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Aug 27, 2026

DEPARTMENT OF
WATER RESOURCES

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Attorney for Jerry D. Bingham and Valerie H. Bingham

BEFORE THE IDAHO DEPARTMENT OF WATER

RESOURCES OF THE STATE OF IDAHO

Water Rights of Jerry D. Bingham and	)	Docket No. CM-MP-2026-004
Valerie H. Bingham,	)	
1675 W 400 N	)	
Blackfoot, ID 83221-5051	)	
	)	BINGHAMS' WITNESS LIST
Water Rights No: 35-12226, 35-2202B,	)	
35-2205E, 35-2266, 35-2269G, and	)	
35-2183D,	)	
	)	
	)	

COME NOW Jerry D. Bingham and Valerie H. Bingham ("Binghams"), by and through the undersigned counsel, and pursuant to the Hearing Officer's Scheduling Order entered July 29, 2026, hereby provides the following list of witnesses that may be called at the hearing in the above-referenced matter:

LAY WITNESSES

1. Jerry Bingham
c/o Reed W. Larsen
151 North 3rd Avenue, 2nd Floor
Pocatello, ID 83201
208-235-1145

Mr. Bingham is an owner of Water Rights Nos: 35-12226, 35-2202B, 35-2205E, 35-2266, 35-2269G, and 35-2186D and has knowledge regarding the rights and usage of the same. Mr.

Bingham may testify regarding their proposed mitigation plan, how it would implemented, and actions that would be taken to comply with the mitigation plan in 2026.

2. Valerie Bingham
c/o Reed W. Larsen
151 North 3rd Avenue, 2nd Floor
Pocatello, ID 83201
208-235-1145

Mrs. Bingham is an owner of Water Rights Nos: 35-12226, 35-2202B, 35-2205E, 35-2266, 35-2269G, and 35-2186D and has knowledge regarding the rights and usage of the same. Mrs. Bingham may testify regarding their proposed mitigation plan, how it would implemented, and actions that would be taken to comply with the mitigation plan in 2026.

3. Any witness called by IDWR or IGWA.

Binghams reserve the right to call rebuttal witnesses as necessary.

EXPERT WITNESSES

1. Eric Miller, Principal Earth Scientist/Hydrologist
Yellowstone Earth Science
2202 West 8200 South
Rexburg, ID 83440
(208) 816-2881

Mr. Miller is anticipated to testify on matters and opinions set forth in his report, including his opinion that the Binghams' planning baseline of approximately 2,933 AFA of groundwater diversion and 2,464 AFA of CU, provides a reasonable basis for evaluating mitigation; that the ET-IDWR planning-level approach used to establish the Binghams' baseline is preferable to reliance upon the available historical WMIS; that conservation-derived reach gains are functionally equivalent to, and hydrologically preferable to, storage-water mitigation; and that proportional scaling of the modeled ETRANS response within each ESPAM model cell is appropriate and consistent with the ESPAM2.2 superposition framework; and that the combination of realized curtailment-based conservation, estimated using the planning baseline, and proposed 2026 mitigation

associated with the Fifth Mitigation Plan is substantially equivalent to, or greater than, the proportional conservation and storage mitigation obligations that would have been attributable to the Bingham's Water Rights under the 2024 Stipulated Mitigation Plan for the period evaluated.

2. R. Jeffrey Davis, P.E., CGWP, CWRE
Principal, Water Resources
Salt Lake City, UT
jdavis@integral-corp.com
385-955-5184

Mr. Davis is anticipated to testify on matters and opinions set forth in his report, including his opinion that the Bingham's planning baseline of approximately 2,933 AFA of groundwater diversion and 2,464 AFA of CU, provides a reasonable basis for evaluating mitigation; that the ET-IDWR planning-level approach used to establish the Bingham's baseline is preferable to reliance upon the available historical WMIS; that conservation-derived reach gains are functionally equivalent to, and hydrologically preferable to, storage-water mitigation; and that proportional scaling of the modeled ETRANS response within each ESPAM model cell is appropriate and consistent with the ESPAM2.2 superposition framework; and that the combination of realized curtailment-based conservation, estimated using the planning baseline, and proposed 2026 mitigation associated with the Fifth Mitigation Plan is substantially equivalent to, or greater than, the proportional conservation and storage mitigation obligations that would have been attributable to the Bingham's Water Rights under the 2024 Stipulated Mitigation Plan for the period evaluated.

DATED this 27th day of August, 2026.

COOPER & LARSEN, CHARTERED

By /s/ Reed W. Larsen
REED W. LARSEN
*Attorney for Jerry D. Bingham and
Valerie H. Bingham*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of August, 2026, I served a true and correct copy of the above and foregoing document to the following person(s) as follows:

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/s/ Reed W. Larsen