

To the Department of Water Resources of the State of Idaho

IN THE MATTER OF APPLICATION  
FOR PERMIT NO. 63-32573 IN THE  
NAME OF M3 EAGLE LLC

RECEIVED

APR 08 2009

Department of Water Resources

NACGUA's Response to IDWR's Order  
Scheduling Exchange of Information –  
Response Due April 8, 2009

To Hearing Officer, Mr. Gary Spackman,

NACGUA is providing the information requested in your Order Scheduling Exchange of Information dated March 26, 2009.

1.) Copies of documents that NACGUA may offer as exhibits at the hearing (pre-numbered 200-299).

\* It should be noted that NAGUA had more documents than were provided numbers, so NAGUA also utilized documents starting with the number 800 thru 899. NACGUA hopes this will not be a problem.

On April 3, 2009 all parties participated in a conference call to mutually agree and stipulate to a list of documents that may be offered as exhibits (without objections). These stipulated documents have all been previously served on all parties. This stipulation is being fully described in M3's response to you, the Hearing Officer, referencing this same Order Scheduling Exchange Of Information. NACGUA's lists of stipulated documents are pre-numbered 200 thru 255, as identified in the following List #1. The remainders of the pre-numbered documents (identified as List #2 and List #3) were not previously stipulated and are being identified as documents that NACGUA may offer as exhibits.

**List #1 - DOCUMENTS IN THE PUBLIC DOMAIN (RULE 602)<sup>1</sup>**

#	Document Name or Title and Date
200	Characterization of Ground Water Flow in the Lower Boise River Basin. February 2004. By Christian R. Petrich, University of Idaho and Scott M. Urban, Idaho Department of Water Resources.
201	Influence of Canal Seepage on Aquifer Recharge near the New York Canal. December 2002, By Jon Hutchings and Christian R. Petrich, Idaho Water Resources Research Institute.
202	Aquifer Evaluation in the Big Gulch and Little Gulch Areas of Spring Valley Ranch. October 2004. By SPF Water Engineering, LLC.
203	Well Construction and Aquifer Testing in the Sandy Hill Area of Spring Valley Ranch. June 18, 2004. By SPF Water Engineering, LLC.
204	Well Construction and Aquifer Testing of Spring Valley Ranch Exploration Well No. 5. June 17, 2004. By SPF Water Engineering, LLC.

<sup>1</sup> Pursuant to IDWR Rule of Procedure 602, the documents in this list are not provided in hard copy because these documents are subject to official notice and readily available on the IDWR website or have already been submitted as part of Application 63-32573 and/or the November 26, 2008 technical report deadline.

#	Document Name or Title and Date
205	Preliminary Master Potable Water Study for M3-Eagle. By Stanley Consultants Inc.
206	Preliminary Master Wastewater Study for M3-Eagle. By Stanley Consultants Inc.
207	Well Construction and Aquifer Testing in the Sandy Hill Area of Spring Valley Ranch. June 18, 2004. By SPF Water Engineering, LLC.
208	Geologic and Tectonic History of the Western Snake River Plain, Idaho and Oregon. 2002. By Spencer H. Wood and Drew M. Clemens.
209	Treasure Valley Hydrologic Project Executive Summary. February 2004. By Christian R. Petrich, Idaho Water Resources Research Institute.
210	Treasure Valley's Water Future – Summary of the Treasure Valley Water Summit, January 14-15, 2002. May 15, 2002. Compiled by Community Planning Association of Southwest Idaho, Idaho Department of Water Resources, Idaho Water Resources Research Institute, and Enviro Issues, Inc.
211	Seismic Expression and Geological Significance of a Lacustrine Delta in Neogene Deposits of the Western Snake River Plain, Idaho. AAPG Bulletin, V. 78, No. 1 (January 1994), P. 102-121. By Spencer H. Wood.
212	Ground Water Quality Characterization and Initial Trend Analysis for the Treasure Valley Shallow and Deep Hydrogeologic Subareas. March 1998. By Kenneth W. Neely and Janet K. Crockett.
213	Ground Water Recharge and Flow in the Regional Treasure Valley Aquifer System – Geochemistry and Isotope Study. December 2002. Jon Hutchings and Christian R. Petrich, Idaho Water Resources Research Institute.
214	Simulation of Increased Ground Water Withdrawals in the Lower Boise River Basin. February 2004. By Christian R. Petrich.
215	Stratigraphic Studies of the Boise (Idaho) Aquifer System Using Borehole Geophysical Logs with Emphasis on Facies Identification of Sand Aquifers. January 8, 2001. By Edward Squires, Hydro-Logic, Inc. and Spencer H. Wood, Boise State University.
216	Water Budget for the Treasure Valley Aquifer System for the Years 1996 and 2000. By Scott M. Urban, Idaho Department of Water Resources.
217	A Distributed Parameter Water Budget Data Base for the Lower Boise Valley. Revised January 2008. U.S. Bureau of Reclamation and Idaho Department of Water Resources.
219	Ground Water Analysis at Emmett, Idaho. May 4, 1996. By S.T. Kellogg, V.A. Simon, and M. Barlow, University of Idaho.
220	Ground-Water Conditions in the Dry Creek Area, Eagle, Idaho. June 1991. By Steven J. Baker.
221	Water Right and Well Log Information from IDWR Database for Protestants' Wells. Undated.

