640		Gary resist objection - sustained
12		2		1673		end of questioning for Rob
						gary addresses "expert" witnesses

M3 - Caring ○ 7-9-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
12			2			and misunderstanding of calling these witnesses.
12	31:39:		2	19:10		Break
13	00:00:00		2			Dr WOOD resume as witness questioning by Mr. Thornton
13	45:10		2	35:36		Gary interrupted and needs to know where the questioning is going.
13	47:55		2	36:40		Fereday objection about line of questioning. Gary let Thornton continue.
	53:11			38:59		Fereday objects - show how it relates to continuity - overruled for now.
13			2			
14			2	4095		Mr Smith questioned Dr Wood
14	23		2	4108		Fereday objects - Mischaracterization of Squires report. Payette Valley rephrased question
15	00:00:00		2	41:75		redirect by Mr. Fereday of Dr. Wood
	02:40			42:85		Mr. Smith object - Overruled
16	00:00:00		2	43:10		redirect Mr. Thornton of Dr. Wood
	5:30			45:50		fereday objects to
17	—		2	4573		rebuttal witness - Ed Squires
	10:26			50:45		introduce exhibit 72 & 73
						break so protestants can review.
	26:52			58:57		Smith objects that Squires never visited the Taylor Well. can't say if it was or was not dry. overruled for now. Mr. Fereday needs to lay foundation.
	36:30			63:		replace tape
17			3			contine Mr Fereday questioning of Mr Squires

M3 Hearing 7-9-09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
						m.3
17	4285		3	150 -		Introduce exhibits 74 & 75 - Map of Protestant Wells & Well logs
	49:50			393		~~and~~ suspend examination of Ed Squire
17	00:51:13		3	4:41		off record
18			3	4:41		determination of documents handed out by Mr. Fereday. Will get copy of report by Mr Squires by Wednesday of next week the 15th.
18	2:33			5:14		close & Resume on July 21 with ributtal witness Ed Squires. Mr. Fereday will Resume questioning

Page 5

M3 Eagle Hearing 7/21/09

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
7/21/09						
01	0—		[redacted]	0029		~~Ed Squires~~ Alan Smith - Motion to Strike testimony of Rob. Whitney.
	- 4:50			0165		Gary's Ruling on Mo. - Denied.
	5:25			0183		Ed Squires testimony (rebuttal) re: Protestants' wells (Questioned by Fereday)
	18:00			535		Exh. 75 - Review.
						Exh. 74 - & Exh. 72 - Reference & review
	24:32			796.	Intro	Exh. 76 - New exh. introduced - (Cross-sections of Protestants' wells & IDWR data - produced by E. Squires ~~for Appl.~~)
	28:49			925		Tab 4 - discussion -
				10:89		H.O allows Exh. into evidence.
						Smith ~~Mo. to limit or~~ object to exhibi
	58:56			18:99		Exh. 17 - review -
	1:03:—			20:40		Exh. 77 - submitted & reviewed - Offered - Received into evidence (Admitte
	1:10			24:57		Break Restart - Continuation of E. Squires rebuttal by J. Fereday -
						Exh. 45 - review
				36:99		Royette River flow & well interferrance to the PGSA - staff & Rabenstein testa
	1:56:36			46:24		Review of Exh. 18
	1:59:13			41:67		" " " 63 (previously offered)
	2:2:36			42:98		" " " 51 - Received into evidence
	2:11:46			46:99		Introduced Exh. 78 - Columbia Test Well data - Exhibit received into evidence -
	end of 1					
				51:78		Lunch break
02	0:00			~~66:00~~		Resume testimony of E. Squires - rebuttal by J. Fereday.
	0.10:00			3:00		Exh. 79 ~~introduced~~ offered & received into evidence re: SVR #7 End-of-Test Detailed Plot showing IDWR "missing data".

Page 1

7/21/09 (cont.)

