

COPY

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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     | ) | Subcase Nos. 63-02529, 63-03163, 63-03274, 63-03323 |
|                | ) | 63-3324, 63-09109 & 63-10435                        |
|                | ) |                                                     |
|                | ) | SUBPOENA FOR DEPOSITION DUCES TECUM                 |
| Case No. 39576 | ) | OF TERRY SCANLAN, P.E., P.G., SPF WATER             |
|                | ) | ENGINEERING, LLC                                    |
| _____          | ) |                                                     |

THE STATE OF IDAHO SENDS GREETING TO:

TO: TERRY SCANLAN, P.E., P.G. SPF WATER ENGINEERING, LLC, EXPERT  
WITNESS ON BEHALF OF CLAIMANTS PIONEER IRRIGATION DISTRICT,  
JERRY L. TLUCEK, MARY LOU TLUCEK, SHELLY TLUCEK, BYRON TLUCEK,  
REBEKAH TLUCEK, KEVIN TLUCEK, AND DBSI TIEGS 979, LLC.

YOU ARE HEREBY COMMANDED:

☐ to appear at the place, date and time specified below to testify in the above case.

☒ to appear at the place, date and time specified below to testify at the taking of a  
deposition in the above case.

SUBPOENA FOR DEPOSITION DUCES TECUM OF TERRY SCANLAN, P.E., P.G.,  
SPF WATER ENGINEERING, LLC

☒ to produce or permit inspection and copying of the following documents or objects, including electronically stored information, at the place, date, time specified below.

- Pursuant to I.R.C.P. 45(a), 45(b)(1), and 45(f)(1), deponent is directed to bring to the deposition any and all books, papers, documents, data, tangible things, print-outs of any electronic communication, and contracts for professional services in the care, custody, possession, or control of the deponent in any way related to the above-referenced subcases. The term "document" shall be defined in the broadest possible manner and shall, at a minimum, mean any original or copy of words or information, whether produced in original or copy form by printing, typing, recording, retrieval from electronic storage, manual reproduction, or other process regardless of form. The term "document" includes, but is not limited to, writings, agreements, communication, correspondence, electronic mail messages, reports, telegrams, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, records of meetings, conferences or congressional hearings, summaries or reports of investigations or negotiations, opinions, or reports of consultants, drafts of any document, phono-records, printouts from electronic storage or other data compilations from which information can be obtained or translated, if necessary, by the respondent through detection devices into reasonably usable form, marginal comments appearing on any document and all other writings.

☐ to permit inspection of the following premises at the date and time specified below.

PLACE: State of Idaho  
Office of the Attorney General  
700 West State Street, Second Floor,  
Boise, ID 83702.

DATE: Tuesday, February 10, 2009.

TIME: 9:00 a.m.

You are further notified that if you fail to appear at the place and time specified above, or to produce or permit copying or inspection as specified above that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100 and all damages which the party may sustain by your failure to comply with this subpoena.

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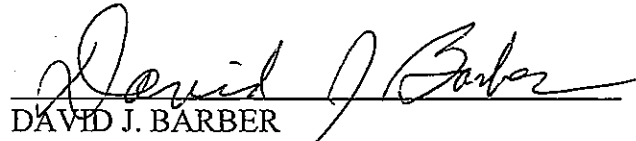
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DATED this 5<sup>th</sup> day of January 2009.

By order of the court

ISSUING OFFICER SIGNATURE AND TITLE

A handwritten signature in cursive script, reading "David J. Barber", is written over a horizontal line.

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