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HUTCHINSON
— & —
BROWN, LLP

Keith E. Hutchinson, Esq.
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ATTORNEYS AT LAW

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JUL 09 2010

DEPARTMENT OF
WATER RESOURCES

July 8, 2010

Clerk of District Court
SNAKE RIVER BASIN ADJUDICATION
253 3rd Ave. N.
P.O. Box 2707
Twin Falls ID 83303-2707

Re: **Hailey**, City of - Water Rights
Subcase Nos. 37-00296A, 37-00717, 37-01216 & 37-07854

Dear Clerk:

Enclosed herewith for filing please find original and 3 copies of:

NOTICE OF CONTINUATION OF DEPOSITION DUCES TECUM: 30(b)(6) of
ICROA; and
NOTICE OF DEPOSITION DUCES TECUM: VICTOR HOFSTETTER

(one for filing in each of the above-numbered Subcases).

Thank you.

Sincerely,



Patrick D. Brown

/cb
Enc.

cc: Dana Hofstetter, w/enc. (via fax)
Craig Hobdey, w/enc.
Director of IDWR, w/enc.
Chief, Natural Resources Div., w/enc.
Environment & Natural Resource Div., w/enc.
City of Hailey, w/enc.
M&M Court Reporting, w/enc.

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DEPARTMENT OF
WATER RESOURCES



7-9

Patrick D. Brown, ISB #4413
HUTCHINSON & BROWN, LLP
104 Lincoln St., P.O. Box 207
Twin Falls ID 83303-0207
Telephone: (208) 733-9300
Attorneys for **Claimant City of Hailey**

IN THE DISTRICT COURT OF THE 5th JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos. 37-00296A, 37-00717,
	)	37-01216 and 37-07854
Case No. 39576	)	
	)	NOTICE OF CONTINUATION OF
	)	DEPOSITION DUCES TECUM:
	)	30(b)(6) of ICROA
_____	)	

TO: ICROA and Big Wood Canal Co. and their counsel:

PLEASE TAKE NOTICE that the deposition of ICROA will be taken through the person or persons designated by ICROA to testify concerning matters shown on the LIST OF SUBJECTS ON WHICH EXAMINATION IS SOUGHT, which is part of this notice.

The deposition will be taken on **Wednesday, 7-14-10, 10:00 a.m.**, at the following location:

CITY OF HAILEY
115 Main St. S., Ste. H
Hailey ID 83333

Phone: 788-4221

The deposition will continue thereafter, from day to day, until completed. The reporter will be such reporter as M&M Court Reporting Service, phone (800) 234-9611, may designate. The deposition may be videotaped.

Pursuant to the rules of civil procedure, ICROA is directed to designate the person or persons to testify on behalf of the deponent organization, and, if the deponent organization so desires, the separate matters on which each person designated by the deponent organization will testify.

You are notified that the party giving this notice wishes to examine the witness or witnesses so designated by ICROA on the matters shown below in the list of subjects on which examination is sought.

You are further notified that the person or persons designated by ICROA are to bring with them the things shown on the LIST OF ITEMS TO BRING TO THE DEPOSITION¹ which is a part of this notice.

ICROA is further notified that the witness or witnesses so designated must be prepared to testify to the matters known or reasonably available to ICROA. ICROA must search for and inform themselves of all matters known or reasonably available, and **who in ICROA has the information**. If no single person

¹ The term "items" mean all written, recorded or graphic matters, however produced or reproduced. This definition includes, but it is not limited to any and all of the originals, copies or drafts of any and all of the following: hand written notes, records, note summaries, schedules, contracts, agreements, drawings, sketches, invoices, orders, acknowledgements, diaries, reports, forecasts, appraisals, memorandum, telephone logs, letters, telegrams, telexes, cables, tapes, transcripts, recordings, photographs, pictures, films, e-mails, computer programs or other graphics, symbolic, recorded or written materials of any nature whatsoever and any form, including letters, words, pictures, sounds, symbols, or any combination thereof.

has ALL of the information requested, ICROA must **produce at the deposition the number of witnesses needed to testify on each of the matters requested.**

LIST OF SUBJECTS ON WHICH EXAMINATION IS SOUGHT

1. The negotiation, drafting, execution and implementation of the 1983 agreement;
2. The surface water rights and water right usage of ICROA in the last 20 years;
3. The surface water rights and water right usage by each member of ICROA in the last 20 years;
4. ICROA's knowledge about the City of Hailey's use of water since 1980;
5. ICROA's knowledge about the City of Hailey's water rights;
6. All information provided to any person who may testify as an expert for ICROA in any of the subcases; and
7. The sources of information relating to each of the above items.

LIST OF ITEMS TO BRING TO THE DEPOSITION

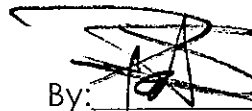
The following list does not require attorney-client privileged matter to be produced. If items are stored as electronic data, bring both an electronic copy and also a paper printout or other means of viewing the electronic data during the deposition.

ICROA IS REQUIRED TO BRING TO THE DEPOSITION:

All items of any type and all other tangible things in their knowledge or possession regarding the above-entitled matters.

