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Attorneys for Unit A Association

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF THE NORTH  
SNAKE AND MAGIC VALLEY GROUND  
WATER DISTRICTS' 2009 JOINT  
MITIGATION PLAN FOR 2009  
(Blue Lakes)

**Docket Nos. CM-MP-2009-002**

IN THE MATTER OF A&B IRRIGATION  
DISTRICT'S RULE 43 MITIGATION PLAN

**UNIT A ASSOCIATION'S WITNESS  
AND EXHIBIT LIST**

(Water Right Nos. 36-02356A, 36-07210, and  
36-07427)

Unit A Association ("Unit A") by and through their counsel of record, Perkins Coie LLP,  
submits the following Witness and Exhibit List:

**I. WITNESSES**

1. Gary Ottman
2. Dan Temple
3. Charles Brockway

Unit A further reserves the right to call as a witness any rebuttal or impeachment witnesses and any individual listed as a witness in discovery, whether as a fact witness or expert witness, or disclosed by any party during the discovery process in this matter. Unit A also reserves the right to supplement the above witness list prior to the hearing in this matter.

## II. EXHIBITS

<b>Exhibit No.</b>	<b>Date Offrd</b>	<b>Date Admtd</b>	<b>Date W/D</b>	<b>Obj. Sust.</b>	<b>Description</b>	<b>Stipulated</b>
1.					<b>Direct Testimony of Dan Temple, January 11, 2010</b>	
2.					<b>Direct Testimony of Gary Ottman, February 1, 2010</b>	
3.					<b>Unit A Association 2005 Resolutions attached as Ex. A to the Direct Testimony of Gary Ottman</b>	
4.					<b>February 1955 Definite Plan Report for the North Side Pumping Division of the Minidoka Project attached as Ex. B to the Direct Testimony of Gary Ottman</b>	
5.					<b>Patent No. 1195528 issued to John M. Ottman, dated May 13, 1959 attached as Ex. C to the Direct Testimony of Gary Ottman</b>	
6.					<b>September 18, 1956 repayment contract between the U.S. Bureau of Reclamation and the North Side Pumping Division attached as Ex. D to the Direct Testimony of Gary Ottman</b>	
7.					<b>November 20, 1961 repayment contract between the U.S. Bureau of Reclamation and the North Side Pumping Division attached as Ex. E to the Direct Testimony of Gary Ottman</b>	
8.					<b>Reply Testimony of Dan Temple, February 16, 2010</b>	
9.					<b>Spreadsheet of District records attached as Ex. A to the Reply Testimony of Dan Temple</b>	
10.					<b>Annual Reports Water District 1 attached as Ex. B to the Reply Testimony of Dan Temple</b>	
11.					<b>Spreadsheet showing Unit A diversions (acre feet natural flow and storage) by year attached as Ex. C to the Reply Testimony of Dan Temple</b>	

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12.					<b>Repayment Contract between A&amp;B and the U.S. Bureau of Reclamation</b> attached as Ex. D to the Reply Testimony of Dan Temple	
13.					<b>IDWR's recommendations for water rights 1-14</b> attached as Ex. E to the Reply Testimony of Dan Temple	
14.					<b>IDWR's recommendations for water rights 1-2064</b> attached as Ex. F to Reply Testimony of Dan Temple	
15.					<b>IDWR's recommendations for water rights 1-2068</b> attached as Ex. G to Reply Testimony of Dan Temple	
16.					<b>A&amp;B Irrigation Dist. Digital Boundary Map</b> attached as Ex. H to Reply Testimony of Dan Temple	
17.					Deposition Testimony of Gary Ottman (with exhibits), March 24, 2010	
18.					Deposition Testimony I of Dan Temple (with exhibits), March 24, 2010	
19.					Deposition Testimony II of Dan Temple (with exhibits), March 26, 2010	
20.					A&B Discovery <b>Spreadsheet re: year that the wells temporally went out of service with conversion to surface water</b>	
21.					A&B Discovery <b>Summary of Information for Wells Abandoned by A&amp;B Due to Lack of Ground Water</b>	
22.					A&B Docs at Deposition <b>List of Water Rights of the District</b>	
23.					A&B Docs at Deposition <b>News Letter, Spring, 2005</b>	
24.					A&B Docs at Deposition <b>Letter to Unit A Water Users from A&amp;B, March 30, 2005</b>	
25.					A&B Docs at Deposition <b>Letter to Unit A Water Users from A&amp;B, May 26, 2005</b>	

