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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
	)	
	)	NOTICE OF I.R.C.P. RULE 30(b)(6) CONTINUED
Case No. 39576	)	DEPOSITION DUCES TECUM OF DBSI TIEGS 979
	)	LLC
	)	

TO: DBSI TIEGS 979, LLC, AND ITS ATTORNEYS OF RECORD

Please take notice that the deposition upon oral examination pursuant to I.R.C.P. 30(b)(6) of a representative of DBSI TiegS 979 LLC before an officer authorized to administer oaths has been continued to the date of the 26th day of February 2009 at 9:00 a.m. The location of the continued deposition is 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 shall continue thereafter from day to day until completed.

In accordance with I.R.C.P. 30(b)(6), DBSI Tiegs 979 LLC has a duty to designate one or more knowledgeable representatives to testify on its behalf at this deposition. Specifically, examination is requested on the use of water under water right nos. 63-03163 & 63-03274, the pumps and motors used in the diversion of water, the water delivery system from the well to the field, the beneficial use made of the water, the periods of time when diversions of water occur, the cropping pattern, and the power records evidencing the diversion of water.

In accordance with the Idaho Rule of Civil Procedure Rule 45, including I.R.C.P. 45(a), 45(b)(1), and 45(f)(1), 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 representative 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, phonorecords, printouts from electronic storage or other data compilations from which information can

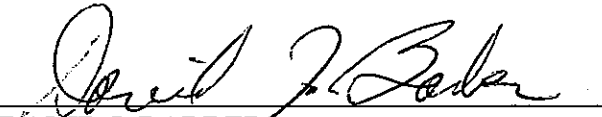
be obtained or translated, if necessary, by the respondent through detection devices into reasonably usable form, marginal comments appearing on any document and all other writings.

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

DATED this 23rd day of February 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 23rd day of February 2009, I caused to be served the original and/or copy of this NOTICE OF I.R.C.P. RULE 30(b)(6) CONTINUED DEPOSITION DUCES TECUM OF DBSI TIEGS 979 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

- ☐ U.S. Mail, postage prepaid
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- ☒ Facsimile: (208) 385-5384
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United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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Douglas L. Swenson
DBSI TIEGS 979 LLC
1550 S. Tech Lane
Meridian, ID 83642

- ☒ U.S. Mail, postage prepaid
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- ☐ Facsimile: (303) 312-7379

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

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☒ Facsimile: (208) 345-8800

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Not Applicable



DAVID J. BARBER
Deputy Attorney General