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MAY 11 2009

DEPARTMENT OF
WATER RESOURCES

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Attorneys for the Ground Water Districts

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

Case No. 39576

Subcases: 1-209, et al.
(Minidoka Credit subcases)
TRIAL SUBPOENA DUCES TECUM
OF TONY OLENICHAK

THE STATE OF IDAHO SENDS GREETINGS TO: TONY OLENICHAK

Tony Olenichak
Idaho Department of Water Resources
Eastern Regional Offices
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

YOU ARE HEREBY COMMANDED to appear before the SRBA Courthouse,
Special Master Dolan, 253 3rd Avenue North, Twin Falls, ID 83303, on May 20, 2009 at 9:00
a.m.

YOU ARE FURTHER COMMANDED to produce at that time and place the following
described items:

(1) Please produce a cd or hard copy of Water District 01 Water Right Accounting records for the reaches between Blackfoot and Milner, and any summary of calculations for the Minidoka Credit you may have.

(2) The February 14, 2006 Settlement Agreement between Minidoka Irrigation District (MID), Burley Irrigation District (BID), Twin Falls Canal Company (TFCC), North Side Canal Company (NSCC), and American Falls Reservoir District #2 (AFRD#2).

(3) Please produce a certified copy of the Department's copy of *Twin Falls Canal Company v. Charles N. Foster*, et al., Twin Falls County (1913) decree, known as the Foster Decree.

(4) Please produce a certified copy of the of the Department's copy of *Burley Irrigation District, et al. v. Henry Eagle, et al.* decree, Twin Falls County, Civil Case No. 21406 (1968), known as the Eagle Decree.

(5) Please produce a certified copy of the document entitled "Snake River Reach Gains Between Blackfoot and Milner Dam" prepared by you on or about January 7, 1998.

(6) Copies of any notes, emails or other written material you reviewed in preparation for trial.

YOU ARE FURTHER NOTIFIED that if you fail to appear at the place and time specified above that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100.00, and all damages which they may sustain by your failure to attend as a witness.

BY ORDER OF THE SRBA DISTRICT COURT.

DATED this 11th day of May, 2009.


CANDICE M. MCHUGH

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of May, 2009, the above and foregoing document(s), was served by email and by placing a copy in the U.S. Mail, postage prepaid and addressed to the following:

Clerk of the SRBA Court 253 Third Avenue North PO Box 2707 Twin Falls, ID 83302-2707	Original	IDWR Repository PO Box 83720 Boise, ID 83720-0098 garrick.baxter@idwr.idaho.gov
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449		John K. Simpson Travis L. Thompson Barker, Rosholt & Simpson 113 Main Avenue West, Suite 303 Twin Falls, ID 83301-6167 Fax: (208) 735-2444 jar@idahowaters.com tlr@idahowaters.com
United States Department of Justice Environment & Natural Resources Div 550 West Fort Street MSC 033 Boise, ID 83724 david.gehlert@usdoj.gov		W. Kent Fletcher, Esq. Fletcher Law Office P.O. Box 248 Burley, ID 83318-0248 Fax: (208) 878-2548 wkf@pmt.org
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Candice M. McHugh

ATTACHMENT IDENTIFYING THE MINIDOKA CREDIT SUBCASES

1-209

1-210

1-211A

1-211B

1-212

1-213

1-214A

1-214B

1-217

1-218

1-219

1-10187

1-10188

1-10192

1-10194