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DEPARTMENT OF
WATER RESOURCES

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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
	)	63-03324, 63-09109, & 63-10435
	)	
Case No. 39576	)	MOTION FOR PROTECTIVE ORDER
	)	AND REQUEST FOR EXPEDITED
	)	CONSIDERATION
	)	
	)	

COMES NOW the State of Idaho (hereinafter the "State"), by and through the undersigned deputy attorney general, and moves the district court in accordance with I.R.C.P. 26(c) and Rule 6(f) of AO1 to enter a Protective Order that the deposition of the State not be had. The grounds for this motion are as follows:

1. The Claimants, Pioneer Irrigation District, Jerry L. Tlucek, Mary Lou Tlucek, Shelly Tlucek, Byron Tlucek, Rebekah Tlucek, Kevin Tlucek, and DBSI Tiegs 979, LLC (hereinafter the

COPY

"Claimants"), served a *Notice of Rule 30(b)(6) Deposition Duces Tecum of the State of Idaho* (hereinafter "*Idaho's Rule 30(b)(6) Notice*") on December 17, 2008, which set the date and time of Tuesday, January 27, 2009 at 9:30 a.m. for the deposition of the representative of the State of Idaho.

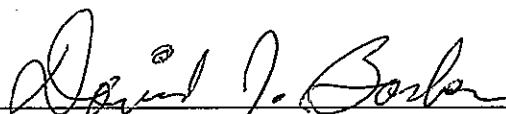
2. The Claimants requested deposition of the State is oppressive and unduly burdensome and requests information that is not subject to discovery for the reasons set forth in greater detail in its *Brief in Support of Idaho's Motion for Protective Order*.

3. The State requests oral argument and an expedited hearing on this motion. Because of the nature of the present matter, the State has not served this *Motion for Protective Order and Request for Expedited Consideration* and *Brief in Support of Idaho's Motion for Protective Order* on the district court's Expedited Mailing List. If the district court desires such service, it will promptly do so.

DATED this 8th day of January 2009.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
STATE OF IDAHO



DAVID J. BARBER
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 8th day of January 2009, I caused to be served the original and/or copy of this MOTION FOR PROTECTIVE ORDER AND REQUEST FOR EXPEDITED CONSIDERATION 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:

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:
☐ Statehouse Mail

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

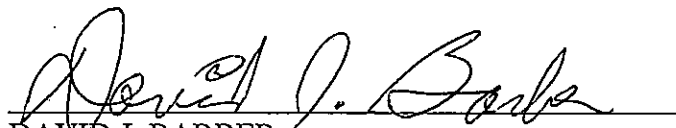
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Not Applicable



DAVID J. BARBER
Deputy Attorney General