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**DEPARTMENT OF
WATER RESOURCES**

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Attorney for Raymond C. Barker, Jr.
Charles J. Kritz and Diane B. Kritz

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY**

In Re SRBA

Case No. 39576

Subcase No. 2-2318A

**SUBPOENA DUCES TECUM
(Peggy Jackson)**

THE STATE OF IDAHO SENDS GREETINGS TO:

PEGGY JACKSON
2272 Durango Drive
Homedale Idaho 83628

YOU ARE COMMANDED:

To appear at the place, date and time specified below to testify at taking of a deposition in the above case, which deposition will be recorded by audio-visual means; and

To produce or permit inspection and copying of the following documents or objects, including electronically stored information, at the place, date and time specified below:

All documents¹ for inspection and copying that relate in any way to Idaho Water Right No. 2-2318, including, but not limited to, the following documents:

1. All documents relating to the extent of use, or non-use, of Water Right No. 2-2318 on the 13 acre parcel south of the old railroad right of way any time during your or your son's ownership of that land.
2. All documents relating to your and your husband's sale of the 13 acre parcel south of the old railroad right of way to the Wittrocks in about the year 1991.
3. All documents relating to the Wittrocks' use, or non-use, of the Snake River pumping station on the riverfront parcel.
4. All documents relating to the Wittrocks' request of an easement across the riverfront parcel from the Snake River pumping station and your and your husband's response to such request.
5. All documents relating to your and your husband's sale of the approximately 37 acre riverfront parcel to the Harlans in about the year 1992.

PLACE, DATE AND TIME:

**Snake River RV Resort
3028 River Road
Homedale, Idaho 83628**

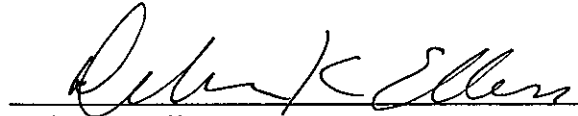
April 8, 2010, at 10 a.m.

You are hereby notified that if you fail to appear at the place and time specified above, or bring with you the documents requested for inspection and copying, you may be held in contempt of Court, and the aggrieved party may recover from you the sum of \$100.00 and all damages sustained by such failure to attend.

¹ Definition: The term "document," as used herein, means all writings of every kind, including, but not limited to, the original of all records, letters, correspondence, notes, diaries, statements, invoices, reports, memoranda, phone logs, minutes, contracts, or other documents within the deponent's control or possession, of which the deponent has knowledge or access, or which any of the deponent's agents, accountants, attorneys or other representatives have in their control or possession.

BY ORDER OF THE COURT.

Dated this 25th day of February, 2010.



Debra K. Ellers

Attorney for Raymond C. Barker, Jr.
Charles J. Kritz and Diane B. Kritz

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of February, 2010, I caused to be served a copy of the foregoing document on the following by the method indicated below:

Jon Gould
Ringert Clark
P.O. Box 2773
Boise, Idaho 83701-2773
Facsimile: (208) 342-4657

☐ U.S. Mail ☐ Overnight Delivery ☐ Hand-Delivery ☒ Facsimile

Director of IDWR
PO Box 87320
Boise, Idaho 83720-0098

☒ U.S. Mail ☐ Overnight Delivery ☐ Hand-Delivery ☐ Facsimile


Debra K. Ellers