#	Document Name or Title and Date
222	Idaho Domestic Well Exemption: Presentation to the Idaho Water Users Association. November 6, 2008. Shelley Keen, IDWR Water Rights Section Manager.
223	Preliminary Master Wastewater Study for M3-Eagle. By Stanley Consultants Inc.
224	Well Construction and Aquifer Testing in the Sandy Hill Area of Spring Valley Ranch. June 18, 2004. By SPF Water Engineering, LLC.
225	Geologic and Tectonic History of the Western Snake River Plain, Idaho and Oregon. 2002. By Spencer H. Wood and Drew M. Clemens.
226	Treasure Valley Hydrologic Project Executive Summary. February 2004. By Christian R. Petrich, Idaho Water Resources Research Institute.
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234	Water Budget for the Treasure Valley Aquifer System for the Years 1996 and 2000. By Scott M. Urban, Idaho Department of Water Resources.
235	A Distributed Parameter Water Budget Data Base for the Lower Boise Valley. Revised January 2008. U.S. Bureau of Reclamation and Idaho Department of Water Resources
236	Radiometric Dating, Volcanic Stratigraphy, and Sedimentation in the Boise Foothills, Northeastern Margin of the Western Snake River Plain, Ada County, Idaho. Isochron/West, No. 59, May 1993. By Drew M. Clemens, Arizona State University and Spencer H. Wood, Boise State University.

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237	Ground Water Analysis at Emmett, Idaho. May 4, 1996. By S.T. Kellogg, V.A. Simon, and M. Barlow, University of Idaho.
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251	Water Budget for the Treasure Valley Aquifer System for the Years 1996 and 2000. By Scott M. Urban, Idaho Department of Water Resources
252	A Distributed Parameter Water Budget Data Base for the Lower Boise Valley. Revised January 2008.

#	Document Name or Title and Date
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253	Radiometric Dating, Volcanic Stratigraphy, and Sedimentation in the Boise Foothills, Northeastern Margin of the Western Snake River Plain, Ada County, Idaho. Isochron/West, No. 59, May 1993. By Drew M. Clemens, Arizona State University and Spencer H. Wood, Boise State University.
254	Ground Water Analysis at Emmett, Idaho. May 4, 1996. By S.T. Kellogg, V.A. Simon, and M. Barlow, University of Idaho.
255	Ground-Water Conditions in the Dry Creek Area, Eagle, Idaho. June 1991. By Steven J. Baker.

<sup>1</sup> Pursuant to IDWR Rule of Procedure 602, the documents (pre-numbered 200-255) are not provided in hard copy because these documents are subject to official notice and readily available on the IDWR website or have already been submitted as part of Application 63-32573 and/or the November 26, 2008 technical report deadline.

