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Attorneys for Keith and Karen Hood

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase Nos.: 67-15263, et al. (Hood)
See Exhibit A

**HOODS' AMENDED FINAL
PRETRIAL EXHIBIT AND WITNESS
LIST**

Keith and Karen Hood (collectively, "Claimants" or "Hoods"), by and through their counsel of record, Parsons Behle & Latimer, hereby submit this *Amended Final Pre-Trial Exhibit and Witness List*, which serves as an amendment to the original *Final Pre-Trial Exhibit and Witness List* filed by Claimants on September 13, 2024.

This amended filing updates the exhibit numbers provided in Section II. Claimants have updated their exhibit numbers to begin with number 101 (rather than 1). Claimants make this amendment to avoid using exhibit numbers that overlap with Objector United States of America's exhibit numbers and to avoid the risk of confusion at trial. In addition, this filing corrects typographical errors in the previous exhibit list. Finally, this amendment clarifies the exhibit list by partitioning certain exhibits that were previously identified in a general bulk manner; these bulk exhibits have been subdivided into clear and discreet exhibits.

The witness list remains unchanged.

I. IDENTIFICATION OF POSSIBLE WITNESSES

Claimants hereby submit the following list of witnesses who Claimants may call to testify, and not necessarily in the order provided below, at trial:

- a. **Keith R. Hood**
3101 Rush Creek Rd.
Cambridge, ID 83610
- b. **Karen M. Hood**
3101 Rush Creek Rd.
Cambridge, ID 83610
- c. **Craig Saxton**
Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83702

Claimants hereby reserve the right to supplement this witness list. Further, Claimants reserve the right to call or cross examine any witness(s) testifying as a representative of the Idaho Department of Water Resources (“IDWR”). Claimants also reserve the right to call any witness called by any other party in this matter or identified in any other party’s witness disclosures made pursuant to the *Scheduling Order* in this matter.

II. IDENTIFICATION OF POSSIBLE EXHIBITS

Claimants hereby submit the following list of exhibits, and not necessarily in the order provided below, that may be presented by Claimants at trial:

Hoods’ Exhibit No.	Exhibit Description
101	Map Graphic Captioned “Overview – Hood Stockwater Claims”
102	Map Graphic Identifying Hood Property
103	Homestead Certificate No. 2762 (Claim of David G. Edwards), dated May 26, 1908
104	Homestead Certificate No. 2832 (Claim of Nels C. Nielson), dated September 24, 1908

105	Land Patent No. 222034 (Claim of Charles R. Edwards), dated August 24, 1911
106	Land Patent No. 759345 (Claim of Charles R. Edwards), dated June 25, 1920
107	Decree of Distribution in the Matter of the Estate of David G. Edwards, Probate Court of Washington County, Idaho, certified date of September 30, 1930
108	Application for Grazing Permit by Charles R. Edwards, dated July 27, 1935
109	Application for Grazing Permit by C.R. and Elmo Edwards, dated December 13, 1935
110	Application for Grazing Permit by Charles R. Edwards & Son, dated February 21, 1936
111	Notification re: Grazing Allowance, dated March 21, 1936
112	Class 1 Grazing License to Charles R. Edwards & Son, dated October 5, 1936
113	Letter re: Passing on Application, dated April 5, 1937
114	Memorandum for Cases of ... Charles R. Edwards & Son ..., dated December 13, 1938
115	BLM Memorandum dated July 28, 1955, re: Qualified Range Use
116	Letter dated December 28, 1955, from C.R. Edwards to the Owyhee Grazing District No. 1 Advisory Board
117	Idaho Statesman obituary for C.R. Edwards, dated December 17, 1961 (retrieved via newspapers.com)
118	Warranty Deed and Indenture between Harriet V. Edwards and Melvin and Inez Dotson, dated November 5, 1962
119	Personal Representative Deed (Instrument # 220875) from the Estate of Melvin A. Dotson to Keith R. Hood and Karen M. Hood, dated August 31, 2012
120	BLM Form 4130-1a: Grazing Preference Application and Preference Transfer Application, signed by Keith Hood on November 30, 2012
121	Case File Copy of the Hoods' Grazing Permit for the Horse Flat Allotment, date stamped April 9, 2013
122	Director's Report of Deferred De Minimis Domestic and/or Stock Water Use for Claim Nos. 67-15263 et seq., dated September 17, 2021
123	Director's Report of Deferred De Minimis Domestic and/or Stock Water Use for Claim Nos. 67-15271 et seq., dated September 17, 2021
124	Transcript of June 10, 2024, deposition of Fredric W. Price
125	Transcript of June 12, 2024, deposition of Keith Hood
126	Notice Regarding Priority Date, <i>In Re SRBA Case No. 39576</i> (May 14, 2003)
127	Hoods' Notice of Claim for Water Right No. 67-15263 with enclosures

