

ORIGINAL

RECEIVED

OCT 03 2008

DEPARTMENT OF
WATER RESOURCES

Randall C. Budge (ISB # 1949)
Scott Smith (ISB # 6014)
Candice M. McHugh (ISB # 5908)
RACINE OLSON NYE BUDGE &
BAILEY, CHARTERED
PO Box 1391
Pocatello, ID 83204-1391
Telephone: (208) 232-6101
Facsimile: (208) 232-6109

ATTORNEYS FOR IDAHO GROUND WATER
APPROPRIATORS

A. Dean Tranmer ISB # 2793
City of Pocatello
P. O. Box 4169
Pocatello, ID 83201
(208) 234-6149
(208) 234-6297 (Fax)
dtranmer@pocatello.us

Sarah A. Klahn, ISB #7928
Kelly L. Snodgrass
White & Jankowski, LLP
511 Sixteenth Street, Suite 500
Denver, Colorado 80202
(303) 595-9441
(303) 825-5632 (Fax)
sarahk@white-jankowski.com

ATTORNEYS FOR THE CITY OF POCATELLO

BEFORE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF THE
PETITION FOR DELIVERY CALL
OF A&B IRRIGATION DISTRICT
FOR THE DELIVERY OF GROUND
WATER AND FOR THE CREATION
OF A GROUND WATER
MANAGEMENT AREA

Docket No.: 37-03-11-1

**NOTICE OF TAKING
DEPOSITION DUCES TECUM OF
TIMM ADAMS**

TO: TIM ADAMS

PLEASE TAKE NOTICE that counsel for the IDAHO GROUND WATER
APPROPRIATORS, INC. and the CITY OF POCATELLO will take the testimony on oral
examination of TIM ADAMS pursuant to Rule 30 and applicable rules of the Idaho Rules of
Civil Procedure. The deposition will take place before a court reporter and Notary Public with
the firm of M & M Court Reporting Service or other duly qualified person in the above-
NOTICE OF TAKING DEPOSITION DUCES TECUM OF TIMM ADAMS - 1

captioned matter. Said deposition will commence at the hour of **1:00 p.m.** on **October 27, 2008** and continuing until completion, at the offices of **Barker, Rosholt & Simpson, LLP**, 113 Main Avenue W., Suite 303, Twin Falls, ID 83303-0485 at which time and place you are notified to appear and take part in such examination.

Pursuant to Idaho Rules of Civil Procedure 26, 30(b) (5), and 34, you are further instructed to bring to the deposition the following materials:

(1) Please produce all documents, records, reports, notes, calendars, memoranda, letters, whether written or electronic, that relate to or were relied upon in your answer(s) to the Interrogatories Nos. 14 – 21 served in this matter on or about October 1, 2008.

(2) All documents, claims or other data submitted by you for all farming activities on the above identified farms or parcels to the Farm Services Agency, the Federal Crop Insurance Corporation or other entity, over the last 20 years that reflect crop type and yield.

(3) All documents that support the statement made in A&B's lay witness disclosure that states you will testify regarding "impacts to his operations due to reduced water supplies on farms."

(4) All documents and records you maintain that show the amount of water ordered by you and delivered and charged by A&B for the past twenty (20) years. Such documents may include notes, calendars, diaries, receipts or other records maintained that reflect water deliveries or charges.

(5) All reports, records or receipts for the past twenty (20) years that indicate crop yield or production given to you by any purchasers or warehouses for your crops including but not limited to any such documentation provided to you from Amalgamated Sugar Company.

(6) Copies of any notes, emails or other written material in your possession of conversations with representatives of A&B Irrigation District, their expert witnesses or attorneys.

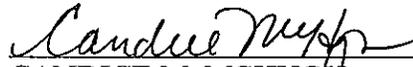
(7) Copies of all documents or written material you reviewed in preparation for this deposition.

(8) Map of your farm showing parcels irrigated for the past twenty (20) years.

(9) Any A&B newsletters and other correspondence from A&B in your possession for the past twenty (20) years.

DATED this 3rd day of October, 2008.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



CANDICE M. MCHUGH

Attorneys for Idaho Ground Water Appropriators

CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of October, 2008, the above and foregoing, was sent to the following by U.S. Mail proper postage prepaid and by email for those with listed email addresses:


 Candice McHugh

John K. Simpson Travis L. Thompson Barker Rosholt & Simpson 113 Main Ave West Ste 303 PO Box 485 Twin Falls ID 83303-0485 jks@idahowaters.com tlt@idahowaters.com	Sarah A. Klahn White & Jankowski LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com	
Roger D. Ling PO Box 396 Rupert ID 83350 rdl@lawfirm.com	A. Dean Tranmer, Esq. <i>courtesy copy</i> City of Pocatello PO Box 4169 Pocatello ID 83201 City of Pocatello dtranmer@pocatello.us	
James S. Lochhead Michael A. Gheleta Brownstein Hyatt Farber Schreck 410 – 17 th St Ste 2200 Denver CO 80202 jlochhead@bhf-law.com	City of Castleford 300 Main PO Box 626 Castleford ID 83321	F. Randall Kline 427 N Main St PO Box 397 Pocatello ID 83204
Lary S Larson Hopkins Roden Crockett Hansen & Hoopes PO Box 51219 Idaho Falls ID 83405-1219	Jo Beeman, Esq. Beeman & Associates 409 W Jefferson Boise ID 83702 jo.beeman@beemanlaw.com	City of Basalt PO Box 178 Basalt ID 83218
M. Jay Meyers Myers Law Office 300 N 7 th Ave PO Box 4747 Pocatello ID 83205	John J. Hockberger Jr. Kathleen Marion Carr Office of the Field Solicitor US Dept of the Interior 960 Broadway Ave Ste 400 Boise ID 83706 kmarrioncarr@yahoo.com	LaDell and Sherry Anderson 304 N 500 W Paul ID 83347
Michael D. O'Hagan, Attorney Office of Chief Counsel US Dept of Energy 1955 Fremont Ave MS 1209 Idaho Falls ID 83415-1510 ohaganmd@id.doe.gov	Mary Ann Plant 480 N 150 W Blackfoot ID 83221	O.E. Feld & Berneta Feld 1470 S 2750 W Aberdeen ID 83210
Jeff Feld 719 Bitterroot Dr Pocatello ID 83201	Eugene Hruza PO Box 66 Minidoka ID 83343	Jerry R. Rigby Rigby Andrus and Moeller 25 N 2 nd East Rexburg ID 83440 jrigby@rex-law.com

<p>Robert E. Williams Fredericksen Williams Meservy & Lothspecih LLP 153 E Main St PO Box 168 Jerome ID 83338 rewilliams@cableone.net</p>	<p>Gregory P. Meacham MEACHAM & DUSTIN PLLC 2000 Jennie Lee Drive Idaho Falls, ID 83404</p>	<p>David R. Tuthill, Jr., Director c/o Victoria Wigle Idaho Dept of Water Resources PO Box 83720 Boise ID 83720-0098 Dave.tuthill@idwr.idaho.gov Phil.Rassier@idwr.idaho.gov Chris.Bromley@idwr.idaho.gov</p>
---	---	---