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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
	)	
	)	NOTICE OF TAKING DEPOSITION DUCES TECUM
Case No. 39576	)	OF TERRY SCANLAN, P.E., P.G., SPF WATER
	)	ENGINEERING, LLC
	)	

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, AND THE
ATTORNEYS OF RECORD FOR SAID CLAIMANTS

Please take notice that the State of Idaho will take the deposition upon oral examination
pursuant to I.R.C.P. 30 of Terry Scanlan, P.E., P.G., SPF Water Engineering, LLC, before an
officer authorized to administer oaths at the Office of the Attorney General for the State of

Idaho, 700 West State Street, Second Floor, Natural Resources Conference Room, Boise, ID 83702. The deposition will commence at 9:00 a.m. on the 10th day of February 2009 and shall continue thereafter from day to day until completed.

You are further commanded to bring with you 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.

You are invited to attend and participate in the manner provided for in the Idaho Rules of Civil Procedure.

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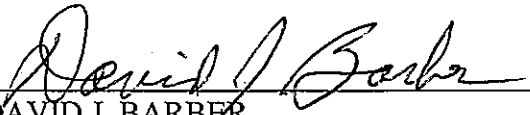
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DATED this 5th day of January 2009.

LAWRENCE G. WASDEN
Attorney General

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



DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

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 NOTICE OF TAKING 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
Moffat Thomas Barrett Rock & Fields, CHTD.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, Idaho 83701-0829

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- ☐ 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

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- ☒ Statehouse Mail

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: (303) 312-7379

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

☒ U.S. Mail, postage prepaid
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☐ Federal Express
☐ 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