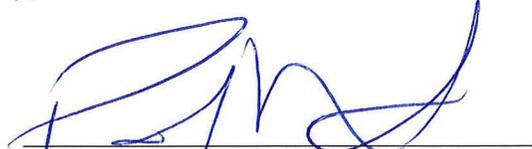


3. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED this 11 day of May, 2015.



Paul L. Arrington

*Attorneys for Lower Snake River Aquifer Recharge
District, et al.*

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of May, 2015, I served a true and correct copy of the foregoing, via email to the following:

Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, Idaho 83301

Innovative Mitigation Solutions
2918 N. El Rancho Pl.
Boise, Idaho 83704

Frank Erwin
711 East Ave. N.
Hagerman, Idaho 83332

Idaho Rivers United
Kevin Lewis, Conservation Director
P.O. Box 633
Boise, Idaho 83701

Peter Trust, LP
Thomas A. Thomas, General Partner
P.O. Box 642
Sun Valley, Idaho 83353

Wood River Land Trust
Attn: Patti Lousen
119 E. Bullion St.
Hailey, Idaho 83333

Trout Unlimited, Inc.
Peter R. Anderson
910 W. Main St., Suite 342
Boise, Idaho 83702

Harriet Hensley
Office of Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010

Bureau of Land Management
Idaho State Office
Attn: Fred Price
1387 South Vinnell Way
Boise, Idaho 83709-1657

Michael Lawrence
Givens Pursley LLP
Representative for Redstone Partners, LP
P.O. Box 2720
Boise, Idaho 83701-2720

Peter L. Sturdivant
P.O. Box 968
Hailey, Idaho 83333

Valley Club Owners Association
Jack Levin, President
P.O. Box 6733
Ketchum, Idaho 83340

Idaho Conservation League
c/o Bryan Hulbutt, attorney
Advocates for the West
P.O. Box 1612
Boise, Idaho 83701

Board of Blaine County Commissioners
Lawrence Schoen, Commissioner
206 First Ave. South, Suite 300
Hailey, Idaho 83333

Lane Ranch Homeowners Association
c/o Sun Country Management
Marc E. Reinemann
P.O. Box 1675
Sun Valley, Idaho 83353

USDA Forest Service
Attn: Steve Spencer
1805 Hwy 16, Rm 5
Emmett, Idaho 83617

Idaho Power Company
c/o Barker Rosholt & Simpson
Attn: John K. Simpson
P.O. Box 2139
Boise, Idaho 83701-2139

Redstone Partners LP
1188 Eagle Vista Ct.
Reno, Nevada 89511

The Valley Club, Inc.
c/o Givens Pursley, LLP
Attn: Michael Creamer
P.O. Box 2720
Boise, Idaho 83701-2720

Western Watersheds Project
Jon Marvel, Executive Director
P.O. Box 1770
Hailey, Idaho 83333

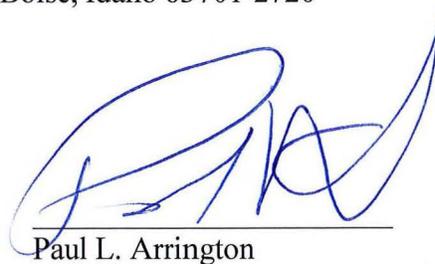
Brad Walker
Walker Sand & Gravel, Ltd. Co.
P.O. Box 400
Bellevue, Idaho 83313

Idaho Dept. of Fish & Game
Magic Valley Region
324 S. 417 E., Ste. 1
Jerome, Idaho 83338

Big Wood Canal Company
c/o Craig Hobdey
P.O. Box 176
Gooding, Idaho 83330

Brockway Engineering
2016 N. Washington St., Ste. 4
Twin Falls, Idaho 83301

City of Hailey
c/o Givens Pursley LLP
Attn: Michael Creamer
P.O. Box 2720
Boise, Idaho 83701-2720



