

John K. Simpson, ISB #4242
 Travis L. Thompson, ISB #6168
 Abby R. Bitzenburg, ISB #12198
MARTEN LAW LLP
 163 Second Ave. West
 P.O. Box 63
 Twin Falls, Idaho 83303-0063
 Telephone: (208) 733-0700
 Email: jsimpson@martenlaw.com
tthompson@martenlaw.com
abitzenburg@martenlaw.com

W. Kent Fletcher, ISB #2248
FLETCHER LAW OFFICE
 P.O. Box 248
 Burley, Idaho 83318
 Telephone: (208) 678-3250
 Email: wkf@pmt.org

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

*Attorneys for A&B Irrigation District, Burley
 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

Docket No. CM-MP-2016-001

**SURFACE WATER COALITION'S
 NOTICE OF SERVICE OF REBUTTAL
 EXPERT REPORT**

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 (“Surface Water Coalition” or “Coalition”), by and through counsel of record, and hereby provide notice of service of its rebuttal expert report on the parties to this case pursuant to the *Order Authorizing Discovery, Scheduling Order, Order Suspending IDAPA 37.01.01.354, and Notice of Prehearing Conference and Hearing* (December 29, 2023).

Counsel emailed the *SWC/IGWA Settlement Agreement Mitigation Plan – 2022 Breach Rebuttal Report prepared by David C. Colvin* to those counsel of record listed on the certificate of service.

DATED this 29th day of February, 2024.

MARTEN LAW LLP



Travis L. Thompson

*Attorneys for A&B Irrigation District,
Burley Irrigation District, Milner Irrigation
District, North Side Canal Company, and
Twin Falls Canal Company*

FLETCHER LAW OFFICE



for

W. Kent Fletcher

*Attorneys for American Falls
Reservoir District #2 and Minidoka
Irrigation District*

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of February, 2024, I served a true and correct copy of the foregoing *Notice of Service of Surface Water Coalition’s Rebuttal Report* 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>
<p>T.J. Budge Elisheva Patterson Racine Olson P.O. Box 1391 Pocatello, ID 83204-1391 *** service by electronic mail only tj@racineolson.com elisheva@racineolson.com</p>	<p>Sarah A. Klahn Max C. Bricker Diane Thompson Somach Simmons & Dunn 2033 11th St., Ste. 5 Boulder, CO 80302 *** service by electronic mail only sklahn@somachlaw.com mbricker@somachlaw.com dthompson@somachlaw.com</p>	<p>David Gehlert ENRD – DOJ 999 18th St. South Terrace, Ste. 370 Denver, CO 80202 *** service by electronic mail only david.gehlert@usdoj.gov</p>
<p>Rich Diehl City of Pocatello P.O. Box 4169 Pocatello, ID 83201 *** service by electronic mail only rdiehl@pocatello.us</p>	<p>William A. Parsons Parsons, Smith & Stone LLP P.O. Box 910 Burley, ID 83318 *** service by electronic mail only wparsons@pmt.org</p>	<p>Corey Skinner IDWR – Southern Region 650 Addison Ave W, Ste. 500 Twin Falls, ID 83301-5858 *** service by electronic mail only corey.skinner@idwr.idaho.gov</p>
<p>W. Kent Fletcher Fletcher Law Offices P.O. Box 248 Burley, ID 83318 *** service by electronic mail only wkf@pmt.org</p>	<p>Kathleen Carr U.S. Dept. Interior, Office of Solicitor Pacific Northwest Region, Boise 960 Broadway, Ste. 400 Boise, ID 83706 *** service by electronic mail only kathleenmarion.carr@sol.doi.gov</p>	<p>Candice McHugh Chris M. Bromley McHugh Bromley, PLLC 380 South 4th Street, Ste. 103 Boise, ID 83702 *** service by electronic mail only cbromley@mchughbromley.com cmchugh@mchughbromley.com</p>
<p>Robert E. Williams Williams, Meservy & Lothspeich, LLP P.O. Box 168 Jerome, ID 83338 *** service by electronic mail only rewilliams@wmlattys.com</p>	<p>Robert L. Harris Holden, Kidwell, Hahn & Crapo, PLLC P.O. Box 50130 Idaho Falls, ID 83405 *** service by electronic mail only rharris@holdenlegal.com</p>	<p>Randall D. Fife City Attorney, City of Idaho Falls P.O. Box 50220 Idaho Falls, ID 83405 *** service by electronic mail only rfife@idahofallsidaho.gov</p>

<p>Skyler Johns Steven Taggart Nathan Olsen Olsen Taggart PLLC P.O. Box 3005 Idaho Falls, ID 83403 *** service by electronic mail only sjohns@olsentaggart.com staggart@olsentaggart.com nolsen@olsentaggart.com</p>	<p>Dylan Anderson Dylan Anderson Law PLLC P.O. Box 35 Rexburg, ID 83440 *** service by electronic mail only dylan@dylanandersonlaw.com</p>	
--	---	--

Jess Nielsen

Jessica Nielsen
Assistant for Travis L. Thompson