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DEPARTMENT OF
WATER RESOURCES

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

Subcase No. 1-6

**SUBPOENA DUCES TECUM OF
LYLE SWANK**

**THE STATE OF IDAHO SENDS GREETINGS TO: LYLE SWANK, AND HIS
COUNSEL OF RECORD, RANDY C. BUDGE OF RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED**

WE COMMAND YOU that all and singular business and excuses being set aside, you appear and attend before a notary public and court reporter, or in case of his or her inability to act or be present, then before some other officer authorized to administer oaths, at **9:00 a.m. on Monday, October 6, 2008, at the Idaho Falls Regional Office of the Department of Environmental Quality located at 900 N. Skyline, Suite B, Idaho Falls, ID 83402**, to testify at the taking of a deposition in the above-entitled action.

YOU ARE FURTHER COMMANDED to bring with you the following documents:

All delivery and accounting records and documents relevant to this litigation.

YOU ARE FURTHER NOTIFIED that if you fail to appear at the place and time specified above, that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100.00 and all damages which he may sustain by your failure to attend as a witness.

DATED: This 10 day of September, 2008.

CAPITOL LAW GROUP, PLLC.



C. Tom Arkoosh
Attorney for AMERICAN FALLS RESERVOIR
DISTRICT NO. 2