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North Side Canal Company, and Twin Falls
Canal Company*

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

IN THE MATTER OF THE BIG WOOD
GROUND WATER MANAGEMENT AREA

**SURFACE WATER COALITION'S
INITIAL WITNESS DISCLOSURE**

IN THE MATTER OF APPLICATIONS
FOR PERMITS FOR THE DIVERSION
AND USE OF SURFACE AND
GROUND WATER WITHIN THE
SNAKE RIVER BASIN

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 (hereafter collectively referred to as “Surface Water Coalition” or “Coalition”), by and through their undersigned counsel of record, and pursuant to the Director’s March 31, 2023 *Scheduling Order* hereby provides the following list of witnesses

that may be called at the hearing in this matter. The Coalition reserves the right to supplement this list as necessary.

Expert Witnesses:

With respect to the issue (a) identified on page 3 of the *Scheduling Order* the Coalition may call the following witnesses who are expected to be able to testify about “municipal” water rights issued by IDWR, as well as policies and guidance regarding the same:

Mat Weaver, Idaho Department of Water Resources

Shelley Keen, Idaho Department of Water Resources

James Cefalo, Idaho Department of Water Resources

Dave Shaw, ERO Resources

It is not known at this time what documents may be relied upon by the above-listed IDWR employees for any testimony to be offered. Mr. Shaw provides the following initial list of documents that may be relied upon for any testimony to be offered.

- Young, Norm, September 27, 1996, *Application Processing Memorandum No. 61*, Idaho Department of Water Resources.
- Judge Eric J. Wildman, December 28, 2021, *Memorandum Decision & Order*, Canyon County Dist. Ct., Third Jud. Dist., Case No. CV14-21-05008

With respect to any issues concerning municipal water rights diverting groundwater within the Eastern Snake Plain Aquifer (as defined by ESPAM 2.2), the Coalition may call the following witness who is expected to be able to testify about the hydrology and hydrogeology of the ESPA and its hydraulically connected surface water sources, including the Snake River.

Dave Colvin, LRE Water

Mr. Colvin provides the following initial list of documents that may be relied upon for any testimony to be offered. Eastern Snake Plain Aquifer Model documentation, downloadable from IDWR's website (<https://idwr.idaho.gov/water-data/projects/espam/documents/>) as of May 3, 2023. Documents (with appendices and listed references) will include:

- Sukow, 2021a. *Model Calibration Report, Eastern Snake Plain Aquifer Model Version 2.2*, Idaho Department of Water Resources.
- Sukow, 2021b. *Comparison of Eastern Snake Plain Aquifer Model Version 2.2 with Version 2.1 via the Curtailment Scenario*, Idaho Department of Water Resources.
- Sukow, 2021c. *Comparison of Superposition Model with Fully-Populated Model for Eastern Snake Plain Aquifer Model Version 2.2*, Idaho Department of Water Resources.
- Sukow, 2021d. *Predictive Uncertainty Analysis, Eastern Snake Plain Aquifer Model Version 2.2*, Idaho Department of Water Resources.
- McVay, 2018. *Evapotranspiration for the Enhanced Snake Plain Aquifer Model Version 2.2*, Idaho Department of Water Resources.

Lay Witnesses:

None at this time. The Coalition reserves the right to identify any necessary lay witnesses as discovery continues.

DATED this 8th May, 2023.

MARTEN LAW LLP



Travis L. Thompson
*Attorneys for A&B Irrigation District,
Burley Irrigation District, Milner Irrigation
District, NSCC and TFCC*

FLETCHER LAW OFFICE



for

W. Kent Fletcher
*Attorneys for Minidoka Irrigation
District and American Falls
Reservoir District #2*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of May, 2023, I caused to be served a true and correct copy of the foregoing **SURFACE WATER COALITION’S INITIAL WITNESS DISCLOSURE** by the method indicated below, and addressed to each of the following:

<p>Director Gary Spackman IDWR 322 E Front St Boise, ID 83720-0098 *** service by U.S. Mail and electronic mail file@idwr.idaho.gov gary_spackman@idwr.idaho.gov garrick.baxter@idwr.idaho.gov</p>	<p>Candice McHugh Chris Bromley McHugh Bromley, PLLC 380 S. 4th St., Ste. 103 Boise, ID 83702 cmchugh@mchughbromley.com cbromley@mchughbromley.com</p>	<p>Michael P. Lawrence Charlie S. Baser Givens Pursley, LLP P.O. Box 2720 Boise, ID 83701-2720 mpl@givenspursley.com csb@givenspursley.com</p>
<p>Jerry R. Rigby Chase T. Hendricks Rigby, Andrus & Rigby, Chartered 25 North Second East Rexburg, ID 83440 jrigby@rex-law.com chendricks@rex-law.com</p>	<p>James R. Laski Heather E. O’Leary Lawson Laski Clark, PLLC 675 Sun Valley Road, Suite A P.O. Box 3310 Ketchum, ID 83340 jrl@lawsonlaski.com heo@lawsonlaski.com</p>	<p>Robert L. Harris Holden, Kidwell, Hahn & Crapo P.O. Box 50130 Idaho Falls, ID 83405 rharris@holdenlegal.com</p>
<p>Sarah A. Klahn Somach Simmons & Dunn 2033 11th Street Suite 5 Boulder, CO 80302 sklahn@somachlaw.com</p>	<p>Thomas J. Budge Racine Olson PLLP P.O. Box 1391 Pocatello, ID 83204-1391 tj@racineolson.com</p>	<p>Norman M. Semanko Parsons Bahle & Latimer 800 W. Main St., Ste. 1300 Boise, ID 83702 nsemanko@parsonsbehle.com</p>
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