

ORIGINAL

RECEIVED

APR 01 2013

DEPARTMENT OF  
WATER RESOURCES

Michael C. Creamer [ISB #4030]  
GIVENS PURSLEY LLP  
601 West Bannock Street  
P.O. Box 2720  
Boise, Idaho 83701-2720  
Office: (208) 388-1200  
Fax: (208) 388-1300  
www.givenspursley.com

*Attorneys for D. Michael Preston and  
Shekinah Industries, Inc.*

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**FOR THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR  
TRANSFER NO. 73811 (SHEKINAH  
INDUSTRIES); APPLICATION FOR  
TRANSFER NO. 73834 (ORCHARD  
RANCH); APPLICATION FOR PERMIT  
NO. 63-32499 (MAYFIELD TOWNSITE);  
APPLICATION FOR PERMIT NO. 61-  
12095 (NEVID-CORDER); APPLICATION  
FOR PERMIT NO. 61-12096 (NEVID);  
APPLICATION FOR PERMIT NO. 63-  
32703 (ORCHARD RANCH);  
APPLICATION FOR PERMIT NO. 61-  
12256 (INTERMOUNTAIN SEWER AND  
WATER); APPLICATION FOR PERMIT  
NO. 63-33344 (ARK PROPERTIES-  
MAYFIELD TOWNSITE)

**SHEKINAH'S EXHIBIT LIST**


Shekinah Industries and D. Michael Preston (together "Shekinah"), pursuant to the Department's April 13, 2012 Pre-hearing Scheduling Order in the above-captioned matters, hereby designates the following as exhibits Shekinah may introduce into evidence at hearing:

1. Application for Transfer of Water Rights;
2. Assignment of Application for Transfer from Idaho Water Company to Shekinah Industries, Inc./Michael Preston;
3. December 28, 2009 report of Brockway Engineering entitled “Shekinah Industries Groundwater Model Development and Transfer Scenario Runs.”
4. May 31, 2012 Staff Memorandum re: Sufficiency of Water Right Applications and Transfers along the I-84 Corridor;
5. November 15, 2012 Memorandum of Christian R. Petrich, Ph.D, P.E., P.G. (“Christian R. Petrich”) “Response to IDWR Staff Memo regarding the sufficiency of water supply for water right applications and transfers along the I-84 corridor (“SPF Response Memorandum”);
6. January 30, 2013 Rebuttal Report of Christian R. Petrich;
7. November 14, 2012 report by ERO Resources Corporation, David B. Shaw and Norman C. Young Water Supply Evaluation for Proposed Projects Along the I-84 Corridor;
8. January 31, 2013 report by ERO Resources Corporation, David B. Shaw and Norman C. Young responding to the SPF Response Memorandum;
9. Any exhibits identified, or offered or introduced at the hearing by any other party.

All of the above exhibits, with the exception of item 8 above, have previously been made available to or served on the parties to this matter.

DATED this 1<sup>st</sup> day of April, 2013.

GIVENS PURSLEY LLP

By   
Michael C. Creamer  
*Attorneys for D. Michael Preston and  
Shekinah Industries, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 1st day of April, 2013, the foregoing was filed, served, and copied as follows:

**DOCUMENT FILED:**

Gary Spackman, Interim Director	<input type="checkbox"/>	U. S. Mail
Idaho Department of Water Resources	<input checked="" type="checkbox"/>	Hand Delivered
322 East Front Street	<input type="checkbox"/>	Overnight Mail
P.O. Box 83720	<input type="checkbox"/>	Facsimile
Boise, ID 83720-0098	<input type="checkbox"/>	E-mail

**SERVICE COPIES TO:**

Shekinah Industries, Inc.	<input checked="" type="checkbox"/>	U. S. Mail
Attn: Michael Preston	<input type="checkbox"/>	Hand Delivered
420 Bitterroot Dr.	<input type="checkbox"/>	Overnight Mail
Boise, ID 83709	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	E-mail

