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*ATTORNEYS FOR IDAHO GROUND WATER  
APPROPRIATORS*

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*ATTORNEYS FOR THE CITY OF POCATELLO*

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

IN THE MATTER OF DISTRIBUTION  
OF WATER TO VARIOUS WATER  
RIGHTS HELD BY OR FOR THE  
BENEFIT OF 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

Docket No.:

**NOTICE OF DEPOSITION DUCES  
TECUM OF MATTHEW WEAVER  
PURSUANT TO IDAPA 37.01.523**

TO: **The Department of Water Resources  
Matthew Weaver**

**YOU ARE COMMANDED:**

- to appear in the Court at the place, date and time specified below to testify in the above case.
- to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

to produce or permit inspection and copying of the following documents or objects, including electronically stored information, at the place, date and time specified below.

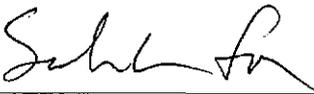
All documents, records, reports, notes, calendars, memoranda, letters, emails that relate to the application of the Director's *Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carry-Over* and *Order Regarding April 2010 Forecast Supply "Methodology Steps 3 and 4"* issued by the Director of the Department of Water Resources on April 7, 2010 and April 29, 2010, respectively, in accordance with the Director's Order allowing discovery in this matter filed May 10, 2010.

PLACE, DATE AND TIME: Deposition to take place on Wednesday, May 12, 2010, at 9 a.m. at the Idaho Department of Water Resources conference room, 322 East Front Street, Boise, Idaho, and continuing on until conclusion.

You are further notified that if you fail to appear at the place and time specified above, or to produce or permit copying or inspection as specified above that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100 and all damages which the party may sustain by your failure to comply with this subpoena.

DATED May 11, 2010.

RACINE, OLSON, NYE, BUDGE & BAILEY,  
CHARTERED

By 

Candice M. McHugh  
ATTORNEYS FOR IGWA

CITY OF POCA TELLO ATTORNEY'S OFFICE

By   
A. Dean Tranmer

WHITE & JANKOWSKI

By   
Sarah A. Klahn

ATTORNEYS FOR CITY OF POCA TELLO

## CERTIFICATE OF SERVICE

I hereby certify that on this 11<sup>th</sup> day of May, 2010, I caused to be served a true and correct copy of the foregoing **Notice of Deposition Duces Tecum of Matthew Weaver Pursuant to IDAPA 37.01.523** for **Surface Water Coalition Priority Call Case** upon the following by the method indicated:



\_\_\_\_\_  
Sarah Klahn, White & Jankowski, LLP

<p>Gary Spackman, Interim Director State of Idaho, Dept of Water Resources 322 E Front St PO Box 83720 Boise ID 83720-0098 <a href="mailto:Deborah.Gibson@idwr.idaho.gov">Deborah.Gibson@idwr.idaho.gov</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail – Federal Express <input type="checkbox"/> Facsimile – 208-287-6700 = Phone – 208-287-4942 <input checked="" type="checkbox"/> Email</p>
<p>C. Thomas Arkoosh Capitol Law Group PO Box 32 Gooding ID 83330 <a href="mailto:tarkoosh@capitolawgroup.net">tarkoosh@capitolawgroup.net</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-934-8873 <input checked="" type="checkbox"/> Email</p>
<p>John A. Rosholt John K. Simpson Travis L. Thompson Paul L. Arrington Barker Rosholt &amp; Simpson 113 Main Ave West Ste 303 PO Box 485 Twin Falls ID 83303-0485 <a href="mailto:jar@idahowaters.com">jar@idahowaters.com</a> <a href="mailto:flt@idahowaters.com">flt@idahowaters.com</a> <a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a> <a href="mailto:pal@idahowaters.com">pal@idahowaters.com</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-735-2444 <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher Fletcher Law Office PO Box 248 Burley, ID 83318 <a href="mailto:wkf@pmt.org">wkf@pmt.org</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-878-2548 <input checked="" type="checkbox"/> Email</p>
<p>Garrick L. Baxter Chris M. Bromley Deputy Attorneys General – IDWR PO Box 83720 Boise ID 83720-0098 <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:chris.bromley@idwr.idaho.gov">chris.bromley@idwr.idaho.gov</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile - 208-287-6700 <input checked="" type="checkbox"/> Email</p>

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<p>Dean Tranmer  City of Pocatello  PO Box 4169  Pocatello ID 83201  <a href="mailto:dtranmer@pocatello.us">dtranmer@pocatello.us</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile – 208-234-6297  <input checked="" type="checkbox"/> Email</p>
<p>Kathleen Carr  US Dept Interior, Office of Solicitor  960 Broadway Ste 400  PO Box 4169  Boise ID 83706  <a href="mailto:kmarioncarr@yahoo.com">kmarioncarr@yahoo.com</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile – 208-334-1918  <input checked="" type="checkbox"/> Email</p>
<p>David W. Gehlert  Natural Resources Section  Environment &amp; Natural Resources Division  US Dept of Justice  1961 Stout St 8<sup>th</sup> Floor  Denver CO 80294  <a href="mailto:david.gehlert@usdoj.gov">david.gehlert@usdoj.gov</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile – 303-844-1350  <input checked="" type="checkbox"/> Email</p>
<p>Michael Gilmore  Attorney General's Office  PO Box 83720  Boise ID 83720-0010  <a href="mailto:mike.gilmore@ag.idaho.gov">mike.gilmore@ag.idaho.gov</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile – 208-334-2830  <input checked="" type="checkbox"/> Email</p>
<p>Michael C Creamer  Jeffery C. Fereday  Givens Pursley  601 W Bannock St Ste 200  PO Box 2720  Boise ID 83701-2720  <a href="mailto:mcc@givenspursley.com">mcc@givenspursley.com</a>  <a href="mailto:jeffereday@givenspursley.com">jeffereday@givenspursley.com</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile 208-388-1300  <input checked="" type="checkbox"/> Email</p>

<p>Roger D. Ling  Attorney at Law  PO Box 623  Rupert ID 83350  <u><a href="mailto:rdl@idlawfirm.com">rdl@idlawfirm.com</a></u></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile – 208-436-6804  <input checked="" type="checkbox"/> Email</p>
<p>Matt Howard  US Bureau of Reclamation  1150 N Curtis Road  Boise ID 83706-1234  <u><a href="mailto:mhoward@pn.usbr.gov">mhoward@pn.usbr.gov</a></u></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile –  <input checked="" type="checkbox"/> Email</p>
<p>Lyle Swank  IDWR – Eastern Region  900 N Skyline Dr  Idaho Falls ID 83402-6105  <u><a href="mailto:lyle.swank@idwr.idaho.gov">lyle.swank@idwr.idaho.gov</a></u></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile –  <input checked="" type="checkbox"/> Email</p>
<p>Allen Merritt  Cindy Yenter  IDWR – Southern Region  1341 Filmore St Ste 200  Twin Falls ID 83301-3033  <u><a href="mailto:allen.merritt@idwr.idaho.gov">allen.merritt@idwr.idaho.gov</a></u>  <u><a href="mailto:cindy.yenter@idwr.idaho.gov">cindy.yenter@idwr.idaho.gov</a></u></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile  <input checked="" type="checkbox"/> Email</p>