

Claimants:

Walten E. Mildren

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. 36-00051A
) AMENDED
) NOTICE OF TAKING DEPOSITION
) DUCES TECUM UPON ORAL
) EXAMINATION OF
) SAND SPRINGS RANCH
) PARTNERSHIP

Case No. 39576

TO: Sand Springs Ranch Partnership 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 **Thursday, November 16, 1995**, at 1:00 o'clock p.m., at the Lincoln Inn, Red Room, 413 Main, 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, managing agents or

HEH
Chartered
Hepworth,
Lezamiz &
Hohnhorst

AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM
UPON ORAL EXAMINATION OF SAND SPRINGS RANCH PARTNERSHIP - 1

1 other persons who will be present at the time and place indicated to testify on behalf of
2 Sand Springs Ranch Partnership 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, Sand Springs
10 Ranch Partnerships' basis for intervening claims to water rights by Objector Sand Springs
11 Ranch Partnership.

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

14 Dated this 13 day of November, 1995.

15 HEPWORTH, LEZAMIZ & HOHNHORST,
16 CHARTERED

17 By: 
18 Patrick D. Brown

19 Attorneys for Claimants
20
21
22
23

1 CERTIFICATE OF SERVICE

2 The undersigned, a resident attorney of the State of Idaho, with offices at 133
3 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for
4 the claimants in this matter, certifies that on the 13 day of November, 1995, he served a
5 true and correct copy of the foregoing document by the method indicated below, and
6 addressed to the following:

7
8 Chief, Natural Resources Div.
9 Office of the Attorney General
10 State of Idaho
11 P. O. Box 44449
12 Boise, ID 83711-4449

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

11 Josephine P. Beeman
12 Dillion, Bosch, Daw & Bock, Chtd.
13 Fidelity Building
14 242 N. 8th Street, Suite 200
15 Boise, ID 83702

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

14 Linda Ledbetter
15 Magic Valley Reporters
16 P. O. Box 611
17 Twin Falls, ID 83303-0611

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

18 
19 Patrick D. Brown

20 (WATER\60051ADP.AMD)llm

21
22
23
HEH
Charnick
Hepworth,
Lesamie &
Hobbs

AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM
UPON ORAL EXAMINATION OF SAND SPRINGS RANCH PARTNERSHIP - 3

PASSENGER TICKET AND BAGGAGE CHECK 8901
SUBJECT TO CONDITIONS OF CONTRACT
NOT TRANSFERABLE

5.11.140242
PASSENGER RECEIPT

41803
EDMUND P. KES

NOTICE

International (Warsaw Convention) Notice

ves an ultimate destination or stop in a country other than the country
vention may be applicable and the Convention governs and in most
ys for death or personal injury and for loss of or damage to baggage.
Advice to International Passengers on Limitation of Liability" and
mulations".

Domestic Notice

ed between points in the U.S. (including its overseas territories and
individual contract terms (including rules, regulations, tariffs and
if carriers, which are herein incorporated by reference and made part

r transportation, or services other than air travel, specific terms and
erms and conditions may be included in the ticket set or may be
pany or agent.

ceived the important legal notices entitled "Conditions of Contract",
ns", "Notice of Baggage Liability Limitations", and "Notice of
ms and conditions relating to non-air transportation or services. If not,

ISSUED BY
DELTA AIR LINES
FOUR SEASONS TRAVEL
NAME PASSENGER
DAW/CA MR
NO NOT VALID FOR
TRANSPORTATION
EXCLUDED INSTRUCTIONS

TOUR CODE
BOISE CITY
PLACE OF ISSUE
IDUS14NOV95
DATE OF ISSUE
05880/

NAME OF PASSENGER
DAW/CA MR
FROM
XSLCDL2159M 15NOV
XSLCOMADL1200M 15NOV
OMASLCDL1485M 17NOV
TO XSLCBOIDL1667M 17NOV

FP AX373115159145007/ 26 FC 15NOV BOI DL X/SLC
DL OMA 210.9L DL X/SLC DL BOI 210.9L USD421.82
END XFB013SLC3SLC3

FARE
USD421.82
TAX
US42.18
TAX
XF9.00
TOTAL
USD473.00

NOT VALID FOR TRAVEL

RECEIVED

OCT 12 1995

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

NATURAL GAS PIPELINE COMPANY :
OF AMERICA, :

NO. AA-2574

Petitioner,

vs.

