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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 74-15613 IN THE NAME OF JAMES) STATE OF IDAHO'S
OR PAULA M. WHITTAKER) AMENDED EXHIBIT LIST
)
)
_____)

The State of Idaho, through counsel, submits the following Exhibit List.

Exhibit 1: *Curriculum Vita* of Jeffrey J. Lutch.

Exhibit 2: *Curriculum Vita* of Thomas Curet.

Exhibit 3: Compendium of Documents Related to the Snake River Basin Adjudication and the Nez Perce Water Rights Settlement.

Exhibit 4: Memorandum of Agreement Between the State of Idaho, the Nez Perce Tribe, the United States Fish and Wildlife Service, and National Marine Fisheries Service Establishing a Collaboration Process for Making Recommendations to the State of Idaho Concerning Use of the State Section 6 Account of the Snake River Basin Adjudication Agreement of 2004 Habitat Trust Fund.

Exhibit 5: Consolidated Subcase No. 75-13316: Order Approving Stipulation and Entry of Partial Decrees.

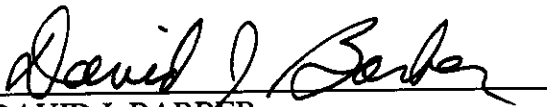
- Exhibit 6: Idaho PCSRF Proposal Application Form – FY2005 (03305SA).
- Exhibit 7: Letter dated July 3, 2006 to Bill Graham (03305SA).
- Exhibit 8: Idaho PCSRF Proposal Application Form – FY2005 (03505SA).
- Exhibit 9: Letter dated January 3, 2006 to Bruce McConnell (03505SA).
- Exhibit 10: Idaho PCSRF Proposal Application Form – FY2005 (03605SA).
- Exhibit 11: Letter dated January 3, 2006 to Bruce McConnell (03605SA).
- Exhibit 12: Idaho PCSRF Proposal Application Form – FY2005 (03805SA).
- Exhibit 13: Letter dated January 3, 2006 to Bill Hutchinson (03805SA).
- Exhibit 14: Idaho PCSRF Proposal Application Form – FY 2006 (Unnumbered; Big Timber Reconnection and Upper Lemhi Flow Improvement).
- Exhibit 15: Lemhi River Monitoring Plan; 2003 Annual Progress Report.
- Exhibit 16: Instream Flow Assessment Big Timber Creek, Idaho (June 2004).
- Exhibit 17: Lemhi River Sub-Basin Assessment (February 1998).
- Exhibit 18: Salmon and Steelhead Recovery for Idaho, Chapter 1 Recovery Plan Introduction (Draft).
- Exhibit 19: Letter dated June 28, 2002 transmitting Lemhi Conservation Agreement.
- Exhibit 20: Bull Trout Draft Recovery Plan; Chapter 1: Introduction.
- Exhibit 21: Bull Trout Draft Recovery Plan; Chapter 17: State(s): Idaho; Recovery Unit Name: Salmon River.
- Exhibit 22: Bureau of Land Management Salmon Field Office; 2004 Annual Water Temperature Report (Excerpt).
- Exhibit 23: Big Timber Creek Fisheries Report (August 2003).
- Exhibit 24: Literature update on water temperature criteria for the protection of salmonid resources.
- Exhibit 25: Screening and Habitat Improvement Prioritization for the Upper Salmon Subbasin.
- Exhibit 26: 50 C.F.R. § 17.95(e) (excerpt).
- Exhibit 27: 50 C.F.R. § 226.205.

- Exhibit 28: 50 C.F.R. § 226.212 (excerpt).
- Exhibit 29: Excerpt from Soil Survey of Custer-Lemhi Area, Idaho, Parts of Blaine, Custer, and Lemhi Counties.
- Exhibit 30: Soil Survey Map of permissible place of use for application for permit to appropriate water.
- Exhibit 31: Transfer No. 4071.
- Exhibit 32: Excerpt of BLM Edition Surface Management Status Leadore (2002).
- Exhibit 33: Orthophoto quad with a red area shown as the permissible place of use.
- Exhibit 34: Orthophoto quad with the permissible place of use outlined with a yellow line.
- Exhibit 35: Deposition Exhibit No. 5 showing three pictures taken by F. James Whittaker.
- Exhibit 36: Excerpt of 7.5 Minute West of Leadore Quad sheet (1987).
- Exhibit 37: Deposition of F. James Whittaker dated January 5, 2007.
- Exhibit 38: U.S.G.S. Hydrology data for Big Timber Creek near Leadore, Idaho, for the period from May 12, 2004 through September 30, 2006.

DATED this 6th day of February 2007.

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CERTIFICATE OF SERVICE

I certify that on the 6th day of February 2007, I caused to be served the original and/or copy of the STATE OF IDAHO'S AMENDED EXHIBIT LIST on each of the following persons by the indicated method.

1. Original to:

Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

- ☐ U.S. Mail, postage prepaid
☒ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

2. Copies to

Ellsworth Angus Ranch
Carl Ellsworth
PO Box 60
Leadore, ID 83464

- ☐ U.S. Mail, postage prepaid
☒ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

Lemhi Irrigation District
260 Withington Cr. Rd
Salmon, ID 83467

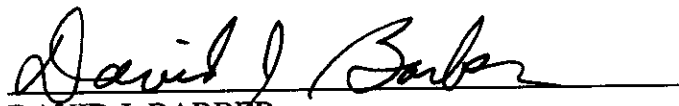
- ☐ U.S. Mail, postage prepaid
☒ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

Idaho Department of Fish and Game
PO Box 1336
Salmon, ID 83467

- ☐ U.S. Mail, postage prepaid
☒ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

Kent W. Foster, Esq.
Attorney for F. James or Paula J.
Whittaker
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CRAPO, P.L.L.C.
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P.O. Box 50130
Idaho Falls, ID 83405

- ☐ U.S. Mail, postage prepaid
☒ Hand Delivery
☐ Federal Express
☐ Facsimile: _____


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