

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

March 27, 2009

RECEIVED

MAR 30 2009

DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: In the Matter of Application for Permit No. 61-12090

Dear Sir/Madam:

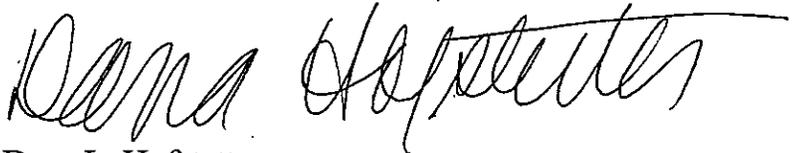
Enclosed are the facsimile original and a copy of the following document that was filed today by fax:

Protestant's Disclosure of Witnesses and Exhibits.

Please file the enclosed facsimile original in the above-referenced file and conform the copy and return the conformed copy to me in the enclosed addressed and stamped envelope. Please contact me if you have any questions about this matter. Thank you for your assistance with this matter. *SR*

Sincerely,

HOFSTETTER LAW OFFICE, L.L.C.



Dana L. Hofstetter

Enclosures
4055.1/8496

Dana L. Hofstetter, ISB #3867
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MAR 30 2009

Department of Water Resources

Rec'd by fax 3/27/09

Attorney for Protestant Daniel S. Van Grouw

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

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 61-12090 IN THE
NAME OF NEVID LLC

**PROTESTANT'S DISCLOSURE OF
WITNESSES AND EXHIBITS**

COMES NOW, the above-named Protestant, by and through his attorney of record, Dana L. Hofstetter of HOFSTETTER LAW OFFICE, LLC, pursuant to the Notice of Hearing, Order Authorizing Discovery dated January 15, 2009, and discloses the following witnesses who may be called to testify at the hearing of this matter and the following exhibits that may be introduced into evidence at the hearing of this matter:

WITNESSES

Shelley Keen
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Dennis Owsley
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Jeff Peppersack
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Craig Tesch
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Sean Vincent
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Depending on evidentiary needs, some or all of the above-referenced witnesses may be asked to testify.

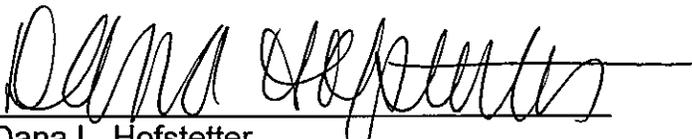
EXHIBITS

- Exhibit A - Application for Permit 61-12090 with Assignment
- Exhibit B - Transfer Application 73767
- Exhibit C - August 14, 2007 Letter from Alice Culver to Steve Lester
- Exhibit D - August 16, 2007 Letter from Steve Lester to Alice Culver
- Exhibit E - Transfer Application 73789
- Exhibit F - Approval Transfer 72660
- Exhibit G - Notice of Change in Water Right Ownership – 61-7210 *et al.*, Sept. 18, 2007
- Exhibit H - IDWR Order Establishing Critical Ground Water Area – May 7, 1981

- Exhibit I - IDWR Order Establishing Ground Water Management Area – Nov. 9, 1982
- Exhibit J - IDWR, Ground Water Management Areas in Idaho (December 1999)
- Exhibit K - IDWR, Planned Community Applications – I-84 Corridor/Elmore County
- Exhibit L - IDWR, Memorandum, "Evaluation of Aquifer Recharge in Areas of Planned Community Applications along the I-84 Corridor from Boise to Mountain Home (February 24, 2009) and Attachments, including, IDWR, Memorandum, "Evaluation of SPF Report Entitled Ground-Water Supply Evaluation for the Mayfield Townsite Property" (February 10, 2009).

DATED this 27th day of March, 2009.

HOFSTETTER LAW OFFICE, LLC

By 
Dana L. Hofstetter
Attorney for Daniel S. Van Grouw

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of March, 2009, I caused to be served copies of the foregoing document by delivering the same to each of the following individuals by the pre-paid method indicated below, addressed as follows:

David R. Tuthill, Jr., Director
Idaho Department of Water Resources
The Idaho Water Center
322 East Front Street
Boise, Idaho 83702

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

Gary Spackman (with Copies of Exhibits attached)
Idaho Department of Water Resources
The Idaho Water Center
322 East Front Street
Boise, Idaho 83702

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

Norm Semanko (with Copies of Exhibits attached)
Rose Law Group Borton
6223 N. Discovery Way, Suite 200
Boise, Idaho 83713

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery


Dana L. Hofstetter