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DEPARTMENT OF
WATER RESOURCES

Roger D. Ling, ISB #1018
P.O. Box 623
Rupert, Idaho 83350
Telephone: (208) 434-2717
Facsimile: (208) 436-6804

*Attorney for A&B Irrigation District,
Burley Irrigation District and Falls
Irrigation District*

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

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

C. Thomas 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*

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

**NOTICE TAKING DEPOSITION
DUCES TECUM OF
LYLE SWANK**

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

PLEASE TAKE NOTICE that the Claimants, American Falls Reservoir District No. 2, by and through its counsel of record, C. Tom Arkoosh of Capitol Law Group, PLLC., pursuant to Idaho Rules of Civil Procedure 26 and 30(a), will take the testimony on oral examination of **LYLE SWANK** before a duly authorized court reporter and Notary Public. Examination will commence 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.** Said oral examination will continue from day to day until completed, excluding weekends and designated Court holidays.

Pursuant to Rule 30(b)(1) of the Idaho Rules of Civil Procedure, the deponent is required to bring to the deposition the following items and documents:

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

This deposition shall be taken pursuant to the Idaho Rules of Civil Procedure.

By order of the court.

DATED: This 10 day of September, 2008.

CAPITOL LAW GROUP, PLLC.



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

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 10 day of September, 2008, I served a true and correct copy of the foregoing document by depositing a true and correct copy thereof in the United States mail, postage prepaid, in an envelope addressed to the following individuals at the addresses below listed:

Clerk of the SRBA Court 253 Third Ave North P. O. Box 2707 Twin Falls, ID 83303-2707 Robert L. Harris Holden, Kidwell, Hahn & Crapo, PLLC P.O. Box 50130 Idaho Falls, Idaho 83405 Candace McHugh Randall C. Budge Racine, Olson, Nye, Budge & Bailey, Chd. 101 S. Capitol Blvd., Suite 208 Boise, Idaho 83702 Josephine Beeman 409 W. Jefferson St. Boise, Idaho 83702 Roger D. Ling P.O. Box 623 Rupert, Idaho 83350 Travis Thompson Barker, Rosholt & Simpson, LLP P.O. Box 485 Twin Falls, Idaho 83303-0485	Sarah A. Klahn White & Jankowski, LLP Kittredge Building 511 16th St., Suite 500 Denver, Colorado 80202 A. Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, Idaho 83201 Craig D. Hobdey P.O. Box 176 Gooding, Idaho 83330 William A. Parsons P.O. Box 910 Burley, Idaho 83318 Jerry R. Rigby P.O. Box 250 Rexburg, Idaho 83440 IDWR Document Depository P.O. Box 83720 Boise, Idaho 83720-0098
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John K. Simpson Barker, Rosholt & Simpson, LLP P.O. Box 2139 Boise, Idaho 83701-2139 Chief, Natural Resources Division Office of the Attorney General P.O. Box 44449 Boise, Idaho 83711-4449 Bret Andersen Robyn Andersen 322 E. Main Burley, Idaho 83318 M. Evan Call 4373 Cold Water Road American Falls, Idaho 83211 W. Kent Fletcher Fletcher Law Office 1200 Overland Avenue P.O. Box 248 Burley, Idaho 83318	United States Department of Justice Environment & Nat'l Resources Division 550 West Fort Street, MSC 033 Boise, Idaho 83724 Patrick D. Brown Hutchinson & Brown, LLP P.O. Box 207 Twin Falls, Idaho 83303-0207 Adam T. Devoe James S. Lochhead Brownstein, Hyatt & Farber, PC 410 17th Street, 22nd Flr Denver, CO 80202
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CAPITOL LAW GROUP, PLLC



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