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DEPARTMENT OF
WATER RESOURCES

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER (ISB #2597)
Deputy Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 334-2400
Facsimile: (208) 854-8072

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	)	Subcase Nos. 63-02529, 63-03163, 63-03274, 63-03323
	)	63-3324, 63-09109 & 63-10435
	)	
	)	
Case No. 39576	)	AFFIDAVIT OF DAVID J. BARBER REGARDING
	)	SERVICE OF SUBPOENA FOR DEPOSITION DUCES
	)	TECUM OF TERRY SCANLAN, PE., P.G., SPF
	)	WATER ENGINEERING, LLC

STATE OF IDAHO)
) ss
County of Ada)

DAVID J. BARBER, being first duly sworn deposes and states:

1. I am a competent adult, over the age of eighteen years, and have personal knowledge of the facts stated herein. I am a deputy attorney general assigned to the Snake River Basin Adjudication.

2. I caused to be served on January 5, 2009, a copy of the attached SUBPOENA FOR DEPOSITION OF TERRY SCANLAN, P.E., P.G., SPF WATER ENGINEERING, LLC on each of the following persons by the indicated method:

Terry Scanlan, P.E., P.G.
SPF Water Engineering, LLC
300 E. Mallard Drive, Suite 350
Boise, ID 83706

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

DBSI TIEGS 979 LLC
Jerry L. Tlucek and Mary Lou Tlucek
Rebekah Tlucek, Kevin Tlucek, Shelley Tlucek
& Byron Tlucek
Pioneer Irrigation District
c/o Scott L. Campbell & Dylan B. Lawrence
Moffat Thomas Barrett Rock & Fields, CHTD.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, Idaho 83701-0829

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 385-5384
☐ Statehouse Mail

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (303) 312-7379
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322 East Front St.
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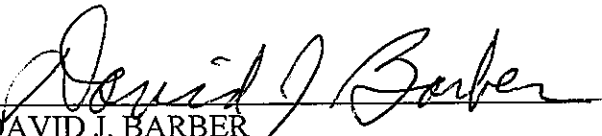
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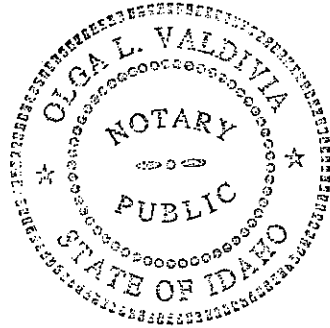
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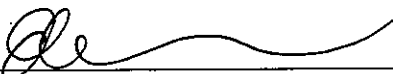
3. Further your affiant sayeth naught.



DAVID J. BARBER
Deputy Attorney General
Natural Resources Division
Attorney for the State of Idaho

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Idaho, this 5th day of January 2009.





NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission expires: 2/8/2012

CERTIFICATE OF SERVICE

I certify that on this 5th day of January 2009, I caused to be served the original and/or copy of this AFFIDAVIT OF DAVID J. BARBER REGARDING SERVICE OF SUBPOENA FOR DEPOSITION DUCES TECUM OF TERRY SCANLAN, P.E., P.G., SPF WATER ENGINEERING, LLC on each of the following persons by the indicated method:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (208) 736-2121
- ☐ Statehouse Mail

2. Copies to the following persons:

DBSI TIEGS 979 LLC
Jerry L. Tlucek and Mary Lou Tlucek
Rebekah Tlucek, Kevin Tlucek, Shelley Tlucek
& Byron Tlucek
Pioneer Irrigation District
c/o Scott L. Campbell & Dylan B. Lawrence
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Terry Scanlan, P.E., P.G.
SPF Water Engineering, LLC
300 E. Mallard Drive, Suite 350
Boise, ID 83706

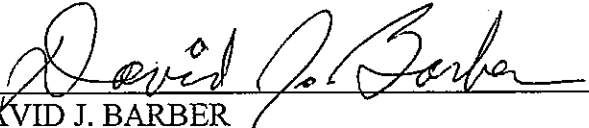
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M & M Court Reporting Service, LLC
421 W. Franklin St.
Boise, ID 83702

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☐ Facsimile: (303) 312-7379

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Not Applicable



DAVID J. BARBER
Deputy Attorney General