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DEPARTMENT OF
WATER RESOURCES

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North Side Canal Company, and Twin Falls Canal Company

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	)	Subcase Nos. 01-00217, 01-00218,
	)	01-04024, and 01-04025
	)	(Minidoka Power Right)
	)	
	)	NOTICE OF TAKING DEPOSITION
	)	DUCES TECUM OF GARY
	)	SPACKMAN, DIRECTOR OF THE
_____	)	IDAHO DEPARTMENT OF WATER
	)	RESOURCES

**TO: GARY SPACKMAN, DIRECTOR OF THE IDAHO DEPARTMENT OF WATER
RESOURCES**

PLEASE TAKE NOTICE that the A&B Irrigation District, Burley Irrigation District,
Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company, by and
through their counsel of record, John K. Simpson of Barker Rosholt & Simpson, LLP, pursuant
to Idaho Rules of Civil Procedure 26 and 30(a), will take the testimony on oral examination of

GARY SPACKMAN, DIRECTOR OF THE IDAHO DEPARTMENT OF WATER

NOTICE OF TAKING DEPOSITION DUCES TECUM OF GARY SPACKMAN, DIRECTOR OF
THE IDAHO DEPARTMENT OF WATER RESOURCES – Page 1

RESOURCES, before a duly authorized court reporter and Notary Public. Examination will commence at **8:00 a.m. on Thursday, October 22, 2009**, at the law offices of Barker, Rosholt, and Simpson, 1010 W. Jefferson, Suite 102, Boise, Idaho 83702. Said oral examination will continue from day to day until completed, excluding weekends and designated Court holidays.

Pursuant to Rule 30(b)(1) of the Idaho Rules of Civil Procedure, the deponent is required to bring to the deposition the following items and documents:

1. Believed by the deponent to support the remark promulgated by the Director's Recommendation in these cases.
2. Believed by the deponent to support the remark promulgated by the State of Idaho in these recommendations.
3. Believed by the deponent to support authority of Director or the State of Idaho to show necessity of any remark in these cases.
4. Believed by the deponent to reflect or explain the effect of the remarks promulgated by the Director's Recommendation and by the remark promulgated by the State of Idaho.
5. Believed by the deponent to support authority of Director or the State of Idaho to deviate from the Eagle Decree and its incorporated exhibits in administration of these water rights.
6. Believed by the deponent to reflect or explain how the Department of Water Resources determines what portions of what decrees are incorporated in the Water District 1 accounting program.
7. Believed by the deponent to reflect the means of determining how water addressed in the Eagle Decree is allocated.

8. The effect of both proposed remarks.
9. The effect of the Eagle Decree.

This deposition shall be taken pursuant to the Idaho Rules of Civil Procedure.

By order of the court.

DATED this 30th day of September, 2009.

BARKER, ROSHOLT & SIMPSON



John K. Simpson
*Attorney for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation
District, North Side Canal Company, and
Twin Falls Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of September, 2009, I served a true and correct copy of the foregoing *Notice of Taking Deposition Duces Tecum of Gary Spackman, Director of the Idaho Department of Water Resources* on the person(s) listed below via First Class U.S. Mail, pre-paid:

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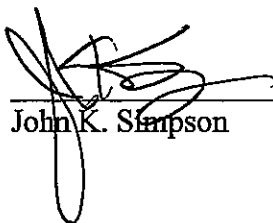
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John K. Simpson