

USDA FOREST SERVICE

RANDALL J. BRAMER
United States Department of Agriculture
Office of the General Counsel
P.O. Box 25005
Denver, CO 80225-0005

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JAN 19 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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JAN 22 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

IN THE MATTER OF APPLICATION	)	SUPPLEMENT TO THE
FOR PERMIT NO. 45-07745	)	USDA FOREST SERVICE'S
	)	WITNESS LIST AND
	)	PROPOSED EXHIBITS LIST
USDA FOREST SERVICE,	)	
Applicant	)	Source: Surface Water
	)	County: Cassia
EARL L. WARTHEN, FRED HAWKER,	)	
Protestants	)	
	)	
ANDRWOOD, INC., LEO BELL,	)	
Intervenors.	)	
_____	)	

Pursuant to the Notice of Hearing dated November 29, 2006 the USDA Forest Service filed its witness list and proposed exhibits list in the Matter of Application for Permit No. 45-07745 on January 9, 2007. This is a supplement to those lists.

WITNESS LIST

The USDA Forest Service through it's attorney of record, hereby provides the following supplement to its list of witnesses that the Government may call to testify at hearing:

1. Steven M. Spencer
USDA Forest Service
161 East Mallard Dr. Suite 110
Boise, Idaho 83706
(208) 331-5944

Mr. Spencer is expected to testify to the elements of water right application 45-07745.

EXHIBIT LIST

The USDA Forest Service through it's attorney of record, hereby provides the following supplement to its list of proposed exhibits that the Government intends to offer at hearing. Copies of these exhibits will be served upon the hearing officer and all parties identified on the attached certificate of mailing pursuant to IDAPA Rule of Procedure 37.01.01606:

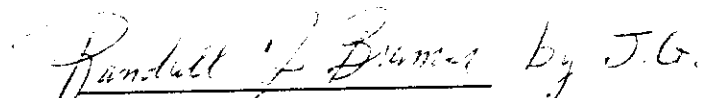
- Exhibit 3: Map(s) of the 1996 Master Plan for Pomerelle Ski Area that were inadvertently omitted from previous filing.
- Exhibit 5: Map of Idaho with reference to the Sawtooth National Forest and Minidoka Ranger District.
- Exhibit 6: Map of the Albion Mountain Division, Minidoka Ranger District, Sawtooth National Forest, with Pomerelle area inset.
- Exhibit 7: Letter from Christopher Pyron to Earl Warthen dated February 20, 1998, regarding the Appeal of Forest Supervisor Bill LeVere's November 21,

1997 decision to approve the Pomerelle Ski Resort Master Development Plan with the Decision Notice and Finding of No Significant Impact attached.

Exhibit 8: Letter from Jack Troyer to Ruth Monahan regarding the appeal decision in Pomerelle Ski Resort #98-04-00-0085, dated October 8, 2002.

The United States reserves the right to supplement this witness and exhibit list upon review of protestors witness and exhibit list and reserves the right to present rebuttal witnesses as appropriate.

Respectfully submitted,


Randall J. Brämer
Office of the General Counsel

Certificate of Mailing

I hereby certify that on the 19th day of January, 2007 a true and correct copy of the foregoing Supplement to the USDA Forest Service's Witness List and Proposed Exhibits List, and copies of the proposed exhibits, were sent by overnight mail to the following parties:

Allen D. Merritt
Idaho Department of Water Resources
Southern Region Manager
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Gary Spackman
Idaho Department of Water Resources
Hearing Officer
322. E. Front Street
Boise, Idaho 83720-0098

Earl Warthen
1047 S Highway 77
P.O. Box 145
Albion, Idaho 83311

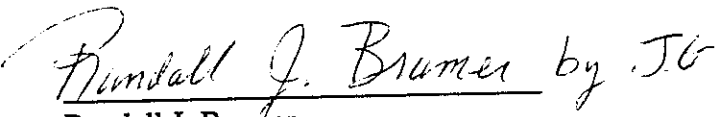
Leo Bell
1137 E 1000 S
HC 36 Box 26
Albion, Idaho 83311

Fred Hawker
361 W 400 S
Burley, Idaho 83318

Woody Anderson
c/o Roger D. Ling
Ling Nielsen & Robinson
P.O. Box 396
Rupert, Idaho 83350

Scott Nannega
USDA Forest Service
District Ranger
Minidoka Ranger District
3650 South Overland Ave
Burley, Idaho 83318

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, Suite 4
Twin Falls, Idaho 83301


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Respectfully submitted,

 by J.G.

Randall J. Bramer
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