Paul L. Arrington

Ex. A

David R. Tuthill, Jr.
Manager, Innovative Mitigation Solutions, LLC
2918 N. El Rancho Pl.
Boise, ID 83704

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT) RESPONSES TO PROTESTANTS'
NOS. 37-22682 AND 37-22852 IN THE NAME OF) FIRST DISCOVERY REQUESTS
INNOVATIVE MITIGATION SOLUTIONS, LLC)

Innovative Mitigation Solutions, LLC provides these responses to Protestants' First Discovery Requests dated December 31, 2014. This document is correct and accurate to the best of the ability of the preparer. As described below, most of the documents requested are already part of the public record in this matter and are available at the website hosted by the Idaho Department of Water Resources. Additional documents have been added as Attachments to this document. These responses were prepared by David R. Tuthill, Jr. in his duties as Manager of Innovative Mitigation Solutions, LLC.

INTERROGATORIES

INTERROGATORY NO. 1: Please identify yourself (the person responding to these discovery requests) and state your relationship with the Applicant.

RESPONSE NO 1: David R. Tuthill, Jr., Manager of Innovative Mitigation Solutions, LLC.

INTERROGATORY NO. 2: Please identify each and every person with whom you consulted in preparing these responses.

RESPONSE NO. 2: I prepared these responses by myself.

INTERROGATORY NO. 3: Please identify each and every witness the Applicant intends to call (or may call) at the hearing in this matter. With respect to each of the witnesses so identified, please identify the person as a fact or expert witness, and state the subject matter and general substance of the facts and opinions to which he or she is expected to testify.

significant concern about the decline of storage in the aquifer. Space is available in the aquifer for recharge, located where water levels in the aquifer are declining, and also in the space in the aquifer above the historic levels. Water thus recharged to the aquifer can be modeled in the future – but modeling is not needed to determine the approvability of the applications.

INTERROGATORY NO. 7: Please describe in full and complete detail, including the opinions of any expert or applicant representative, the basis for your contention that use of water under applications for permit no. 37-22682 and 37-22852 will not reduce the quantity of water under existing water rights, including but not limited to those of the Protestants.

RESPONSE NO 7. Applications for Permit Nos. 37-22682 and 37-22852 are recommended to be subject to all prior water rights. The Big Wood River at times provides flows that are in excess of those needed to satisfy existing water rights. These are the flows that are proposed to be diverted under these new water rights.

INTERROGATORY NO. 8: Please describe and quantify the hydrologic impact on the Protestants' water rights that is likely to result if applications for permit no. 37-22682 and 37-22852 are approved.

RESPONSE NO. 8: No negative impact on the Protestants' water rights is anticipated to result from the approval of applications for permit no. 37-22682 and 37-22852. A positive result will occur when the return flows to the river are increased due to recharged to the aquifer during times of plenty.

INTERROGATORY NO. 9: Please identify all persons or entities providing financial support for the filing and pursuit of approval of applications for permit no. 37-22682 and 37-22852.

RESPONSE NO. 9: All financial support for the filing and pursuit of approval of applications for permit no. 37-22682 and 37-22852 was provided by the three principals of Innovative Mitigation Solutions, LLC: Dr. David R. Tuthill, Jr., Mr. Hal N. Anderson, and Mr. Joseph P. Langfield.

INTERROGATORY NO. 10: Please describe any meeting, correspondence or other communication(s) between you and the Idaho Department of Water Resources relating to applications for permit no. 37-22682 and 37-22852.

RESPONSE NO. 10: All contacts between the Applicant and the Idaho Department of Water Resources in this matter were in writing and are already in the documented record and included on the IDWR website for these applications.

INTERROGATORY NO. 11: Idaho Code § 42-203A(5)(a) requires that you demonstrate that applications for permit no. 37-22682 and 37-22852 will not "reduce the quantity of water under existing water rights." Please describe how you will meet this requirement.

such documents, exhibits, and/or other items of tangible evidence have been produced in response to any of these Discovery Requests, please identify the documents, exhibits, and/or other items of tangible evidence which you expect to introduce or use, or may use, at the hearing in this matter but please do not produce any of it more than once.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1: The Applicant intends to use the documents that are attached hereto or are already part of the record and might create additional documents prior to the hearing.

