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DEPARTMENT OF
WATER RESOURCES

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Attorneys for American Falls Spaceholders

**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 Numbers: 1-2064, et al.
(American Falls subcases)
Subcase Numbers: 1-2068, et al.
(Palisades subcases)

**JOINT NOTICE OF DEPOSITION OF
TONY OLENICHAK**

**TO: TONY OLENICHAK, PROGRAM MANAGER OF WATER DISTRICT 01, HIS
ATTORNEY OF RECORD OF THE IDAHO ATTORNEY GENERAL'S OFFICE, AND
ALL PARTIES TO THE SUBCASES:**

PLEASE TAKE NOTICE THAT the Ground Water Districts and the American Falls Spaceholders, by and through their respective attorneys of record, Candice M. McHugh of Racine, Olson, Nye, Budge & Bailey, Chtd. and Jerry Rigby of Rigby, Andrus & Rigby, Chtd., pursuant to Idaho Rules of Civil Procedure 30(b)(1), will take the testimony upon oral examination of **TONY OLENICHAK**, before a duly authorized court reporter and notary public

with the firm of M&M Court Reporting service or other duly qualified person in the above-captioned matter. The purpose of the deposition is to have Mr. Olenichak answer questions relating to the following remark proposed by the State of Idaho in its Motion for Partial Summary Judgment dated January 24, 2012:

This right is filled for a given irrigation season when the total quantity of water that has accumulated to storage under this right equals the decreed quantity. Additional water may be stored under this right but such additional storage is incidental and subordinate to all existing and future water rights.

Said examination will commence on **February 9, 2011**, at the hour of **10:00 a.m.** and continue from day to day until completion at the offices of the Idaho Department of Water Resources, Southern Regional Office, located at 1341 Fillmore Street, Suite 200 Twin Falls, ID 83301-3380.

DATED this 30th day of January, 2012.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

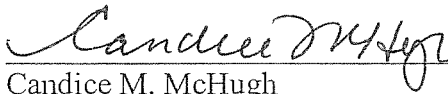
By: 
CANDICE M. McHUGH
Attorney for the Ground Water Districts

RIGBY, ANDRUS & RIGBY,
CHARTERED

By: 
JERRY R. RIGBY
Attorney for American Falls Spaceholders

CERTIFICATE OF MAILING

I hereby certify that on this 30th day of January, 2012, a true and correct copy of the foregoing was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:


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