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26.					A&B Docs at Deposition <b>Letter to Water users from A&amp;B, May 19, 2004</b>	
27.					A&B Docs at Deposition <b>Handwritten notes: 2004-2005 Allocations</b>	
28.					A&B Docs at Deposition <b>A&amp;B List of Unit A Landowners, March 19, 2010</b>	
29.					A&B Docs at Deposition <b>Pages 58-59, 54, and 24 of contract (handwritten notes: Repayment Contract/Read)</b>	
30.					A&B Docs at Deposition <b>Pages 3-4 and 7 of contract (handwritten notes: By-Laws/Powers &amp; Duties of Board of Directors)</b>	
31.					A&B Docs at Deposition <b>Spreadsheet Unit A Diversions by Year 1990-2004 (handwritten notes: Exhibit C Reply Test.)</b>	
32.					A&B Docs at Deposition <b>A&amp;B Chart: Diversion by Month, 1990-2004</b>	
33.					A&B Docs at Deposition <b>A&amp;B Chart: Acre Feet, 1954-2009</b>	
34.					A&B Docs at Deposition <b>Document: One day snapshot, G-Lateral allotment, June 20, 2008, .80 Criteria</b>	
35.					A&B Docs at Deposition <b>Copy of document: One day snapshot, G-Lateral allotment, June 20, 2008, .80 Criteria (with handwritten notes)</b>	
36.					A&B Docs at Deposition <b>Handwritten notes: G-lateral info</b>	

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37.					A&B Docs at Deposition <b>Spreadsheet: Unit B to Unit A Converted Lands (POD S POND &amp; O POND) 2000-2009 (with handwritten notes: Ex. H Reply Testimony of Dan Temple)</b>	
38.					A&B Docs at Deposition <b>Handwritten notes: Unit A G-Lateral Acres</b>	
39.					A&B Docs at Deposition <b>Yearly Water Report for 2009 (in Acre Feet)</b>	
40.					A&B Docs at Deposition <b>Spreadsheet: Unit B to Unit A Converted Lands (POD S POND &amp; O POND) 2000-2009 (with handwritten notations)</b>	
41.					A&B Docs at Deposition <b>Lands Served by the G Lateral Delivery System, Report Run: March 18, 2010</b>	
42.					A&B Docs at Deposition <b>Chart: 38.a and 38.b - Diversion by Month, 1990-2004</b>	
43.					A&B Docs at Deposition <b>Chart: 38.e - Average monthly headgate deliveries of surface water by AF to landowners in Unit A of District</b>	
44.					A&B Docs at Deposition <b>Chart: 38.f - Storage Carryover</b>	
45.					A&B Docs at Deposition <b>Chart: 38.g and 38.h</b>	
46.					A&B Docs at Deposition <b>38.i - Irrigation Practices</b>	
47.					A&B Docs at Deposition <b>Document: One day snapshot G Lateral Allotment June 20, 2008</b>	
48.					A&B Docs at Deposition <b>Chart: Unit A – Water Pumped (Acre Feet) - Cumulative</b>	

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49.					A&B Docs at Deposition <b>Spreadsheet: Unit B to Unit A Converted Lands (POD S POND &amp; O POND) 2000-2009 (with handwritten notations)</b>	
50.					A&B Docs at Deposition <b>Chart: 38.a and 38.b - Diversion by Month, 1990-2004</b>	
51.					A&B Docs at Deposition <b>Chart: A.F. per acre – Delivered, 1954-2009</b>	
52.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-15195B, May 7, 2003</b>	
53.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-2080, May 7, 2003</b>	
54.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-15127B, May 7, 2003</b>	
55.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-15196B, May 7, 2003</b>	
56.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-15194B, May 7, 2003</b>	
57.					A&B Docs at Deposition <b>Partial Decree Pursuant to I.R.C.P 54(b) for Water Right 36-15193B, May 7, 2003</b>	
58.					A&B Docs at Deposition <b>Unit A Readings, 2009</b>	
59.					A&B Docs at Deposition <b>Unit A Readings, 2008</b>	
60.					A&B Docs at Deposition <b>Unit A Readings, 2007</b>	