REQUEST FOR PRODUCTION NO. 2: To the extent not produced in response to REQUEST FOR PRODUCTION NO. 1, please produce all documents on which you relied, or which you identified, in responding to these Discovery Requests, or that in any way relate to or support your responses to these Discovery Requests.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2: There are no additional documents to provide.

REQUEST FOR PRODUCTION NO. 3: Please produce any and all technical reports, analysis, or other documents that support applications for permits no. 37-22682 and 37-22852, including any analysis showing when during the year the water rights would be available for use.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3: Attachments B and C respond to this request. In addition is a report prepared for the Idaho Department of Fish and Game, provided as Attachment H.

REQUEST FOR PRODUCTION NO. 4: Please produce any documents relied upon by your experts, or any consultant contacted in relation to applications for permits no. 37-22682 and 37-22852, including for any opinion rendered by him/her related to the applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4: Attachments B, C and H respond to this request.

REQUEST FOR PRODUCTION NO. 5: As it relates to your answer to INTERROGATORY NO. 10, please provide copies of any meeting notes, correspondence or summaries/notes of correspondence between you and the Idaho Department of Water Resources relating applications for permits no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5: None were created in addition to those already in the record on the website.

REQUEST FOR PRODUCTION NO. 6: Please produce all financial statements of the Applicant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6: Financial statements will be made available confidentially to the Hearing Officer at the time of hearing.

REQUEST FOR PRODUCTION NO. 7: Please produce all documents including any communications between you and any person or entity concerning potential mitigation and mitigation credits that may result from the use of water under applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7: The Applicant has discussed this issue frequently with many users within the Wood River Valley. No contracts have yet been drafted or signed.

REQUEST FOR PRODUCTION NO. 8: Please produce all insurance policies you have acquired to cover any property damage caused by the use of water under applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8: None. The Applicant has never heard of an insurance policy acquired for a protested application for permit.

REQUEST FOR PRODUCTION NO. 9: Please produce all agreements with servient landowners under the Hiawatha Canal that allow you to convey and use the water under applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9: The only such agreement obtained thus far is the lease which is already part of the record.

REQUEST FOR PRODUCTION NO. 10: Please produce all agreements with servient landowners that allow you to convey water from the Big Wood River to the Walker Sand & Gravel property and use the water under applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10: The only agreement obtained thus far is the lease which is already part of the record.

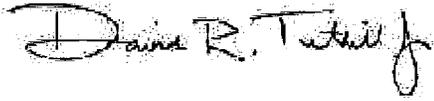
REQUEST FOR PRODUCTION NO. 11: Please produce all agreements with the Big Wood Canal Company that relate in any way to applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11: The Applicant does not have an agreement with the Big Wood Canal Company.

REQUEST FOR PRODUCTION NO. 12: Please produce all documents, communications, and agreements with between the Applicant and any person or entity that is interested in or who may benefit in any way from your intended use of water under applications for permit no. 37-22682 and 37-22852.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12: No such agreements exist.

Dated this 30th day of January, 2015



David R. Tuthill, Jr.

Manager, Innovative Mitigation Solutions, LLC

Attachments

Attachment A: PowerPoint presentation shown to Blaine County Commissioners on February 23, 2010

Attachment B. PowerPoint presentation shown to Blaine County Commissioners on October 22, 2013

Attachment C. Report from Dr. James Bartolino et al on Water Resources in the Wood River Valley,
USGS Report No. 2007-5258

Attachment D: Rules for Conjunctive Management of Surface and Ground Water Resources

Attachment E: Approved Permit for Snake River Valley Irrigation District

Attachment F: Approved Permit for Peoples Canal and Irrigation Company

Attachment G: Proposed Conditions of Approval

Attachment H: Draft Report from Idaho Department of Fish and Game