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Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

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

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF A&B
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT,
MINIDOKA IRRIGATION DISTRICT,
NORTH SIDE CANAL COMPANY, AND
TWIN FALLS CANAL COMPANY

**SURFACE WATER COALITION'S
EXHIBIT LIST**

IN THE MATTER OF IGWA'S
SETTLEMENT AGREEMENT
MITIGATION PLAN

COME NOW, A&B Irrigation District, American Falls Reservoir District #2, Burley
Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal
Company, and Twin Falls Canal Company (hereinafter collectively referred to as "Surface Water
Coalition" "SWC" or "Coalition"), by and through counsel of record, and pursuant to the

Hearing Officer's December 29th, 2023 *Order Authorizing Discovery; Scheduling Order; Order Suspending IDAPA 37.01.01.354; Notice of Prehearing Conference and Hearing* hereby provides the following list of exhibits for hearing in this matter. The Coalition reserves the right to submit rebuttal exhibits, including any expert rebuttal reports filed pursuant to the above-referenced scheduling order.

EXHIBIT LIST (actual numbering / submission order to be determined)

1. *Memorandum Decision and Order on Petition for Judicial Review, Rangen, Inc. v. IDWR, Twin Falls County, Case No. CV-2014-2446 (Idaho 5th Dist. Ct. 2015), December 3, 2014.*
2. *Surface Water Coalition's and IGWA's Stipulated Mitigation Plan and Request for Order, March 9, 2016.*
3. *Final Order Regarding April 2016 Forecast Supply (Methodology Steps 1-3), April 19, 2016.*
4. *Final Order Approving Stipulated Mitigation Plan, May 2, 2016.*
5. *Surface Water Coalition's and IGWA's Stipulated Amended Mitigation Plan and Request for Order, February 7, 2017.*
6. *Final Order Regarding April 2017 Forecast Supply (Methodology Steps 1-3), April 13, 2017.*
7. *Final Order Approving Amendment to Stipulated Mitigation Plan, May 9, 2017.*
8. *Final Order Regarding April 2018 Forecast Supply (Methodology Steps 1-3), April 17, 2018.*
9. *Coalition of Cities et al. Joint Mitigation Plan, February 25, 2019 (CM-MP-2019-001).*
10. *Final Order Regarding April 2019 Forecast Supply (Methodology Steps 1-3), April 11, 2019.*
11. *Final Order Regarding April 2020 Forecast Supply (Methodology Steps 1-3), April 20, 2020.*
12. *Final Order Regarding April 2021 Forecast Supply (Methodology Steps 1-3), April 19, 2021.*

13. *Order Revising April 2021 Forecast Supply (Methodology Step 6)*, July 20, 2021.
14. *Order Revising July 2021 Forecast Supply (Methodology Steps 7-8)*, August 23, 2021.
15. *Final Order Regarding April 2022 Forecast Supply (Methodology Steps 1-3)*, April 20, 2022.
16. *Response to Request for Status Conference; Notice of Status Conference at 2-3* (May 5, 2022).
17. *Order Revising April 2022 Forecast Supply and Amending Curtailment Order (Methodology Steps 5 & 6)*, July 20, 2022.
18. *Order Revising July 2022 Forecast Supply (Methodology Steps 7-8)*, August 18, 2022.
19. *Settlement Agreement*, September 7, 2022.
20. *Final Order Regarding Compliance with Approved Mitigation Plan*, September 8, 2022.
21. *Letter to the Director Regarding Impasse on IGWA's 2022 Mitigation Report*, April 13, 2023.
22. *Amended Final Order Regarding Compliance with Approved Mitigation Plan*, April 24, 2023.
23. *Declaration of Alan Jackson in Support of Motion to Stay Based on IDWR's Interference with Lawful Discovery*, May 31, 2023.
24. *SWC Petition for Reconsideration / Enforcement*, July 31, 2023.
25. *Final Order Regarding IGWA's 2022 Mitigation Plan Compliance*, August 2, 2023.
26. *SWC Petition for Reconsideration / Request for Hearing*, August 16, 2023.
27. *Notice of Filing of Agreement – Satisfaction of AF-A-2022 Mitigation Deficit*, Nov. 3, 2023.
28. *SWC/IGWA Settlement Agreement Mitigation Plan – 2022 Breach Expert Report (Dave Colvin, LRE Water)*, February 15, 2024.

DATED this 26th day of February, 2024.

MARTEN LAW LLP



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FLETCHER LAW OFFICE



for

W. Kent Fletcher

*Attorney for American Falls Reservoir
District #2, and Minidoka Irrigation District*

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February, 2024, I served a true and correct copy of the foregoing *Surface Water Coalition's Exhibit List* on the following by the method indicated:

<p>Hearing Officer Roger S. Burdick Garrick Baxter Sarah Tschohl State of Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 *** service by electronic mail roburd47@gmail.com garrick.baxter@idwr.idaho.gov sarah.tschohl@idwr.idaho.gov file@idwr.idaho.gov</p>	<p>Matt Howard U.S. Bureau of Reclamation 1150 N. Curtis Rd. Boise, ID 83706-1234 *** service by electronic mail only mhoward@usbr.gov</p>	<p>Tony Olenichak IDWR – Eastern Region 900 N. Skyline Dr., Ste. A Idaho Falls, ID 83402-1718 *** service by electronic mail only tony.olenichak@idwr.idaho.gov</p>
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Travis L. Thompson