IOWA STATE BOARD OF TAX :
REVIEW, :

Respondent. :

REVENUE DIVISION
ATTORNEY GENERALS OFFICE

ORDER ENLARGING SCHEDULE FOR
CONDUCT OF PROCEEDINGS
PURSUANT TO IOWA RULE OF
CIVIL PROCEDURE 333(B)

NOW, on this 11 day of October, 1995, the parties hereto having mutually requested an Order enlarging this Court's Order establishing a schedule for conduct of proceedings, pursuant to Iowa Rule of Civil Procedure 333B, entered by the Court on the 15th day of September, 1995, said request having been made orally on the record at the hearing on Respondent's Motion to Dismiss for Lack of Jurisdiction and Motion for More Specific Statement.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this Court's Order filed September 15, 1995, should be and it is hereby enlarged as follows:

1. Petitioner's Brief shall be delivered to the Clerk, with a copy to the undersigned, on or before the 20th day of October, 1995.
2. Respondent's Brief shall be delivered to the Clerk, with a copy to the undersigned, on or before the 10th day of November, 1995.
3. Petitioner's Reply Brief, if any, shall be delivered to the Clerk, with a copy to the undersigned, no later than three (3) days before the date set for final submissions.

4. Oral arguments and final submissions shall be set on the 17th day of November, 1995, at 11:00 o'clock A.M.

5. The parties may participate by telephone conference or in person. Any party desiring to participate by telephone conference shall initiate the call at the time set for hearing at (515) 286-3846.

6. Attorney shall comply with Rule of Civil Procedure 82 by filing with the Clerk a statement certifying that Briefs were timely delivered and served.

7. Sections 2 and 3, and the requirements contained therein, of the Court's previous Order establishing schedule for conduct of proceedings pursuant to Iowa Rule of Procedure 333B, filed September 15, 1995, shall remain in full force and effect, and the parties shall conform therewith.

IT IS SO ORDERED.

George Bergeson

JUDGE FIFTH JUDICIAL DISTRICT OF
IOWA

Copies to:

James D. Miller
Assistant Attorney General
1223 E. Court
Des Moines, IA 50319

C. A. Daw
200 Fidelity Bldg.
242 N. 8th St.
Boise, Idaho 83702

Steven P. Brick
Mark R. Schuling
550 - 39th, Suite 200
Des Moines, IA 50312

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No. 93-4029SIDM

Burlington Northern Railroad
Company, Inc.,

Appellee,

vs.

Gerald D. Bair, Director of Iowa
Department of Revenue,

Appellant.

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*
* Order Denying Petition for
* Rehearing and Suggestion
* for Rehearing En Banc
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The suggestion for rehearing en banc is denied. Judge McMillian would grant the suggestion for rehearing en banc. The petition for rehearing by the panel is also denied. Judge Magill took no part in the consideration or decision of this case.

August 31, 1995

Order Entered at the Direction of the Court:

Michael E. Gans

Clerk, U.S. Court of Appeals, Eighth Circuit

No. _____

In The
Supreme Court of the United States

October Term, 1995

GERALD D. BAIR, DIRECTOR,
IOWA DEPARTMENT OF REVENUE AND FINANCE,
Petitioner,

vs.

THE BURLINGTON NORTHERN RAILROAD COMPANY,
Respondent.

Petition for Writ of Certiorari to the United States Court of
Appeals for the Eighth Circuit

PETITION FOR WRIT OF CERTIORARI

THOMAS J. MILLER
Attorney General

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