**List #2 - NACGUA DOCUMENTS IN THE PUBLIC DOMAIN (RULE 602)<sup>2</sup>**

#	Date	Author	Description
256	April 2000	BSU & UWI	Columbia/Micron Test Well (graph)
257	November 2001	Arizona Dept. of Water Resources	Assured Water Supply Program (pamphlet)
258	May 20, 2005	NACFA	Notice of Protest to SunCor Idaho, 63-32061
259	2005	NACFA	Well Water Issues Tracking Document
260	January 25, 2006	NACFA	Letter to Karl Dreher, IDWR, re: "Request for Comprehensive Groundwater Resource Evaluation and Consideration of New Water Rights Moratorium"
262	February 21, 2006	NACFA	Letter to Karl Dreher, IDWR, re: "Follow up to letter dated January 25, 2006 and request for meeting"
263	May 2, 2006	IDWR Dreher	Letter to David Head, NACFA, re: "Request for Comprehensive Ground Water Resource Evaluation and Consideration of New Water Rights Moratorium"
264	January 16, 2007	NACFA	Letter to Dave Tuthill, IDWR, re: "Status of Comprehensive Water Resource Evaluation in North Ada County / Follow-up on May 12, 2006 Correspondence with Director Dreher
265	January 29, 2007	NACFA	(member newsletter) Is there enough groundwater to support 100,000 additional residents in North Ada County in the next 20 years?
266	January 30, 2007	Ada County	Ada County Comprehensive Plan Update: North Foothills Sub-Area Plan recommended Revisions

<sup>2</sup> Pursuant to IDWR Rule of Procedure 602, the documents in this list are not provided in hard copy because these documents are subject to official notice or have already been submitted as part of Application 63-32573 and/or the November 26, 2008 technical report deadline.

#	Date	Author	Description
267	February 2, 2007	Idaho Statesman article by Katy Moeller	Developments add to water worries for North Foothills residents
268	February 2, 2007	Idaho Statesman article by Vince Alberdi	Management plan must protect water supply and senior rights
269	February 12, 2007	NACFA	Notice to members re: "Response to request for water study in North Ada County"
270	July 9, 2007	City of Eagle	P&Z Commission – Special Meeting Minutes (audio on CD)
271	August 2007	Idaho Statesman article by Katy Moeller	Where will new Foothills homes get water?
273	Spring 2008	Allison Gilbreath BSU Student	Show Me the Water: What Idaho can learn from the impacts of growth on water quality and quantity in other states
274	July 8, 2008	NACGUA	Letter to Dave Tuthill, IDWR, re: "Representation/ M3 Eagle Water Right Application"
275	August 29, 2008	Idaho Statesman article by Katy Moeller	Residents protest water rights application in Foothills: A hydrology firm claims sufficient water for development; skeptics want an independent study
276	September 28, 2008	NACGUA	Letter to members and interested parties
277	October 2008	NACGUA	Handouts for membership meeting
278		IDWR	Hydrograph for wells
279		M3 Eagle	Community Update for the Residents of Eagle
280			North Ada County Comprehensive Ground Water Assessment
281			North Ada County Proposed Development Map
282	Various	IDWR database	Well logs for modified or replaced wells
283	1982		Parker v. Wallentine, 103 Idaho 506, 650 P.2d 648: Facts Sheet
284	May 1996	IDWR	Ground Water Study of the Lower Boise River Valley, Ada and Canyon Counties, Idaho
285	1999	IDWR	Streamflow Gains and Losses in the Lower Boise River Basin, Idaho, 1996-97
286	September 29, 1999	DEQ	Lower Boise River TMDL – Subbasin Assessment, Total Maximum Daily Loads (Revised version of Dec 18, 1998 report)
287	2004	Natural Resources Interim Committee	Aquifer Working Group - report
288	November 23, 2004	Interim Legislative Committee	Treasure Valley Working Group Final Report -- Draft

