

a

RECEIVED  
NOV 09 2010  
DEPARTMENT OF  
WATER RESOURCES

Attorneys for Claimant and Objector  
Pioneer Irrigation District

Scott L. Campbell, ISB No. 2251  
Andrew J. Waldera, ISB No. 6608  
Dylan B. Lawrence, ISB No. 7136  
MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED  
101 S. Capitol Blvd., 10th Floor  
Post Office Box 829  
Boise, Idaho 83701  
Telephone (208) 345-2000  
Facsimile (208) 385-5384  
18946.0137

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. 63-00166A 63-00166B  
63-00167A 63-00167B  
63-00179A 63-00179C  
63-32580

**NOTICE OF RULE 30(b)(6) DEPOSITION OF  
THE MASON CREEK DITCH COMPANY**

PLEASE TAKE NOTICE that Claimant and Objector Pioneer Irrigation District hereby notices, pursuant to Idaho Rule of Civil Procedure 30(b)(6), a deposition of the Mason Creek Ditch Company before an officer authorized to administer oaths on **Thursday, November 18, 2010, at 2:00 p.m.**, and continuing thereafter from day to day until completed, at the offices of MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED, located at 101 S.

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF THE MASON CREEK DITCH COMPANY - 1**

Client:1827934.1

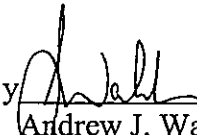
Capital Blvd., 10th Floor, Boise, Idaho, at which time and place you are notified to appear and take such part in the examination as you may deem proper.

Pursuant to Idaho Rule of Civil Procedure 30(b)(6), Mason Creek Ditch Company ("Company") has a duty to designate one or more knowledgeable representatives to testify on its behalf at this deposition regarding the origins and history of the Company; the origins and history of the Company's claimed water rights; the location, composition, operations, and maintenance of the Company's irrigation works/infrastructure; and the facts surrounding/supporting the Company's SRBA water right claims (including the claimed elements of the water rights).

This deposition shall take place pursuant to the Idaho Rules of Civil Procedure.

DATED this 8<sup>th</sup> day of November, 2010.

MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED

By   
\_\_\_\_\_  
Andrew J. Waldera – Of the Firm  
Attorneys for Claimant and Objector  
Pioneer Irrigation District

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of September, 2010, I caused a true and correct copy of the foregoing **NOTICE OF RULE 30(b)(6) DEPOSITION OF THE MASON CREEK DITCH COMPANY** to be served by the method indicated below, and addressed to the following:

Director  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. Box 83720  
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Franklin Ditch Co.  
Represented by:  
Daniel V. Steenson  
Jon C. Gould  
RINGERT CLARK CHARTERED  
P.O. Box 2773  
Boise, ID 83701

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Mason Creek Ditch Co.  
Represented by:  
Albert P. Barker  
Shelley M. Davis  
BARKER ROSHOLT & SIMPSON LLP  
1010 W. Jefferson, Ste. 102  
P.O. Box 2139  
Boise, ID 83701-2139

☐ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☒ Facsimile

Martin Galvin  
P.O. Box 115  
Middleton, ID 83644

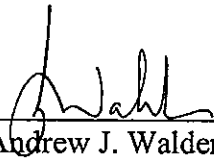
☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

John J. McEvoy  
1703 N. KCID Rd.  
Caldwell, ID 83605

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Lori Pulsifer  
QNA COURT REPORTING  
776 East Riverside Drive, Suite 200  
Eagle, Idaho 83616  
Fax: (208) 286-7426  
E-mail: [depos@qnacourtreporting.com](mailto:depos@qnacourtreporting.com)

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

  
\_\_\_\_\_  
Andrew J. Waldera

Attorneys for Claimant and Objector  
Pioneer Irrigation District

Scott L. Campbell, ISB No. 2251  
Andrew J. Waldera, ISB No. 6608  
Dylan B. Lawrence, ISB No. 7136  
MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED  
101 S. Capitol Blvd., 10th Floor  
Post Office Box 829  
Boise, Idaho 83701  
Telephone (208) 345-2000  
Facsimile (208) 385-5384  
18946.0137

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. 63-00166A 63-00166B  
63-00167A 63-00167B  
63-00179A 63-00179C  
63-32580

NOTICE OF SERVICE FOR NOTICE OF  
RULE 30(b)(6) DEPOSITION OF THE MASON  
CREEK DITCH COMPANY

I HEREBY CERTIFY that on this 8<sup>th</sup> day of November, 2010, I caused a true  
and correct copy of the NOTICE OF RULE 30(b)(6) DEPOSITION OF THE MASON CREEK DITCH  
COMPANY and the foregoing NOTICE OF SERVICE to be served by the method indicated below,  
and addressed to the following:

Director  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. Box 83720  
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Franklin Ditch Co.  
Represented by:  
Daniel V. Steenson  
Jon C. Gould  
RINGERT CLARK CHARTERED  
P.O. Box 2773  
Boise, ID 83701

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Mason Creek Ditch Co.  
Represented by:  
Albert P. Barker  
Shelley M. Davis  
BARKER RSHOLT & SIMPSON LLP  
1010 W. Jefferson, Ste. 102  
P.O. Box 2139  
Boise, ID 83701-2139

☐ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☒ Facsimile

Martin Galvin  
P.O. Box 115  
Middleton, ID 83644

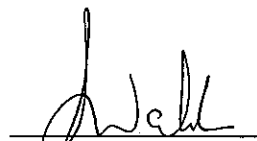
☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

John J. McEvoy  
1703 N. KCID Rd.  
Caldwell, ID 83605

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Lori Pulsifer  
QNA COURT REPORTING  
PMB 219  
776 East Riverside Drive, Suite 200  
Eagle, Idaho 83616  
Fax: (208) 286-7426  
E-mail: [depos@qnacourtreporting.com](mailto:depos@qnacourtreporting.com)

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

  
\_\_\_\_\_  
Andrew J. Waldera