

TESTIMONY LOG

IN THE MATTER OF THE APPLICATION)
 FOR PERMIT NO. 45-7745, IN THE NAME)
 OF THE U.S.D.A., FOREST SERVICE)

January 30 - 31, 2007

Hearing Officer: Gary Spackman

Notes by Allen Merritt

TAPE NUMBER 1

TAPE TO	LOCATION FROM	TESTIMONY DESCRIPTION
0014		Gary's intro
140	300	Discussion about Werthen's continued protest
301	387	Randy Brezner intro
		focus on snow making
399		<u>Scott Nannenga (District Ranger)</u>
		pp 21-25 make a deal. Plan for snow making
	699	Exhibit #9
	723	impact on prior water rights
	763	sufficiency of source
	788	made in good faith
	812	sufficiency of financial resources
	818	public interest
	830	conservation of water resources.
860	980	Ling examination of Scott
970	1097	X-by Werthen
~~1200~~	1192	X by Bell
1200	1334	Re-X by Werthen
1360	1956	<u>Steve Spencer</u>
	1620	expl'n overty
1956	2034	X-by Werthen
2034	2303	X-by Bell
2810	2384	Re-X by Werthen
2390		Gary's ?
2790		Re-X by Werthen
2927	3036	Re-X by Bell

Tape #1

TAPE TO	LOCATION FROM	TESTIMONY DESCRIPTION	
3046		<u>Chuck Brockway</u>	
3096		~~Examination by Ling~~	
	3200	Discuss with balance analysis	
		Mitigation Plan exhibit #4	
	3499	Oct 15 - Dec 31 div. from Bennett Springs	
	4488	~~Examination by Brezner~~	
	4750	Mitigation by dying up of	
		2000s.	
	4850	Letter from Brockway to Scotland marked	Exhibit #12
5100	5532	x-by Warthen	
		x-by Bell	
	6399	Document on Rogers Basil	
	6863		
6863	7084	Re-direct Ling	
	7274	Lunch	
7274		<u>Audrey Newirth</u> Mayor of Rupert	
		Direct by Ling	
7504		<u>Lex Kuneu</u> Title insurance agent	
		Direct by Ling	
8506		<u>John Anderson</u> Mayor of Burley	
8968		x- ~~Anderson~~ Warthen	
	9066	End of Tape 1	
	Tape #2		
0000	0123	<u>Matt Fliger</u> Minister, 2 Chamber of Com.	
0135		<u>Woody Anderson</u>	
0398		Financing	
0625		Speculation	
0704		x-by Warthen	

TAPE TO	LOCATION FROM	TESTIMONY DESCRIPTION
0710	0780	X - by Bell
0790		Recall Chuck Brockway
		Review Applic
1060		Questions by Gary
1747	1765	Bremer
		Move to send application
		to include direct flow to
		show making.
1879		X-by another
1998		Receive Exhibit #12
2044		<u>Leo Bell</u> - Protestant
2110		X-by Bremer
2199	2328	X-by Ling
2393		<u>Don Gunderson</u> watermaster
2741	3029	X-by Ling
3054		<u>Earl Wether</u>
3420	3783	X-by Bremer
		X-by Ling re: subordination
3796	3909	<u>Recall Gunderson</u>
		? by Gunderson
3944		<u>David Bell</u> - Public witness
	4249	X - Bremer
	4550	X - Ling Interesting discussion about timing.
4960		<u>Jim Kempton</u> wr holder on Howell

Type 2 (continued)

TAPE LOCATION		TESTIMONY DESCRIPTION
TO	FROM	
~~6463 6575~~		~~X-by Bell~~
		Kempton continued.
	5110	
	5500	Discuss issue about participation of WDASF or withdrawal of protest being acknowledged.
	5600	Issues of consumptive use & litigation
	5831	X-by Brezner
	5945	X-by Ling
	6200	Further discussion of mitigation
	6320	X-by Wzrhan
	6360	X-by Bell
6463	6575	Brezner Closing Arguments
6600	6690	Statement by Wzrhan & Bell
6700		Issue about representation
End of Record		7069