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RECEIVED
FEB 23 2012
DEPARTMENT OF
WATER RESOURCES

*Attorneys for A & B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

**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.: Attachment A**
)
) **NOTICE OF TAKING DEPOSITION**
) **DUCES TECUM OF ANTHONY**
) **OLENICHAK**
)
)
)
)
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TO: ANTHONY OLENICHAK, AND COUNSEL OF RECORD

PLEASE TAKE NOTICE that Objectors A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company, by and through counsel of record, Barker Rosholt & Simpson LLP, pursuant to Idaho Rules of Civil Procedure 26 and 30(a), will take the testimony on oral examination of **ANTHONY OLENICHAK** before a duly authorized court reporter and Notary Public.

Examination will commence at **9:00 a.m. on Wednesday March 21, 2012, at the Idaho Falls Regional Office of the Idaho Department of Water Resources located at 900 N. Skyline Dr., Suite A, Idaho Falls, 83402.** Said oral examination will continue from day to day until completed, excluding weekends and designated Court holidays.

Pursuant to Rule 30(b)(1) of the Idaho Rules of Civil Procedure, the deponent is required to bring to the deposition the following items and documents:

1. All records and documents relied upon by Water District 01 in the administration of the storage water rights listed at Attachment A.
2. All records and documents relied upon by Water District 01 regarding implementation of the provisions described in Exhibits A-F of the supplemental decrees entered in *Burley Irrigation District et al. v. Eagle* (Fifth Jud. Dist., Twin Falls County District Court, July 10, 1968) and *Aberdeen-Springfield Canal Company et al. v. Eagle* (Seventh Jud. Dist., Fremont County District Court, March 12, 1969).
3. All records and documents relied upon by Water District 01 regarding accounting for flood control operations in Jackson Lake and Palisades Reservoirs.
4. All correspondence and communications between Water District 01 and any parties to these subcases, including their agents and/or counsel, concerning the storage water rights listed at Attachment A.
5. All correspondence and communications between Water District 01 and any employees with IDWR concerning the recommendations for the storage water rights listed at Attachment A.

6. All correspondence, memorandums, policies, and manuals related to the procedures in the accounting program for how water is accounted for or storage refills (described at pages 71-73 of Mr. Olenichak's deposition taken on February 9, 2012) in the possession of IDWR, Water District 1, or Mr. Olenichak.
7. All documents which contradict or support the State of Idaho's theory regarding priority of "refill" as set forth in the State of Idaho' *Motion for Partial Summary Judgment* (dated January 25, 2012) and *Memorandum in Support of State of Idaho's Motion for Partial Summary Judgment* (dated February 21, 2012).

DATED this 22nd day of February, 2012.

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of February, 2012, I served a true and correct copy of the foregoing **NOTICE OF TAKING DEPOSITION DUCES TECUM OF ANTHONY OLENICHAK** on the person(s) listed below, by U.S. Mail, and electronic mail if available:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Bureau of Reclamation
Regional Director, PN Region
1150 N. Curtis Rd., Ste. 100
Boise, ID 83706-1234

Jerry R. Rigby
P.O. Box 250
Rexburg, ID 83440-0250

Adam T. DeVoe
410 17th St., 22nd Floor
Denver, CO 80202

Randall C. Budge
Candice M. McHugh
P.O. Box 1391
Pocatello, ID 83201

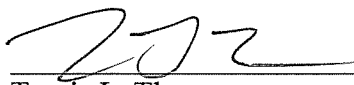
US Department of Justice
Division of Env. & Natural Resources
550 W. Fort Street, MSC 033
Boise, ID 83706-1234

Idaho Attorney General's Office
Natural Resources Division
P.O. Box 44449
Boise, ID 83711-4449

Robert L. Harris
P.O. Box 50130
Idaho Falls, ID 83405

Josephine P. Beeman
409 W. Jefferson St.
Boise, ID 83702

James C. Tucker
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707



Travis L. Thompson

ATTACHMENT A

01-2064
01-2064A
01-2064B
01-2064C
01-2064D
01-2064E
01-2064F
01-2064L
01-10042
01-10042A
01-10042B
01-10053A
01-10190

01-2068
01-2068D
01-2068E
01-2068F
01-2068M
01-2068Y
01-10043
01-10043A
01-10043E
01-10191
01-10389

01-04055
01-10044
01-10045
01-10045A
01-10045B
01-10196