

John K. Simpson, ISB #4242  
Travis L. Thompson, ISB #6168  
Paul L. Arrington, ISB #7198  
**BARKER ROSHOLT & SIMPSON LLP**  
113 Main Ave. West, Suite 303  
Twin Falls, Idaho 83303-0485  
Telephone: (208) 733-0700  
Facsimile: (208) 735-2444

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

C. Tom Arkoosh, ISB #2253  
**CAPITOL LAW GROUP PLLC**  
P.O. Box 32  
Gooding, Idaho 83330  
Telephone: (208) 934-8872  
Facsimile: (208) 934-8873

*Attorneys for American Falls  
Reservoir District #2*

W. Kent Fletcher, ISB #2248  
**FLETCHER LAW OFFICE**  
P.O. Box 248  
Burley, Idaho 83318  
Telephone: (208) 678-3250  
Facsimile: (208) 878-2548

*Attorneys for Minidoka Irrigation  
District*

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE 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 )  
\_\_\_\_\_ )

**NOTICE OF CONTINUATION OF  
DEPOSITION DUCES TECUM OF  
MATTHEW WEAVER**

**TO: MATTHEW WEAVER (IDWR)**

PLEASE TAKE NOTICE, that counsel for American Falls Reservoir District #2, A&B  
Irrigation District, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation

District, North Side Canal Company, and Twin Falls Canal Company will continue to take the testimony upon oral examination of MATTHEW WEAVER pursuant to Rule 30 and other applicable rules of the Idaho Rules of Civil Procedure, and Rule 523 of the Department's Rules of Procedure. The deposition will take place before a court reporter and Notary Public with the firm of M & M Court Reporting Service, on **Thursday, May 20, 2010 at 1:00 p.m.**, and continuing from day to day until completion, at the Idaho Department of Water Resources, 322 E. Front St., Boise, Idaho, at which time and place you are notified to appear and take part in such examination.

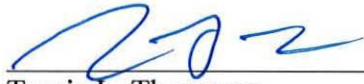
Pursuant to Idaho Rules of Civil Procedure 26, 30(b)(5), and 34, you are further instructed to bring to the deposition:

- (1) all documents relied upon, incorporated, produced, or utilized by you in connection with preparation of the Director's *Order Regarding IGWA's Mitigation Obligation* dated May 17, 2010.
- (2) all documents relied upon, incorporated, produced, or utilized by you in connection with preparation of the Director's *Order Approving Mitigation Credits Regarding SWC Delivery Call* dated May 17, 2010.
- (3) all documents you have reviewed and will review in preparation for this deposition.

For purposes of this notice, "document" includes but is not limited to memoranda, notes (field, meeting, or otherwise), reports, studies, maps, photographs, calculations, and spreadsheets and any other computer analyses.

DATED this 10<sup>th</sup> day of May, 2010.

**BARKER ROSHOLT & SIMPSON LLP**



Travis L. Thompson

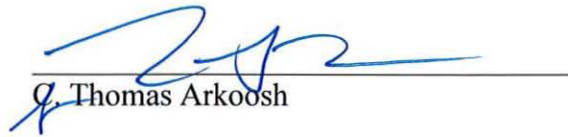
*Attorneys for A&B Irrigation District,  
Burley Irrigation District, Twin Falls Canal Company,  
North Side Canal Company, and Milner Irrigation District*

**FLETCHER LAW OFFICE**



*Attorneys for Minidoka Irrigation  
District*

**CAPITOL LAW GROUP PLLC**



*Attorneys for American Falls Reservoir District #2*

## CERTIFICATE OF SERVICE

I hereby certify that on this 18<sup>th</sup> day of May, 2010, I served a true and correct copy of the foregoing *Notice of Continuation of Taking Deposition Duces Tecum of Matthew Weaver* on the following by the method indicated:

<p>Interim Director Gary Spackman c/o Victoria Wigle State of Idaho Dept of Water Resources 322 E Front St Boise, ID 83720-0098 *** service by electronic mail and U.S. Mail</p> <p>facsimile – 208-287-6700 <a href="mailto:gary.spackman@idwr.idaho.gov">gary.spackman@idwr.idaho.gov</a> <a href="mailto:victoria.wigle@idwr.idaho.gov">victoria.wigle@idwr.idaho.gov</a> <a href="mailto:chris.bromley@idwr.idaho.gov">chris.bromley@idwr.idaho.gov</a></p>	<p>Matt Howard USBR 1150 N. Curtis Rd. Boise, ID 83706-1234 <a href="mailto:mhoward@pn.usbr.gov">mhoward@pn.usbr.gov</a></p> <p>IDWR – Eastern Region 900 N. Skyline Dr., Suite A Idaho Falls, ID 83402-1718</p> <p>IDWR – Southern Region 1341 Fillmore St., Suite 200 Twin Falls, ID 83301-3380</p>	<p>Josephine P. Beeman, Esq. Beeman &amp; Associates 409 W Jefferson Boise, ID 83702 *** service by electronic mail only</p> <p>facsimile – 208-331-0954 <a href="mailto:jo.beeman@beemanlaw.com">jo.beeman@beemanlaw.com</a></p>
<p>Randy Budge Candice McHugh Racine Olson P.O. Box 1391 Pocatello, ID 83204-1391 *** service by electronic mail only</p> <p><a href="mailto:rcb@racinelaw.net">rcb@racinelaw.net</a> <a href="mailto:cmm@racinelaw.net">cmm@racinelaw.net</a></p>	<p>Sarah A. Klahn Mitra Pemberton White &amp; Jankowski, LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 *** service by electronic mail only</p> <p>facsimile – 303-825-5632 <a href="mailto:sarahk@white-jankowski.com">sarahk@white-jankowski.com</a> <a href="mailto:mitrap@white-jankowski.com">mitrap@white-jankowski.com</a></p>	<p>Michael Gilmore Deputy Attorney General Statehouse, Room 210 P.O. Box 83720 Boise, ID 83720-0010 *** service by electronic mail only</p> <p>facsimile – 208-334-2830 <a href="mailto:mike.gilmore@ag.idaho.gov">mike.gilmore@ag.idaho.gov</a></p>
<p>A. Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, ID 83201 *** service by electronic mail only</p> <p>facsimile – 208-234-6297 <a href="mailto:dtranmer@pocatello.us">dtranmer@pocatello.us</a></p>	<p>Terry T. Uhling J.R. Simplot Company 999 Main St. P.O. Box 27 Boise, ID 83707 *** service by electronic mail only</p> <p>Facsimile – 208.389.7464 <a href="mailto:tuhling@simplot.com">tuhling@simplot.com</a></p>	<p>James Lochhead Adam DeVoe Brownstein Hyatt 410 – 17<sup>th</sup> St 22<sup>nd</sup> Floor Denver, CO 80202 *** service by electronic mail only</p> <p><a href="mailto:jlochhead@bhf-law.com">jlochhead@bhf-law.com</a> <a href="mailto:adevoe@bhf-law.com">adevoe@bhf-law.com</a></p>
<p>Michael C Creamer Jeffrey C. Fereday Givens Pursley 601 W Bannock St Ste 200 P.O. Box 2720 Boise, ID 83701-2720 *** service by electronic mail only</p> <p><a href="mailto:mcc@givenspursley.com">mcc@givenspursley.com</a> <a href="mailto:jcf@givenspursley.com">jcf@givenspursley.com</a></p>	<p>Kathleen Carr US Dept Interior, Office of Solicitor Pacific Northwest Region, Boise Field Office 960 Broadway Ste 400 Boise, ID 83706 *** service by electronic mail only</p> <p>facsimile – 208-334-1918 <a href="mailto:kmarioncarr@yahoo.com">kmarioncarr@yahoo.com</a></p>	<p>James Tucker Idaho Power Co 1221 W Idaho St Boise, ID 83702 *** service by electronic mail only</p> <p><a href="mailto:jamestucker@idahopower.com">jamestucker@idahopower.com</a></p>

  
 Travis L. Thompson