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2						
~~2~~	47:49		2	14:05		Exh. 80 - offered - Plots of data re: draw-down/recovery of the Kling Irrigation well & the Big Gulch aquifer testing
	57:46			17:33		Exh. 81 - offered - End of residual/recovery plots for the Big Gulch aquifer test.
	1:01:55		2	18:75		Smith objects to line of questioning Objection over ruled & exhibits 80 & 81 admitted into evidence.
	1:18:30			24:39		Break ~~out~~
				24:48		Resumption of Squires rebuttal testimony re: reasonably anticipated future needs for a municipal provider
						Offer Exh. 82 - email transmission of E. Squires email to IDEQ re: ~~to IDEQ~~ of Dept. Staff (S. Keen) ~~to IDEQ~~ questi re: Public Water Supply for M3. (Smith objects ~~excluded~~ M3 not a mun. prov.
	1:28:10			27:89		H.O. rules on exhibit's offer into evidence, & Smith's objection to evidence.
						Exh. 82 received into evidence
	1:33:47			29:99		End of rebuttal testimony for E. Squires
	1:38:40			31:90		H.O. addresses rebuttal testimony of Squires & the opportunity for the protestants to call department witnesses:
	1:40:00			33:20		NACGWA's (Thornton) reserves & begins rebuttal questions of Squires.
	1:47:00			~~35:26~~		Thornton continues with cross-rebuttal of Squires,

7/21/09 (cont.) & 7/22/09 (resumption)

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2	2:27:05		2	52:51		Thornton continues w/cross rebuttal
						ark exhibit of Well log be
						admitted into evidence.
				$.		Exh. 868 - Admitted
2			3			Exh. 77 - review
						" 867 - "
						" 16 - "
						" 50 - "
				4:67		Fereday objects relevance of
						rebuttal test. - Overruled
	2:55:22			5:30		End of Thornton's cross-rebuttal -
						Mr. Smith begins cross-rebuttal
						Exh. 72 - review
				6:50		Fereday objects for no foundation
				7:00		- Sustained
				7:01		Smith continues - Exh. 50, #45 & 76
						review -
	3:11:00			10:05		Fereday objects to reference of
						exhibit - ref. to Exh. 76.
			7/22/09	Resumption of Hearing		
	0:00:29			11:90		Mr. Smith resumes questioning
						Ed Squires - & continues review
						of Exh. 76, tab 3.
				13:06		Fereday objects - to how questioning
						is phrased. - question rephrased -
				14:80		Exhibit 730 - introduced
						Fereday objects to exhibit because
						of no foundation, etc.
						H.O. rules that exhibit is
						received, but contains little
						value -
				16:05		N. Edwards cross-examines
						witness

2/2/09 (cont.)

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
						Edwards introduced exhibits
						431 & 432.
						Exhibits were received into record.
	0:20:20			18:40		- ~~Public witness~~ End of Squires testimony
2	0:0:00					Public Witness Jack Van Wyk
	0:8:58			21:78		Protestants examine witness
						Docs submitted during public testimony request to be admitted (Admitted as Exh. 1)
	0:20:00			25:69		Public Witness steps down -
3				26:30		Break -
						Dr. John Osienshy - appl.'s witness
						~~as At~~ testimony begins
				27:80		Mr. Smith objects to lack of questioning establishing expert status. H.O. rules Dr. Osienshy is an expert in hydrogeology & water modeling - Testimony related to HLI's 9 day aquifer test
	0:23:40 -		4	62:88		end of tape 3 - Continuation of ~~rebuttal~~ testimony of Dr. Osienshy
				2:55		
4	-			2:58		Protestant's (NACGWA) Cross examine Osienshy
	0:39:40			14:77		" (Smith) " - " "
				18:56		Lunch break - End of Osienshy's test.
5	0:00:00			"		
	1:09			18:92		Sean Vincent - rebuttal
	0:13:31			23:16		end of testimony & discussion about examining staff for sur-rebuttal.
	0:16:19			24:15		Protestant's (~~NACGWA~~) (all) - no questions -
	0:16:50			24:38		Fireday's examination of Vincent
				26:30		Sean Vincent Concludes