Brockway Engineering	<input checked="" type="checkbox"/>	U. S. Mail
Attn: Erick Powell	<input type="checkbox"/>	Hand Delivered
2016 N. Washington St., Ste. 4	<input type="checkbox"/>	Overnight Mail
Twin Falls, ID 83301	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	E-mail

Nevid LLC and Elk Creek Ranch LLC	<input checked="" type="checkbox"/>	U. S. Mail
Attn: Norman M. Semanko	<input type="checkbox"/>	Hand Delivered
Attorney at Law	<input type="checkbox"/>	Overnight Mail
P.O. Box 538	<input type="checkbox"/>	Facsimile
Eagle, ID 83616	<input type="checkbox"/>	E-mail

Orchard Ranch LLC	<input checked="" type="checkbox"/>	U. S. Mail
P.O. Box 1260	<input type="checkbox"/>	Hand Delivered
Maricopa, AZ 85139	<input type="checkbox"/>	Overnight Mail
	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	E-mail

Dana Quinney	<input checked="" type="checkbox"/>	U. S. Mail
Scott Quinney	<input type="checkbox"/>	Hand Delivered
160 S. Pronghorn	<input type="checkbox"/>	Overnight Mail
Boise, ID 83716	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	E-mail

Daniel S. Van Grouw  
c/o Hofstetter Law Office  
Attn: Dana Hofstetter  
608 W. Franklin St.  
Boise, ID 83702

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Idaho Water Company  
Attn: Del Kohtz  
1135 Valley Rd. S  
Eden, ID 83325

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Mayfield Townsite LLC  
c/o Bruce Smith, Attorney  
950 W. Bannock St., Ste. 520  
Boise, ID 83702

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Mary Frisch  
155 S. Pronghorn Dr.  
Boise, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Wendy Tippetts  
999 N. Slater Creek  
Mayfield, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Cleveland Corder LLC  
2248 Vanocker St.  
Meridian, ID 83642

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

City of Mountain Home  
Attn: Wayne Shepherd  
Director of Public Works  
P.O. Box 10  
Mountain Home, ID 83647

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Mayfield Townsite LLC  
P.O. Box 1359  
Caldwell, ID 83606

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Norman M. Semanko  
Attorney at Law  
P.O. Box 538  
Eagle, ID 83616

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Tonya D. Bolshaw  
P.O. Box 16022  
Boise, ID 83715

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Nevid LLC  
1349 Galleria Dr., Ste. 200  
Henderson, NV 89014

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

City of Pocatello  
c/o Beeman & Associates  
Attn: Josephine Beeman  
409 W. Jefferson St.  
Boise, ID 83702

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Intermountain Sewer & Water Corp.  
P.O. Box 344  
Meridian, ID 83680

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Intermountain Sewer & Water Corp.  
P.O. Box 344  
Meridian, ID 83680

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Lori Atkins  
602 E. Mike's Pl.  
Boise, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Brown Farms LLC  
c/o Holzer Edwards & Harrison  
Attn: Clifford Brown, Esq.  
1516 W. Hays St.  
Boise, ID 83702

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

G 3 LLC  
Attn: Craig Haynes  
2136 E. Lewandowski Ln.  
Boise, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Moore Smith Buxton & Turcke  
Attn: Bruce Smith  
950 W. Bannock, Ste. 520  
Boise, ID 83702

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

SPF Water Engineering  
300 E. Mallard Dr., Ste. 350  
Boise, ID 83706

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Perkins Coie LLP  
Attn: Erika Malman  
P.O. Box 737  
Boise, ID 83701-0737

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Spencer Hafen  
886 W. Barrymore Dr.  
Meridian, ID 83642

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Idaho Power Company  
Attn: James C. Tucker or Nathan F. Gardiner  
1221 W. Idaho St.  
Boise, ID 83702-5627


- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Tim Conrads  
75 S. Pronghorn Rd.  
Boise, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail

Darla Bateman  
404 E. Indian Creek Rd.  
Boise, ID 83716

- U. S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile
- E-mail



Michael C. Creamer