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Attorneys for Eagle Springs Ranch LLC

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DEC - 3 2008
Department of Water Resources

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS
FOR PERMIT NOS. 65-23239 AND
65-23105 AND APPLICATION FOR
TRANSFER NO. 73787 IN THE
NAME OF EAGLE SPRINGS RANCH LLC

**APPLICANT'S DISCLOSURE OF
WITNESSES AND EXHIBITS**

COMES NOW Applicant Eagle Springs Ranch LLC, by and through its counsel of record, Givens Pursley LLP, and pursuant to the Department's scheduling order on this matter, hereby makes the following disclosures:

WITNESS LIST

The Applicant may call the following witnesses at the hearing of this matter:

- a. Lloyd Mahaffey, Eagle Springs Ranch, LLC;
- Erik Oaas, Eagle Springs Ranch, LLC;
- Scott King, SPF Water Engineers;
- Karl Gerbhardt, Resource Systems, Inc.;
- Bill Platts, Platts Consulting;
- Rick Williams Ph.D.

b. Any individual whom Protestant has disclosed as a witness for Protestant or who may testify at the hearing of this matter. Applicant further reserves the right to call any witness identified by Protestant without waving any objection to Protestant's witnesses.

c. Any individual with the personal knowledge necessary to lay the foundation for the admission into evidence of any documents.

Applicant intends this disclosure to include witnesses who have been previously identified by either party, or any witness, disclosed or undisclosed, who is needed to lay a foundation for any exhibit, as well as any witness, disclosed or undisclosed, for the purpose of impeachment or rebuttal.

EXHIBIT LIST

Applicant may offer into evidence the following exhibits, copies of which are attached hereto:

1. Southfork Landing overall master plan (April 4, 2008).
2. Southfork Landing Subdivision – Phase 1 Final Plat.
3. Southfork Landing Subdivision – Phase 2 Final Plat.
4. CCRs Southfork Landing Subdivision.
5. Seven photographs of Applicant's property.
6. Photo-mosaic of Applicant's property.
7. Disclaimer of Interest – Eagle Springs Ranch LLC to State of Idaho.
8. Disclaimer of Interest – State of Idaho to Eagle Springs Ranch LLC.
9. State of Idaho Conservation Easement.
10. Amendment of Permit No. 65-23089 (Municipal Use) and Amendment of Permit Approval Notice.
11. Joint Application for Permits COE – IDWR.

- only).
12. Joint Application for Permits COE – IDWR (as amended-replacement pages only).
 13. Trout Stream Water System Conceptual Water Mode.
 14. Scott N. King, P.E. Curriculum Vitae.
 15. Water Rights owned by Eagle Springs Ranch LLC and Barnes Ventures, Inc.
 16. Water Rights changed by Transfer No. 73787.
 17. Project Ponds Characteristics Table.
 18. Stream Characteristics Table.
 19. Use Table – Consumptive Water Requirements.
 20. Use Table - Annual Consumptive Volume Water Balance.
 21. Use Table – Peak Consumptive Rate Water Balance.
 22. Allen & Robison, ETIdaho.
 23. William S. Platts, Ph.D. Curriculum Vitae.
 24. Three photographs of fish screen.
 25. Diagram – Southfork Landing Fish Screen Structure.
 26. Karl Gebhardt, P.E., P.H. Curriculum Vitae.

Applicant reserves the right to withdraw, revise, or supplement any of these exhibits, and/or to submit further exhibits to conform to proof presented at the time of hearing.

DATED this 2nd day of December, 2008.

Respectfully submitted,

GIVENS PURSLEY LLP

By 
Michael C. Creamer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of December, 2008, the foregoing was filed, served, or copied as follows:

ORIGINAL FILED

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Idaho Department of Water Resources
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Barnes Ventures Inc.
Represented by:
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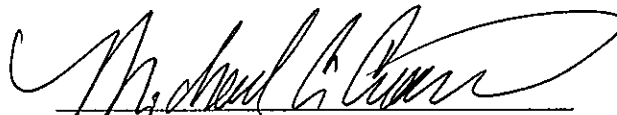
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