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
5	0:22:37		4	26:43		Dursley's sur-rebuttal testimony submitted Exhs. 909, 910 & 911 received into the record
	0:41:31			33:48		Protestants exam. of Dursley
	0:44:40			34:68		Applicant's " "
	0:58:30			40:61		Dursley finished - Called Mike McVay for opportunity to ~~testify~~ give testimony or surrebuttal.
				41:25		McVay called for sur-rebuttal by Protestant (NAGDA)
	1:05:35			43:59		Fleeday's cross exam. of McVay.
	1:06:28			43:96		Redirect-Smith
						Recross - None -
6	0:00 -			44:90		~~Regular Board Action (Applicant)~~ Froelich Appl. called Carter ~~Fotelich~~ recognized as a Bond Financing expert in Land Development.
	13:00			50:58		7/21/09 letter offered to witness & parties. Letter offered as Exhibit 83 - Exhibit 83 rec'd into evidence.
				52:88		Exam. of Mr. Froelich ~~Fotelich~~ by H.O.
	18:55			53:39		Close of hearing for 7/22/09; Resume on 7/30/09.

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
1	0:00:00		1	1:17		7/30/09 Reconvene hearing -
7/30/09						Fereday's stmt. re: applicant's
						financial capability -
	0:03:01			1:98		Response from Protestant &
	0:12:22			4:80		Mr. Froelich's cont. testimony
						Exh.s 84 - Dallas & Public & Fire Fin. Stmt.
						85 - M3 Fin. Stmt.
	15:55			5:87		Protestants object to exhibits
				7:85		H.O. Response re: admittance of
						exhibits - Exh. 85 admitted
	25:40			8:82		Protestant's Objct. of Exh. 84
	29:18			9:97		Resume exam. of C. Froelich
	30:58			10:48		Protestant's cross exam -
	44:12			14:65		Introduced I.D. Statutes to witness
						reference (not an exh.)
	1:27:07			29:46		Break - Protestants resume
	1:36:35			33:00		CDK letter reviewed by protestants &
						Applicant's introduce as Exh. 87.
	1:46:02			36:57		Smith cross-exam. -
	1:53:25			39:64		Fereday - redirect -
	end			44:37		End of Froelich test.
(2)				44:51		Brownlee redirect testimony & Introduce
						exh. 86. -
				45:60		Protestants resp. re: exhibits
						admittance into record - Smith
						objects.
	0:03:36			46:30		H.O.'s response to objection -
						rec'd Exh. 86 into evidence.
						Brownlee's testimony Continues
	33:80			end		Intro. of Exh. 88 -
			2	00:06		Protestant's object. to exh. -
	37:04			1:21		Exh. admitted. & Protestant's
						cross -

DIGITAL TRACK #	DIGITAL LOCATION (HRS-MIN-SEC) FROM	TO	TAPE #	TAPE LOCATION FROM	TO	NOTES
2	54:35		2	6:42		Lunch break (end of part 2)
3	0:00:08			6:61		Bill Brownlee cross continued
	22:46			13:68		Exh. 54 review
	36:21			18:12		NACGWA Concludes Cross -
	39:32			19:22		No redirect by Fireday -
	39:50			19:30		Appl.'s have no further witnesses
	41:00			19:70		Surrebuttal ~~by Protestants~~ discussions
4	0:00			20:40		Surrebuttal of Dennis Owsley
	4:50			21:96		Break - surrebuttal continued
	13:27			24:96		No further questions by Protestants & Appl.
5	0:08			25:19		S. Vincent called for surrebuttal. Protestant NACGWA begins/ Protestant's Conclude -
	12:22			29:61		Mr. Fireday - Cross surrebuttal
				29:70		no questions
	12:40			29:76	-	Further witnesses - none -
						NACGWA's closing argument request - Fireday's response re closing & ~~re~~ request for briefing
	15:00 -			30:50		Smith Motion re: financial info. (to Dismiss) renew. H.O. Denies Motion.
	16:57			31:36		Fireday's closing stmt. ~~argument~~ for Applicant -
	38:48			40:02		NACGWA's closing stmt.
	1:11:40			54:88		Mr. Smith's closing stmt.
			3	0:00		" " " " continues
	1:36:20			2:44		Mr. Edwards closing stmt.
	1:38:00			2:68		Briefing schedule/discussion
6	"			"		Close of hearing & record.