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DEPARTMENT OF
WATER RESOURCES

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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
ANTHONY OLENICHAK**

**TO: ANTHONY OLENICHAK, 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 **ANTHONY OLENICHAK** before a duly authorized court reporter and Notary Public. Examination will commence at **9:00 a.m. on Tuesday, October 7, 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 records and documents relied upon in making your sworn *Affidavit of Anthony Olenichak* on August 21, 2008.

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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DISTRICT NO. 2