

John A. Rosholt, ISB #1037
 John K. Simpson, ISB #4242
 Travis L. Thompson, ISB #6168
 Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
 113 Main Avenue West, Suite 303
 P.O. Box 485
 Twin Falls, Idaho 83303-0485
 Telephone: (208) 733-0700
 Facsimile: (208) 735-2444

*Attorneys for Petitioners North Side Canal Company
 and Twin Falls Canal Company*

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME**

NORTH SIDE CANAL COMPANY and)	
TWIN FALLS CANAL COMPANY,)	CASE NO. <u>CV 2007-1093</u>
)	
Petitioners,)	SUMMONS
)	
vs.)	
)	
DAVID R. TUTHILL, JR., in his official)	
capacity as director of the Idaho Department of)	
Water Resources, and THE IDAHO)	
DEPARTMENT OF WATER RESOURCES,)	
)	
Respondents.)	
_____)	

NOTICE: YOU HAVE BEEN SUED BY THE ABOVE NAMED PETITIONERS. THE COURT MAY ENTER JUDGMENT AGAINST YOU WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO: Idaho Department of Water Resources, an agency of the State of Idaho

YOU ARE HEREBY NOTIFIED that in order in order to defend this lawsuit, an

appropriate written response must be filed with the above designated court within 20 days after service of this Summons on you. If you fail to so respond the court may enter judgment against you as demanded by the Petitioners in the *Petition for Peremptory Writ of Mandate*.

A copy of the *Petition for Peremptory Writ of Mandate* is served with this Summons. If you wish to seek the advice of, or representation by, an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

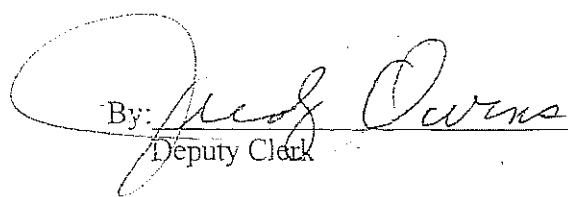
An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure shall also include:

1. The title and number of this case.
2. If your response is an Answer to the Petition, it must contain admissions or denials of the separate allegations of the Petition and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof by mailing or delivery of a copy of your response to Petitioners' attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named court.

DATED this 28 day of September, 2007.

CLERK OF THE DISTRICT COURT

By: 
Deputy Clerk