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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)
_____)

**AMENDED
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) copies of all lease agreements, options, letters or other written confirmation, without redactions, submitted by IGWA to IDWR in connection with its *Supplement to IGWA's Notice of Secured Water* filed on May 14, 2010.
- (4) all documents regarding IDWR's analysis and evaluation of IGWA's *Notice of Water Secured* filed on May 13, 2010 and its *Supplement to IGWA's Notice of Secured Water* filed on May 14, 2010.

- (5) copies of any correspondence between IGWA and IDWR and/or Water District 01 regarding any lease agreements, options, letters or other written confirmation related to storage water in the Upper Snake River Basin since January 1, 2005, including the letter and attachments sent from Randy Budge to Lyle Swank dated June 29, 2009.
- (6) 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 19th day of May, 2010.

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson


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Burley Irrigation District, Twin Falls Canal Company,
North Side Canal Company, and Milner Irrigation District*

FLETCHER LAW OFFICE


W. Kent Fletcher

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CAPITOL LAW GROUP PLLC



C. Thomas Arkoosh

Attorneys for American Falls Reservoir District #2

CERTIFICATE OF SERVICE

I hereby certify that on this 19th 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 gary.spackman@idwr.idaho.gov victoria.wigle@idwr.idaho.gov chris.bromley@idwr.idaho.gov</p>	<p>Matt Howard USBR 1150 N. Curtis Rd. Boise, ID 83706-1234 mhoward@pn.usbr.gov</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 & Associates 409 W Jefferson Boise, ID 83702 *** service by electronic mail only</p> <p>facsimile – 208-331-0954 jo.beeman@beemanlaw.com</p>
<p>Randy Budge Candice McHugh Racine Olson P.O. Box 1391 Pocatello, ID 83204-1391 *** service by electronic mail only</p> <p>rcb@racinelaw.net cmm@racinelaw.net</p>	<p>Sarah A. Klahn Mitra Pemberton White & Jankowski, LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 *** service by electronic mail only</p> <p>facsimile – 303-825-5632 sarahk@white-jankowski.com mitrap@white-jankowski.com</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 mike.gilmore@ag.idaho.gov</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 dtranmer@pocatello.us</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 tuhling@simplot.com</p>	<p>James Lochhead Adam DeVoe Brownstein Hyatt 410 – 17th St 22nd Floor Denver, CO 80202 *** service by electronic mail only</p> <p>jlochhead@bhf-law.com adevoe@bhf-law.com</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>mcc@givenspursley.com jcf@givenspursley.com</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 kmarioncarr@yahoo.com</p>	<p>James Tucker Idaho Power Co 1221 W Idaho St Boise, ID 83702 *** service by electronic mail only</p> <p>jamestucker@idahopower.com</p>


Travis L. Thompson