Dated this 8 day of July, 2010.

HUTCHINSON & BROWN, LLP

By: 
Patrick D. Brown
Attorneys for Claimant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 8th day of July, 2010, (s)he served a true and correct copy of the within and foregoing document upon the following by faxing a copy thereof to Dana Hofstetter, fax 424-8774, and by depositing a copy thereof in the United States mail, postage prepaid, addressed to the remaining parties:

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin St.
Boise ID 83702 fax 424-8774
(for Indian Creek Ranch Owners Assoc. "ICROA")

Craig Hobdey
HOBDEY LAW OFFICE
125 5th Ave. W.
P.O. Box 176
Gooding ID 83330-0176
(for Big Wood Canal Co.)

Director of IDWR
IDWR Document Depository
P.O. Box 83720
Boise ID 83720-0098

Chief, Natural Resources Div.
IDAHO ATTORNEY GENERAL
P.O. Box 44449
Boise ID 83711-4449

Environment & Natural Resource Div.
U.S. DEPT. OF JUSTICE
550 W. Fort St., MSC 033
Boise ID 83724

CITY OF HAILEY
115 Main St. S., Ste. H
Hailey ID 83333

M&M COURT REPORTING SERVICE
421 W. Franklin St.
P.O. Box 2636
Boise ID 83701-2636

A handwritten signature in cursive script, reading "Connie Bell", is positioned above a horizontal line.

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WATER RESOURCES

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IN THE DISTRICT COURT OF THE 5th JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos. 37-00296A, 37-00717,
	)	37-01216 and 37-07854
Case No. 39576	)	
	)	NOTICE OF DEPOSITION
	)	DUCES TECUM:
	)	VICTOR HOFSTETTER

TO: ICROA and Big Wood Canal Co. and their counsel:

PLEASE TAKE NOTICE that Claimant City of Hailey will take the testimony on oral examination of Victor Hofstetter on **Thursday, 7-15-10, 10:00 a.m.**, at the following location:

CITY OF HAILEY
115 Main St. S., Ste. H
Hailey ID 83333

Phone: 788-4221

before an official court reporter from the firm M&M Court Reporting, phone (800) 234-9611.

YOU ARE FURTHER NOTIFIED that pursuant to Rule 30(b)(4), IRCP, said deposition may be recorded by audio-visual means.

You are further notified that the deponent is to bring with him the things shown on the LIST OF ITEMS TO BRING TO THE DEPOSITION¹ which is a part of this notice.

LIST OF ITEMS TO BRING TO THE DEPOSITION

The following list does not require attorney-client privileged material to be produced. If items are stored as electronic data, bring both an electronic copy and also a paper printout or other means of viewing the electronic data during the deposition.

VICTOR HOFSTETTER IS REQUIRED TO BRING TO THE DEPOSITION:

All items of any type and all other tangible things in his knowledge or possession regarding:

1. The negotiation, drafting, execution and implementation of the 1983 agreement;
2. The surface water rights and water right usage of ICROA in the last 20 years;
3. The surface water rights and water right usage by each member of ICROA in the last 20 years;
4. ICROA's knowledge about the City of Hailey's use of water since 1980;
5. ICROA's knowledge about the City of Hailey's water rights;

¹ The term "items" mean all written, recorded or graphic matters, however produced or reproduced. This definition includes, but it is not limited to any and all of the originals, copies or drafts of any and all of the following: hand written notes, records, note summaries, schedules, contracts, agreements, drawings, sketches, invoices, orders, acknowledgements, diaries, reports, forecasts, appraisals, memorandum, telephone logs, letters, telegrams, telexes, cables, tapes, transcripts, recordings, photographs, pictures, films, e-mails, computer programs or other graphics, symbolic, recorded or written materials of any nature whatsoever and any form, including letters, words, pictures, sounds, symbols, or any combination thereof.

6. All information provided to any person who may testify as an expert for ICROA in any of the subcases; and
7. The sources of information relating to each of the above items.

Oral examination will continue from time to time until completed. You are respectfully requested to be present for the purpose of taking said deposition at the time and place indicated and take such part in the deposition as you deem necessary.

This deposition will be taken for purposes of discovery and preservation of testimony to be used at trial and will be taken pursuant to Idaho Rules of Civil Procedure.

Dated this 8 day of July, 2010.

HUTCHINSON & BROWN, LLP

By 

Patrick D. Brown
Attorneys for Claimant

CERTIFICATE OF SERVICE 8th

The undersigned hereby certifies that on the 8th day of July, 2010, (s)he served a true and correct copy of the within and foregoing document upon the following by faxing a copy thereof to Dana Hofstetter, fax 424-8774, and by depositing a copy thereof in the United States mail, postage prepaid, addressed to the remaining parties:

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin St.
Boise ID 83702

fax 424-8774

(for Indian Creek Ranch Owners Assoc. "ICROA")

Craig Hobdey
HOBDEY LAW OFFICE
125 5th Ave. W.
P.O. Box 176
Gooding ID 83330-0176
(for Big Wood Canal Co.)

Director of IDWR
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Connie Bell