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Attorneys for Clear Springs Foods, Inc.

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

IN THE MATTER OF DISTRIBUTION OF) Docket No. CM-MP-2009-004
WATER TO WATER RIGHTS NOS.)
36-04013A, 36-04013B, AND 36-07148) **NOTICE OF TAKING DEPOSITION**
(SNAKE RIVER FARM)) **OF ALLAN WYLIE**
)
(Water District Nos. 130 and 140))
)
)
_____)

TO: ALLAN WYLIE

YOU WILL PLEASE TAKE NOTICE, that counsel for Clear Springs Foods, Inc. will take the testimony pursuant to Rules 26, 30(a), and 30(b)(6) of the Idaho Rules of Civil Procedure, on oral examination of Allan Wylie. Said deposition shall take place before a court reporter, a notary public, or before some other officer authorized to administer oaths, to commence on **Friday, November 13, 2009 at 10:00 a.m.** or as soon thereafter as possible on said day at the offices of **Barker Rosholt & Simpson located at 1010 W. Jefferson, Suite 102,**

NOTICE OF TAKING DEPOSITION OF ALLAN WYLIE

Boise, Idaho. Oral examination will continue from time to time until completed and you are hereby notified to appear and take part in the examinations.

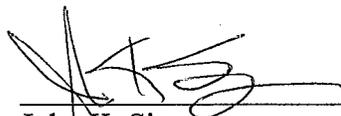
Pursuant to the Hearing Officer notice provided at the August, 2009 Status conference, Mr Wylie should be prepared to testify as to matters related to the issues raised in Clear Springs' protest to the 3rd Mitigation Plan filed by the Groundwater Districts, including, but not limited to:

1. Clear Springs Foods, Inc's March 19, 2009 Protest, issues numbers 2, 5, and 6;
2. Clear Springs Foods, Inc's March 17, 2009 letter incorporated as part of the Protest, issues numbers 2, 3, 4, 7, and 8;
3. Documents submitted to the ESPAM Technical Committee relating to issues raised in the March 17, 2009 letter;
4. Transient vs. Steady State mitigation effect;
5. Hydro-geologic issues raised by the parties to the 3rd Mitigation Plan.

Mr. Wylie shall produce all documents, e-mails, or memorandums generated by Mr. Wylie or the Idaho Department of Water Resources on any of the issues identified above or as a result of Department's review of the issues identified above.

DATED: This 6th day of November, 2009.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Travis L. Thompson
Paul L. Arrington
Attorneys for Clear Springs Foods, Inc.

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of November, 2009, I served a true and correct copy of the foregoing *Notice of Taking Deposition of Allan Wylie* on the person(s) listed below via First Class U.S. Mail, pre-paid and email:

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