

11-13

Claimants:

Dan H. and Irma R. McFadden

Attorney Name and Address:

HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTERED
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389
Telephone: (208)734-7510

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 No. 36-00048A

)
) NOTICE OF TAKING DEPOSITION
) DUCES TECUM UPON ORAL
) EXAMINATION OF
) FAULKNER LAND & LIVESTOCK
)

Case No. 39576

TO: Faulkner Land & Livestock and to their attorneys of record:

You are hereby notified that, pursuant to I.R.C.P. 30(b)(6), you are to appear for the taking of your deposition, commencing on **Tuesday, November 14, 1995, at 11:00** o'clock a.m., at the law offices of Hobdey & Hobdey, 125 5th Ave. West, Gooding, Idaho, before a Notary Public, or before some other officer authorized by law to administer oaths; you are to either testify or, alternatively, to designate one or more officers, directors,

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1 managing agents or other persons who will be present at the time and place indicated to
2 testify on behalf of Faulkner Land & Livestock with regard to the following:

3 1. Your knowledge of facts, opinions, and conclusions that relate to the
4 basis upon which you seek to intervene and the basis, or lack thereof, for the right which
5 is the subject of this subcase; and

6 2. Facts, opinions and conclusions you possess regarding the establishment
7 and use of water you use or have claimed a right to use in the SRBA.

8 The deponent is required to bring with him to said deposition the following:
9 all documents of any type that relate to claims to a water right in this subcase, Faulkner
10 Land & Livestocks' basis for intervening claims to water rights by Objector Faulkner Land
11 & Livestock.

12 The oral examination will continue from day to day until completed. You are
13 invited to attend and cross-examine.

14 Dated this 10 day of November, 1995.

15 HEPWORTH, LEZAMIZ & HOHNHORST,
16 CHARTERED

17 BY _____

18 Patrick D. Brown
19 Attorneys for Claimants
20
21
22
23

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CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for the claimants in this matter, certifies that on the 10 day of November, 1995, he served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

Jeffrey C. Fereday
Givens, Pursley & Huntley
P. O. Box 2720
Boise, ID 83701-2720

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

Josephine P. Beeman
Dillion, Bosch, Daw & Bock, Chtd.
Fidelity Building
242 N. 8th Street, Suite 200
Boise, ID 83702

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
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Linda Ledbetter
Magic Valley Reporters
P. O. Box 611
Twin Falls, ID 83303-0611

☒ U.S. Mail
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Patrick D. Brown

(WATER\600048DP.FLL)llm

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November 10, 1995

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Attorneys

Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

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Patrick D. Brown
Hepworth, Lezamiz & Hohnhorst
133 Shoshone St. N.
Twin Falls, Id.

Re: May Farms, Ltd., Sand Springs Ranch Partnership & Faulkner
Land and Livestock
DBDB File No. 1790-WA03

Dear Pat:

Your suggestions for times for depositions on the above cases are not acceptable and your notice is woefully insufficient. If not withdrawn before noon, Saturday, November 11th, 1995, we will be filing for a protective order and we will seek fees and costs.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By:

C. A. Daw

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

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LAW OFFICES

*Hepworth, Lezamiz
& Hohnhorst**- Established 1952 -*

November 10, 1995

SENT VIA FACSIMILE

TWIN FALLS OFFICE

John G. Hepworth
John T. Lezamiz
John C. Hohnhorst
Jeffrey J. Hepworth
Penelope Parbert
Eileen A. McDevitt
Patrick D. Brown
Jeffrey A. Warr
Suzanne E. McIntoshWm. L. Nungesser
of Counsel

BOISE OFFICE

J. Charles Hepworth
John J. Jants*Member CA Bar
*Member UT BarJosephine P. Beeman
Dillion, Bosch, Daw & Bock, Chtd.
Fidelity Building
242 N. 8th Street, Suite 200
Boise, ID 83702Re: Notice of Depositions on May Farms, Ltd., Sand Springs Ranch
Partnership and Faulkner Land & Livestock
Our File No. 92-1-530.1

Dear Ms. Beeman:

Pursuant to conversations with you and your secretary early this morning and again this afternoon, enclosed please find copies of the Notice of Taking Depositions in the above-entitled matter. I am faxing this with the understanding that your office is still trying to get ahold of your client.

Please advise if this time will not work for you.

Thank you for your assistance in this matter.

Very truly yours,

HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTEREDBy: LeAnn McMillan
LeAnn McMillan, Legal Assistant*HEH*
Chartered

:llm

Enclosure

cc: Jeffrey Fereday

/1110JB.llm

TWIN FALLS OFFICE

208-734-7510
Blick Building
133 Shoshone St. N.
P.O. Box 389
Twin Falls, ID 83303-0389
Fax: 208-734-4118

BOISE OFFICE

208-343-7510
537 West Barnack
P.O. Box 2582
Boise, ID 83701-2582
Fax: 208-342-2927