

Jeffrey C. Fereday [ISB No. 2719]  
Michael P. Lawrence [ISB No. 7288]  
GIVENS PURSLEY LLP  
601 West Bannock Street  
P.O. Box 2720  
Boise, Idaho 83701-2720  
Office: (208) 388-1200  
Fax: (208) 388-1300  
www.givenspursley.com  
*Attorneys for M3 Eagle LLC*

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

IN THE MATTER OF APPLICATION  
FOR PERMIT NO. 63-32573 IN THE  
NAME OF M3 EAGLE LLC, ASSIGNED  
TO THE CITY OF EAGLE

**NOTICE OF DEPOSITION DUCES TECUM  
OF JASON SMITH**

PLEASE TAKE NOTICE that commencing on **October 11, 2011, at 9 a.m.**, at the offices of Givens Pursley LLP, 601 W. Bannock Street, Boise, Idaho 83702, the Applicant, M3 Eagle LLC, by and through their attorneys of record, will take the deposition upon oral examination of **JASON SMITH**, pursuant to the Hearing Officer's September 8, 2011 *Prehearing Order* and October 3, 2011 *Order Limiting Presentation of Evidence at Supplemental Hearing*, IDAPA 37.01.01.523, and I.R.C.P. 30 and 30(b)(5), before a court reporter and notary public, or other officer duly authorized to administer oaths. The deposition shall continue until completed.

YOU ARE FURTHER COMMANDED to bring with you all documents and tangible things examined, analyzed, relied upon, incorporated or utilized by you in connection with the above-entitled matter, in addition to all documents reviewed by you in preparing for said deposition.

DATED this 4th day of October, 2011.

Respectfully submitted,  
GIVENS PURSLEY LLP

By



Jeffrey C. Fereday  
Michael P. Lawrence

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4<sup>th</sup> day of October, 2011, the foregoing was filed, served, or copied as follows:

#### ORIGINAL SERVED

Jason Smith  
3135 N. Osprey Road  
Eagle, ID 83616

☐ U. S. Mail  
☒ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☐ E-mail

#### SERVICE

Idaho Department of Water Resources  
322 East Front Street  
P.O. Box 83720  
Boise, ID 83720-0098

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

City of Eagle  
Bruce M. Smith  
Moore, Smith, Buxton & Turcke, Chtd.  
950 W. Bannock Street, Suite 520  
Boise, ID 83702

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

North Ada County Groundwater Users Association  
c/o David Head  
855 Stillwell Drive  
Eagle, ID 83616

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

North Ada County Groundwater Users Association  
c/o John Thornton  
5264 N. Sky High Lane  
Eagle, ID 83616

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

Norman Edwards  
884 W. Beacon Light Road  
Eagle, ID 83616

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

Alan Smith  
3135 N. Osprey Road  
Eagle, ID 83616

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

  
Jeffrey C. Fereday  
Michael P. Lawrence