#	Date	Author	Description
289	2007	City of Eagle	Amended 2007 Eagle Comprehensive Plan: Resolution No. 08-20 - <a href="http://www.cityofeagle.org">www.cityofeagle.org</a>
290	October 23, 2007	Dave Tuthill IDWR	Update for the Legislative Committee
291	October 23, 2007	Natural Resources Interim Committee	Minutes
292	December 27, 2007	City of Eagle	Applicant's Proposed Pre-Annexation and Development Agreement
293	April 7, 2008	Las Vegas Review-Journal article	Bureau of Reclamation: Fernley flooding triggers canal review – Rodents, trees, time take toll across West website - <a href="http://www.reviewjournal.com">www.reviewjournal.com</a>
294	May 19, 2008	John Thornton	Notice of Protest
295	June 19, 2008	IDWR Dennis Owsley	Letter to John Thornton re: "Water Level Measurement Results in your domestic well"
296	September 9, 2008	John Thornton	Summary Notes
297	September 28, 2008	David Head John Thornton	Letter to M3 Water Protestants re: "Status on protest with M3 municipal water right application"
298	October 21, 2008	John Thornton	Draft Water Rights Protest Points of Issue
299	October 21, 2008	John Thornton	Draft of Water Rights Protest Statements or Questions
800	October 23, 2008	John Thornton	Note to City of Eagle
801	November 2008	John Thornton	Points of Concern Regarding the M3 Water Right Application
802	November 13, 2008		North Ada County Hydro Study (Power Point)
803	December 9, 2008	NACGUA	Notice of Meeting
804	11-10-2008	NACGUA and others	NACGUAs Motion for Stay, and Limited Discovery For Purposes Of Settlement sent to Hearing Officer dated 11-10-2008 and attachments including: Givens Pursley letter to IDWR dated 9-24-2007; IDWRs letter to Dry Creek and IDWR letter to Dennis Heck regarding IDWRs Permit to Appropriate Water NO. 67-14750; Dr Dale Ralston's Initial Hydrogeologic Analysis of the M3 project dated 11-6-2008; IDWRs letter to SPF Water Engineering LLC dated May 29, 2007 regarding Application for Permit NO 63-32423 for Jim Dry Creek LLC; IDWR Director's Letter to Christopher H. Meyer in connection with municipal water rights dated 6-14-1999. *Note this was previously served to all parties
805	11-24-2008	M3 Eagle	M3 Eagle's Response To NACGU's Interrogatories, Requests For Productions, and Request For Admissions dated 11-24-2008 *Note this was previously served to all parties
806	12-10-2009	NACGUA	NACGUAs Settlement Chronology sent to the Hearing Officer

#	Date	Author	Description
			dated 12-10-2008 and the attachments including: Givens Pursley to NACGUA dated 11-6-2008; Beeman and Associates letter to Jeff Fereday dated 11-11-2008; M3 Eagle's Response To NACGU's Interrogatories, Requests For Productions, and Request For Admissions dated 11-24-2008; All Protestants Settlement Letter to Jeff Fereday dated 11-26-2008; Beeman and Associates letter to IDWR Hearing Officer dated 12-10-2008 1-16-2009
807	1-16-2009	NACGUA	NACGUA's Submission of Amended Attachments to Its Response To M3 Eagle's List Of Unanswered Discovery Requests dated 1-16-2009 *Note this was previously served to all parties
808	2005	NACFA	NACFA 2005 Well Water Issues Tracking Document dated 2005
809	4-3-2009	M3	M3 Eagle's Responses To Alan Smith's Interrogatory NOs. 7 Through 10 dated 4-3-2009 *Note this was previously served to all parties
810	11-16-2005	NACFA	NACFA's Petion to IDWR for Aquifer Study dated 11-16-2005
812	1-25-2006	NACFA	NACFA letter to Mr. Karl Dreher – Director IDWR dated 1-25-2006
813	5-2-2006	IDWR	IDWR Director Mr Karl Dreher letter to NACFA – David Head dated 5-2-2006
814	1-16-2007	NACFA	NACFA letter to Mr. David Tuthill – Director IDWR dated 1-16-2007
815	9-10-2009	NACFA and IDWR	Email between NACFA – David Head and IDWR Director Dave Tuthill regarding City of Eagle approving M3 development request prior to answering concerns of groundwater dated 9-10-2007 and attached letter from NACFA to City of Eagle. Dated 9-9-2007
816	11-6-2008	Dr Dale Ralston	Dr Dale Ralston's Summary of M3 Eagle Description of the Ground-Water System dated 11-6-2008
817	1-19-2009	Dr Dale Ralston	Dr Dale Ralston's Hydrogeologic Analysis Of The M3 Eagle Site dated 1-19-2009 includes power point slides
818	January 2009	Dr Dale Ralston	Dr Dale Ralston's Hydrogeologic Analysis Of The M3 Eagle Site Supplement #1 Comments From Review f Geochemistry Report dated January 2009 includes one power point slide
819	3-31-2009	Dr Dale Ralston	Dr Dale Ralston's Review of IDWR Staff Memorandum dated 3-31-2009
821	2007		Proposed Water Rights amounts for proposed developments in North Ada County
824	11-5-2008	IDAPA	IDAPA 37 – Department of Water Resources -Well Construction Standards Rules Docket NO> 37-0309-0601 – dated 11-5-2008
825	11-13-2008	IDWR	North Ada County Foothills Technical Working Group Power Point Presentation dated 11-13-2008 located on IDWR's website.
826	4-1-2009	NACGUA	NACGUA's Questions Regarding Preparation For The Upcoming Water Rights Hearing to IDWR's Hearing Officer dated 4-1-2009
829	12-1-2008	IDWR	IDWR's Order Denying Request To Designate Individual Depositions Under Rule 30(b)(6); And Denying Motion For Order Compelling Attendance At Depositions
830	12-4-2008	IDWR	Order Granting Motion For Stay, Order Denying All Motions To Compel And Motions For Sanctions, And Order Reinstating Party dated 12-4-2008
831	11-12-2008	NACGUA	NACGUA's Motion For Protective Order and Motion For

