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Attorneys for Franklin Ditch Company, Inc.

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	)	
	)	SUBCASE NOS. 63-00166A, 63-00166B,
	)	63-00167A, 63-00167B, 63-00179A,
Case No. 39576	)	63-00179C, AND 63-32580
	)	
	)	NOTICE OF TAKING DEPOSITION
	)	OF MARK ZIRSCHKY DUCES TECUM
	)	
	)	

TO: **MARK ZIRSCHKY**

YOU WILL PLEASE TAKE NOTICE that Franklin Ditch Company, Inc. will take the testimony on oral examination of **Mark Zirschky**, pursuant to Rules 25 and 30(a) of the I.R.C.P. before a certified court reporter and Notary Public for the State of Idaho, or in case of their inability to act or be present, before some other officer authorized to administer oaths, on the 1st day of December, 2010, at 1:30 p.m. of said day and continuing each and every day thereafter until completed, at the office of Ringert Law Chartered, 455 S. Third Street, Boise, Idaho 83702. Oral examination will continue from time to time until completed.

You are respectfully requested to present for the purpose of taking such deposition at the time and place indicated, and to bring with you the following:

COPY

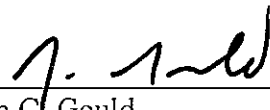
1. Any and all documents, records, compilations, electronic files, drawings, videos, pictures, maps, surveys, studies, investigations, reports, notes or other writings, in his possession or under his control, which are related directly or indirectly to his investigation of the above-referenced water rights and the subject of this action.

2. Any and all documents, records, compilations, electronic files, drawings, videos, pictures, maps, surveys, studies, investigations, reports, notes, or other writings that he created, relied upon or reviewed to form his opinions related to the above-referenced water rights and the subject of this action.

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

DATED this 24th day of November, 2010.

RINGERT LAW CHARTERED

By 
Jon C. Gould
Attorneys for Franklin Ditch Company, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 2010, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

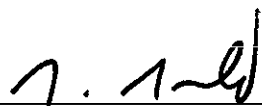
John J. McEvoy
1703 N. KCID Road
Caldwell, Idaho 83605

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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

Pioneer Irrigation District
c/o Scott Campbell
P.O. Box 829
Boise, Idaho 83701-0829

Mason Creek Ditch Company
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Jon C. Gould