128	Hoods' Notice of Claim for Water Right No. 67-15264 without enclosures
129	Hoods' Notice of Claim for Water Right No. 67-15265 without enclosures
130	Hoods' Notice of Claim for Water Right No. 67-15266 without enclosures
131	Hoods' Notice of Claim for Water Right No. 67-15267 without enclosures
132	Hoods' Notice of Claim for Water Right No. 67-15268 without enclosures
133	Hoods' Notice of Claim for Water Right No. 67-15269 without enclosures
134	Hoods' Notice of Claim for Water Right No. 67-15270 without enclosures
135	Hoods' Notice of Claim for Water Right No. 67-15271 without enclosures
136	Hoods' Notice of Claim for Water Right No. 67-15272 without enclosures
137	Hoods' Notice of Claim for Water Right No. 67-15273 without enclosures
138	Hoods' Notice of Claim for Water Right No. 67-15274 without enclosures
139	Hoods' Notice of Claim for Water Right No. 67-15275 without enclosures
140	Hoods' Notice of Claim for Water Right No. 67-15276 without enclosures
141	Hoods' Notice of Claim for Water Right No. 67-15277 without enclosures
142	Hoods' Notice of Claim for Water Right No. 67-15278 without enclosures
143	Hoods' Notice of Claim for Water Right No. 67-15279 without enclosures
144	Hoods' Notice of Claim for Water Right No. 67-15280 without enclosures
145	Hoods' Notice of Claim for Water Right No. 67-15281 without enclosures
146	Hoods' Notice of Claim for Water Right No. 67-15282 without enclosures
147	Hoods' Notice of Claim for Water Right No. 67-15283 without enclosures
148	Hoods' Notice of Claim for Water Right No. 67-15284 without enclosures
149	Hoods' Notice of Claim for Water Right No. 67-15285 without enclosures
150	Hoods' Notice of Claim for Water Right No. 67-15286 without enclosures
151	Hoods' Notice of Claim for Water Right No. 67-15287 without enclosures
152	Hoods' Notice of Claim for Water Right No. 67-15288 without enclosures
153	Hoods' Notice of Claim for Water Right No. 67-15289 without enclosures
154	Letter from Craig Saxton re: Request for Information for SRBA Claim Nos. 67-15263 thru 67-15289, dated November 6, 2020
155	Letter from Keith Hood re: Evidence to Support SRBA Claim Nos. 67-15263 thru 67-15289, dated March 10, 2021
156	Amended Special Master's Report, <i>In Re SRBA Case No. 39576</i> (March 12, 2004)

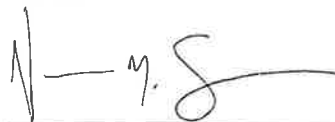
157	Partial Decree for BLM Water Right No. 67-12591
158	Partial Decree for BLM Water Right No. 67-12592
159	Partial Decree for BLM Water Right No. 67-12593
160	Partial Decree for BLM Water Right No. 67-12595
161	Partial Decree for BLM Water Right No. 67-12609
162	Partial Decree for BLM Water Right No. 67-12610
163	Partial Decree for BLM Water Right No. 67-12611
164	Partial Decree for BLM Water Right No. 67-12614
165	Partial Decree for BLM Water Right No. 67-12616
166	Partial Decree for BLM Water Right No. 67-12618
167	Partial Decree for BLM Water Right No. 67-13226

Additional possible exhibits include any documents or exhibits provided or listed by the objectors or any other party, any documents produced in discovery by the objectors or any other party, any documents which may have been an exhibit to any deposition taken in this matter by the objectors or any other party, any documents necessary or useful in impeachment of any witness or in challenging the foundation or effect of any exhibit listed by the objectors or any other party, and any documents on record with the Idaho Department of Water Resources.

Claimants hereby reserve the right to supplement this exhibit list. Further, Claimants reserve the right to use enlargements of any exhibit for demonstrative purposes.

DATED this 17th day of September, 2024.

PARSONS BEHLE & LATIMER

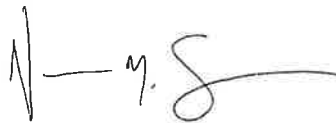


Norman M. Semanko; Garrett M. Kitamura
Attorneys for Keith and Karen Hood

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of September, 2024, a true and correct copy of the foregoing document was served by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

United States of America U. S. Department of Justice Environmental & National Resources Div. 550 W. Fort Street, MSC 033 Boise, ID 83724	☐ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☒ Email: mark.widerschein@usdoj.gov ; katharine.laubach@usdoj.gov ; michelle.ramus@usdoj.gov
Director of IDWR P. O. Box 83720 Boise, ID 83720-0098	☐ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☒ Email: file@idwr.idaho.gov



Norman M. Semanko; Garrett M. Kitamura

EXHIBIT A

Subcase Nos.

67-15263
67-15264
67-15265
67-15266
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