#	Date	Author	Description
			Expedited Consideration dated 11-12-2008
832	11-12-2008	M3 Eagle	M3 Eagle LLC's Emergency Motion To Compel Attendance At Depositions And Response To Motion For Protective Order dated 11-12-2008

Pursuant to IDWR Rule of Procedure 602, the documents in this list are not provided in hard copy because these documents are subject to official notice or have already been submitted as part of Application 63-32573 and/or the November 26, 2008 technical report deadline.

2.) NACGUA's documents identified in the following List #3 are provided in hard copy as they were not previously stipulated to nor previously submitted as part of Application 63-32573 or the November 26, 2008 technical report deadline.

### List #3 - NACGUA DOCUMENTS

#	Date	Author	Description
833	1982	Idaho Supreme Court	Parker v. Wallentine Supreme Court of Idaho, 1982 103 Idaho 506, 650 P.2d 648
834	3-23-2007	Givens Pursley	Givens Pursley letter to IDWR Director Dr David Tuthill dated 3-23-2007
835	February 2, 2009	Official Publication of the Idaho State Bar	The Advocate volume 52, NO. 2 February 2009
836	3-5-2009	IDWR	IDWR News Release "IDWR Director Issues A Notice of Curtailment to Ground Water Users in the Magic Valley" dated 3-5-2009
837	8-18-2005	IDWR	John and Cathy Thornton's IDWR Well Drillers Report dated 8-18-2005
838	2009	Individual Citizens	Concerned Citizen letters to IDWR regarding the M3 water rights application Seven letters
839	6-13-2007	Idaho Statesman	Idaho Statesman article "Water chief: Shutoffs will be enforced" dated 6-13-2007
840	3-6-2009	Idaho Statesman	Idaho Statesman article "Groundwater Users Told To Stop Pumping" dated 3-6-2009
841	6-13-2007	Idaho Statesman	Idaho Statesman article "Water chief: Shutoffs will be enforced" dated 6-13-2007
842	4-3-2009	Idaho Statesman	Idaho Statesman article "New Developer for Avimor?" dated 4-3-2009
843	2-20-2008	Idaho Statesman	Idaho Statesman article "Tamarack owes millions in unpaid bills to contractors" dated 9-23-2008
844	3-16-2009	Idaho Statesman	Idaho Statesman article "Long Valley economy has big hole shaped like Tamarack" dated 3-16-2009
845	3-6-2009	Idaho Statesman	Idaho Statesman article "Groundwater Users Told To Stop Pumping" dated 3-6-2009
847	2-20-2008	Idaho Statesman	Idaho Statesman article "Tamarack owners file for bankruptcy" dated 9-23-2008
848	1-14-2009	DCRNA and JMM	Water Rights Agreement between Dry Creek Rural Neighborhood Association (DCRNA) and and JMM Dry Creek (JMM)

