

JAN 24 2019

DEPARTMENT OF  
WATER RESOURCES

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

IN THE MATTER OF DESIGNATING THE EASTERN SNAKE PLAIN AQUIFER GROUND WATER MANAGEMENT AREA	) Docket No. AA-GWMA-2016-001 ) ) ) <b>NOTICE OF TAKING DEPOSITION</b> ) <b>DUCES TECUM OF BRYCE</b> ) <b>CONTOR</b> ) ) <b>WEDNESDAY FEBRUARY 5, 2020</b> ) <b>8:00 a.m.</b> ) ) <b>25 North 2nd East</b> ) <b>Rexburg, Idaho 83440</b> ) _____ )
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**TO: JERRY RIGBY / HYRUM ERICKSON**  
**P.O. BOX 250**  
**Rexburg, Idaho 83440**

**BRYCE CONTOR**  
**482 Constitution Way, Suite 303**  
**Idaho Falls, Idaho 83402**

PLEASE TAKE NOTICE that the Surface Water Coalition will take the deposition of Bryce Contor before a certified Court Reporter, in accordance with the Idaho Rules of Civil Procedure, on Wednesday, the 5<sup>th</sup> of February, 2020, at the hour of 8:00 a.m. at the offices of Rigby, Andrus & Rigby Law, PLLC, 25 North 2nd East, Rexburg, Idaho 83440.

The Deponent is further required to identify and bring with him the following documents:

1. Copies of your file, including but not limited to, memos, notes, drawings, sketches, maps, spreadsheets, and drafts thereof, related to the above-captioned contested case and any reports and memos that you have filed in the matter.
2. Copies of all documents that reflect communications with any Parties in this matter concerning the above-referenced matter and any other issue that pertains to this contested case.
3. Copies of all documents that reflect communications with anyone with the Idaho Department of Water Resources concerning the above-referenced matter and any other issue that pertains to this contested case.
4. Copies of all documents that reflect communications with any other state agency or local government concerning the factual issue remaining in the above-referenced contested case.
5. Copies of all documents that reflect communications with any other person concerning the above-referenced matter and any other issue that pertains to this contested case.
6. Copies of all documents related to the any and all testimony and/or opinions to be expressed by you in this contested case, the basis and reasons therefore, and the data or other information considered by you in forming the testimony and/or opinions.
7. Copies of all exhibits to be used by you in the hearings in this contested case.
8. Copies of all documents that reflect communications with W. Roger Warner and any other employees of Rocky Mountain Environmental Associates, Inc. concerning any matter in this contested case.

9. Copies of all documents and agreements with Rigby, Andrus & Rigby Law, PLLC to retain you as an expert witness in this contested case, including any documents or agreements that identify the compensation to be paid to you.
10. Copies of all documents that pertain to or were relied upon by you in preparing the following: *Technical Report Regarding Final Order Designating ESPA GWMA* (dated December 5, 2019); *Reply to IDWR Response to Expert Report Regarding GWMA* (dated January 18, 2020).
11. All documents you have reviewed or will review in preparation for this deposition.

The term "document" as used above includes, but is not limited to, notes (oral or written), memoranda, reports, studies, maps, surveys, plans, drawings, photographs, calculations, spreadsheets and any computer analyses, whether written or electronic in format.

The oral examination will continue from day to day until completed.

DATED this 24<sup>th</sup> day of January, 2020.

**BARKER ROSHOLT & SIMPSON LLP**



Travis L. Thompson

*Attorneys for A&B Irrigation District,  
Burley Irrigation District, Milner Irrigation  
District, North Side Canal Company, and  
Twin Falls Canal Company*

**FLETCHER LAW OFFICE**



for

W. Kent Fletcher

*Attorneys for Minidoka Irrigation  
District and American Falls  
Reservoir District #2*

## CERTIFICATE OF SERVICE

I hereby certify that on this 24<sup>th</sup> day of January, 2020, I served a true and correct copy of the foregoing *Notice of Taking Deposition Duces Tecum of Bryce Contor* on the following by the method indicated:

<p>Director Gary Spackman c/o Kimberle English Idaho Dept. of Water Resources 322 E Front St Boise, Idaho 83720-0098 *** service by U.S. and electronic mail</p> <p><a href="mailto:gary.spackman@idwr.idaho.gov">gary.spackman@idwr.idaho.gov</a> <a href="mailto:kimberle.english@idwr.idaho.gov">kimberle.english@idwr.idaho.gov</a> <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:sean.costello@idwr.idaho.gov">sean.costello@idwr.idaho.gov</a></p>	<p>Robert E. Williams Williams, Merservy &amp; Lothspeich, LLP 153 East Main Street P.O. Box 168 Jerome, Idaho 83338 *** service by electronic mail only</p> <p><a href="mailto:rewilliams@wmlattys.com">rewilliams@wmlattys.com</a></p>	<p>Randy Budge T.J. Budge Racine Olson P.O. Box 1391 Pocatello, Idaho 83204-1391 *** service by electronic mail only</p> <p><a href="mailto:rcb@racinelaw.net">rcb@racinelaw.net</a> <a href="mailto:tjb@racinelaw.net">tjb@racinelaw.net</a></p>
<p>Candice McHugh Chris Bromley McHugh Bromley PLLC 380 S. Fourth St., Suite 103 Boise, Idaho 83702 *** service by electronic mail only</p> <p><a href="mailto:cmchugh@mchughbromley.com">cmchugh@mchughbromley.com</a> <a href="mailto:cbromley@mchughbromley.com">cbromley@mchughbromley.com</a></p>	<p>Sarah A. Klahn Somach, Simmons &amp; Dunn 2033 11<sup>th</sup> St., Suite 5 Boulder, CO 80302 *** service by electronic mail only</p> <p><a href="mailto:sklahn@somachlaw.com">sklahn@somachlaw.com</a> <a href="mailto:dthompson@somachlaw.com">dthompson@somachlaw.com</a></p>	<p>Kirk Bybee City of Pocatello P.O. Box 4169 Pocatello, Idaho 83201 *** service by electronic mail only</p> <p><a href="mailto:kibybee@pocatello.us">kibybee@pocatello.us</a></p>
<p>W. Kent Fletcher Fletcher Law Office P.O. Box 248 Burley, Idaho 83318 *** service by electronic mail only</p> <p><a href="mailto:wkf@pmt.org">wkf@pmt.org</a></p>	<p>Albert P. Barker Barker Rosholt &amp; Simpson, LLP 1010 W. Jefferson, Suite 102 P.O. Box 2139 Boise, Idaho 83701-2139 *** service by electronic mail only</p> <p><a href="mailto:apb@idahowaters.com">apb@idahowaters.com</a></p>	<p>Robert L. Harris D. Andrew Rawlings Holden Kidwell P.O. Box 50130 Idaho Falls, Idaho 83405 *** service by electronic mail only</p> <p><a href="mailto:rharris@holdenlegal.com">rharris@holdenlegal.com</a> <a href="mailto:arawlings@holdenlegal.com">arawlings@holdenlegal.com</a></p>
<p>Michael C. Creamer Michael P. Lawrence Givens Pursley LLP 601 West Bannock Street P.O. Box 2720 Boise, Idaho 83701-2720 *** service by electronic mail only</p> <p><a href="mailto:mcc@givenspursley.com">mcc@givenspursley.com</a> <a href="mailto:mpl@givenspursley.com">mpl@givenspursley.com</a></p>	<p>Joseph F. James Brown &amp; James 125 5<sup>th</sup> Avenue West Gooding, Idaho 83330 *** service by electronic mail only</p> <p><a href="mailto:joe@jamesmvlaw.com">joe@jamesmvlaw.com</a></p>	<p>Dylan B. Lawrence J. Will Varin Varin Wardwell, LLC 242 N. 8<sup>th</sup> Street, Ste. 200 P.O. Box 1676 Boise, Idaho 83701-1679 *** service by electronic mail only</p> <p><a href="mailto:dylanlawrence@varinwardwell.com">dylanlawrence@varinwardwell.com</a> <a href="mailto:willvarin@varinwardwell.com">willvarin@varinwardwell.com</a></p>

<p>Jerry R. Rigby Rigby, Andrus &amp; Rigby Law, PLLC 25 North Second East P.O. Box 250 Rexburg, Idaho 83440 *** service by electronic mail only</p> <p><a href="mailto:jrigby@rex-law.com">jrigby@rex-law.com</a> <a href="mailto:herickson@rex-law.com">herickson@rex-law.com</a> <a href="mailto:mdavis@rex-law.com">mdavis@rex-law.com</a></p>		
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Travis L. Thompson