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*Attorneys for Idaho Ground Water Appropriators, Inc. (IGWA)*

RECEIVED

Feb 28, 2024

DEPARTMENT OF  
WATER RESOURCES

**STATE OF IDAHO**

**DEPARTMENT OF WATER RESOURCES**

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

IN THE MATTER OF IGWA'S  
SETTLEMENT AGREEMENT  
MITIGATION PLAN

Docket No. CM-MP-2016-001

**IGWA'S SUPPLEMENTAL  
WITNESS DISCLOSURE**

Idaho Ground Water Appropriators, Inc. ("IGWA"), by and through its counsel of record, hereby supplements *IGWA's Witness Disclosure* filed January 31, 2024. At the pre-hearing conference held February 26, 2024, the SWC and then Hearing Officer requested that IGWA minimize the number of witnesses who will testify at the hearing scheduled for March 14-15, 2024, and file a pleading setting forth its anticipated order of witnesses. This filing is made in response.

*IGWA's Witness Disclosure* identifies three expert witnesses: Sophia Sigstedt, Jim McCord, and Jaxon Higgs. IGWA intends to call Ms. Sigstedt and Mr. Higgs at the hearing. Ms.

Sigstedt is unable to travel at this time; therefore, she intends to testify remotely by video. Mr. McCord is a backup in case Ms. Sigstedt is unable to participate.

*IGWA's Witness Disclosure* identifies eight lay witnesses, including representatives of ground water district members of IGWA except Bonneville-Jefferson Ground Water District ("Bonneville-Jefferson") and Bingham Ground Water District ("Bingham") which have appeared separately. Bingham and Bonneville-Jefferson have filed their own witness disclosures.

IGWA's identified witnesses from each ground water district in order to present evidence of each district's understanding and implementation of the 2016 Mitigation Plan and the 2009 Mitigation Plan, and how each district intends to measure compliance with the 2016 Mitigation Plan in light of former Director Spackman's ruling that averaging may not be used. IGWA need not call all eight lay witnesses as long as the testimony of the witnesses it does call will be accepted as representative of the ground water districts generally, unless specifically noted in the testimony given. IGWA's understanding from the prehearing conference held February 26, 2024, is that this is permitted in an effort to streamline the hearing. With that understanding, IGWA currently plans to call Bill Stoddart as its sole lay witness.

IGWA reserves the right to call other witnesses identified in *IGWA's Witness Disclosure* to the extent necessary.

Since the pre-hearing conference, IGWA has consulted with legal counsel for Bingham and Bonneville-Jefferson concerning the order of witnesses at the hearing. Based on those discussions, and without impairing the ability of any party to call other witnesses as needed, IGWA anticipates the following order of witnesses at the hearing:

1. David Colvin (SWC expert)
2. Sophi Sigstedt (IGWA expert)
3. Jaxon Higgs (IGWA expert)
4. Bill Stoddart (IGWA lay witness)
5. Bryce Contor or Thane Kindred (Bonneville-Jefferson expert)
6. Kirk Schweider (Bonneville-Jefferson lay witness)
7. Brad Butters (Bonneville-Jefferson lay witness)
8. Alan Jackson (Bingham expert)

RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of February, 2024.

RACINE OLSON, PLLP

By:   
Thomas J. Budge  
*Attorneys for IGWA*

## CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of January, 2024, I served the foregoing document on the persons below via email at the address shown:

  
Thomas J. Budge

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