#	Date	Author	Description
849		Edward Squires	C.V. for Edward Squires RPG
850	November 2008	ERO	IDWR Water Right and Adjudication Search for Applications (amount of CFS permitted)
851	November 2008	ERO	IDWR Water Right and Adjudication Search for Permits (amount of CFS being applied for)
852	4-8-2009	NACGUA	NACGUA's Rule 711 Petition For Review Of December 1, 2008 Interlocutory Order; and Memorandum In Support including attachments: The Advocate volume 52, NO. 2 February 2009; Beeman Letter to Jeffy Fereday dated 11-12-2008; Beeman Letter to Jeff Fereday dated 11-21-2009; and M3's Deposition Schedule
853	4-7-2009	NACFA	NACFA website <a href="http://www.nacfa.net">www.nacfa.net</a> Welcome Page
854	5-19-2008	IDWR	John and Cathy Thornton's Notice of Protest regarding M3's water right application NO. 63-32573 dated 5-19-2008
855	10-16-2007	IDWR	David Head, NACFA Notice of Protest regarding M3's water right application NO. 63-32573 dated 10-16-2007
856	February 2008 thru March 2009	NACGUA and NACFA	NACGUAs and NACFA's correspondence with protestants and other interested parties. Dates range from February 2008 thru March 2009 There are six individual documents
857	January 9, 2006	NACFA	Petition to IDWR for Aquifer Study
858	September 10, 2007	David Head	Email to Dave Tuthill, IDWR, re: "NACFA Concerns on City of Eagle & M3"

3.) List of persons that may be called as witnesses at the hearing

Name	Affiliation	Potential Date
Dr. Dale Ralston	Private Consultant	May 4 <sup>th</sup> or 5 <sup>th</sup>
Norm Young	Private Consultant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Paul Drury	Private Consultant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
John Thornton	NACGUA	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
David Head	NACGUA	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Gerry Robbins	M3	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Bill Brownlee	M3	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Kathy Pennisi	NACFA	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
John Petrovsky	Protestant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
John Franden	Protestant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Ed Squires	HLI	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Mark Utting	HLI	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Barb Jekel	Protestant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Patty Katucki	Private well owner	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Chuck Roberts	Private well owner	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Matt March	Private well owner	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Greg Taylor	Private well owner	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
James Osiensky	Professor BSU	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Barry Jones	Protestant	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Jill Kohler	Private well owner	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>

3.) IDWR staff that may be called upon for examination and possible date

Name	Potential Date
Dennis Owsley	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Sean Vincent	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Mike McVay	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>
Rick Raymondi	April 24 <sup>th</sup> or May 4 <sup>th</sup> or 5 <sup>th</sup>

4.) Please note the following Certificate Of Service dated April 8<sup>th</sup>, 2009.

We trust that this meets the intentions of your scheduling order.

*/s/* John L. Thornton      and      */s/* David Head

Representing NACGUA

**Certificate of Service**

I HEREBY CERTIFY that on this 8th<sup>t</sup> day of April, 2009, a true and correct copy of the documents described below was served on the following parties as identified below.

**NACGUA's Response to IDWRs's Order  
Scheduling Exchange of Information –  
Response Due April 8, 2009**

Idaho Department of Water Resources (E mail Letter only, documents to be provided on or before hearing)  
Attn: Gary Spackman  
322 East Front Street  
P.O. Box 83720  
Boise, Idaho 83720

John Westra (E mail Letter only, documents will be provided to the Hearing Officer)  
Western Regional Office  
IDWR  
2735 Airport Way  
Boise, Idaho 83705

Bill Lawton (Hand Delivered)  
3145 N Osprey Rd  
Eagle, Idaho 83616

Norman L Edwards (Hand Delivered)  
884 W. Becon Light Rd  
Eagle, Idaho 83616

Alan Smith (Hand Delivered)  
3135 Osprey Rd  
Eagle, Idaho 83616

Jeff Fereday (Us Mail)  
Givens Pursley LLP  
601 W. Bannock St  
PO Box 2720  
Boise, Idaho 83701

\_\_\_\_\_/s/\_\_\_\_\_/s/\_\_\_\_\_  
John L. Thornton and or David Head  
Representing NACGUA