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61.					A&B Docs at Deposition <b>Unit A Readings, 2006</b>	
62.					A&B Docs at Deposition <b>Unit A Readings, 2005</b>	
63.					A&B Docs at Deposition <b>Unit A Readings, 2004</b>	
64.					A&B Docs at Deposition <b>Unit A Readings, 2003</b>	
65.					A&B Docs at Deposition <b>Unit A Readings, 2002</b>	
66.					A&B Docs at Deposition <b>Unit A Readings, 2001</b>	
67.					A&B Docs at Deposition <b>Unit A Readings, 2000</b>	
68.					A&B Docs at Deposition <b>Unit A Readings, 1999</b>	
69.					A&B Docs at Deposition <b>Unit A Readings, 1998</b>	
70.					A&B Docs at Deposition <b>Unit A Readings, 1997</b>	
71.					A&B Docs at Deposition <b>Unit A Readings, 1996</b>	
72.					A&B Docs at Deposition <b>Unit A Readings, 1995</b>	
73.					A&B Docs at Deposition <b>Unit A Readings, 1993</b>	
74.					A&B Docs at Deposition <b>Unit A Readings, 1992</b>	
75.					A&B Docs at Deposition <b>Unit A Readings, 1991</b>	
76.					Unit A Discovery <b>Letter from Dan Temple to Water User, May 19, 2004</b>	
77.					Unit A Discovery <b>Letter from Bob Maynard to Chris Ketchum Re: Unit A Assoc./A&amp;B Irrigation District, May 19, 2009</b>	
78.					Unit A Discovery <b>Letter from Gary Ottman to Chris Ketchum Re: Unit A Assoc./A&amp;B Irrigation District, May 11, 2009</b>	
79.					Unit A Discovery <b>A&amp;B Irrigation District Newsletter, Spring, 2005</b>	

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80.					Unit A Discovery A&B Irrigation District Newsletter, Spring, 2007	
81.					Opinion Constituting Findings of Fact, Conclusions of Law and Recommendations, March 27, 2009	
82.					Gary Ottman's water use and delivery records for 2004	
83.					Gary Ottman's water use and delivery records for 2005	
84.					Gary Ottman's water use and delivery records for 2006	
85.					Gary Ottman's water use and delivery records for 2007	
86.					Gary Ottman's water use and delivery records for 2008	
87.					Gary Ottman's water use and delivery records for 2009	
88.					A&B Irrigation District's Responses to Unit A Association's First Discovery Requests, February 1, 2010	
89.					Unit A Association's Responses to A&B Irrigation District's First Discovery Requests	
90.					Notice of Deposition Duces Tecum of A&B Irrigation District Pursuant to I.R.C.P 30(b)(6), March 17, 2010	
91.					Notice of Continuation of Deposition Duces Tecum of A&B Irrigation District Pursuant to I.R.C.P 30(b)(6), March 25, 2010	
92.					Ottman Contract Settlement Sheets (produced under seal)	
93.					IDWR PowerPoint Presentation: Preliminary Costs & Ranking Summary for Potential Conversion Projects, October 7, 2009	

Unit A reserves the right to use the exhibits attached to the depositions in this case, and any document produced by the parties.

DATED: April 5, 2010

**PERKINS COIE LLP**

By:   
\_\_\_\_\_  
Robert A. Maynard, ISB No. 5537  
Erika E. Malmen, ISB No. 6185  
Cynthia L. Yee-Wallace, ISB No. 6793

Attorneys for Unit A Association

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on April 5, 2010, I caused a true and correct copy of the within named document to be forwarded with all required charges prepaid and properly addressed, by the method(s) indicated below, in accordance with IDAPA 37.01.01.303, to all of the parties of record in this proceeding, as follows:

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