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MAR 05 2015
Department of Water Resources
Eastern Region

*Attorneys for Thomas Leno, Cedar Ridge Dairy, LLC,
and Four Sisters Dairy, LLC*

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, & 79384
(in the name of Thomas & Dorothy Leno);
79466 (in the name of Four Sisters Dairy,
LLC)

**NOTICE OF TAKING DEPOSITION
DUCES TECUM OF EDWARD S. SMITH**

**MONDAY MARCH 9, 2015
1:30 p.m.**

**195 River Vista Place, Suite 202
Twin Falls, Idaho 83301**

TO: EDWARD S. SMITH:

PLEASE TAKE NOTICE that the Applicants will take the deposition of Edward S. Smith before a certified Court Reporter, in accordance with the Idaho Rules of Civil Procedure, on Monday, the 9th of March, 2015, at the hour of 1:30 p.m. at the Perrine Conference Room, 195 River Vista Place, Suite 202, Twin Falls, Idaho 83301.

The Deponent is further required to identify and bring with her the following documents:

1. Copies of your file, including but not limited to, memos, notes, drawings, sketches, maps, spreadsheets, and drafts thereof, related to the above-referenced applications for transfer and your protests that were filed.
2. Copies of all documents that reflect communications with other Protestants in this matter concerning the above-referenced applications for transfer, your protest, and any other issue that pertains to these contested cases.
3. Copies of all documents that reflect communications with anyone with the Idaho Department of Water Resources concerning the above-referenced applications for transfer, your protest, and any other issue that pertains to these contested cases.
4. Copies of all documents that reflect communications with the Idaho State Department of Agriculture concerning the dairies identified as the places of use in above-referenced applications for transfer and these contested cases.
5. Copies of all documents that reflect communications with any other state agency or local government concerning the dairies identified as the places of use in above-referenced applications for transfer and these contested cases.
6. Copies of all documents related to the any and all testimony and/or opinions to be expressed by you in these contested cases, the basis and reasons therefore, and the data or other information considered by you in forming the testimony and/or opinions.
7. Copies of all exhibits to be used by you in the hearings in these contested cases.
8. Copies of all documents pertaining to your domestic well.
9. Copies of all documents that reflect communications with Ed Squires, DuWayne Kimball, and Bill Bonnicksen, including agreements to retain such individuals as

expert witnesses in these contested cases and the compensation to be paid to such witnesses.

10. Copies of all documents that pertain to or were relied upon by you in preparing your *Answers to Applicants First Discovery Requests* (dated December 18, 2014).
11. Copies of all documents obtained or discovered since December 18, 2014 that would supplement or amend your *Answers to Applicants First Discovery Requests* (dated December 18, 2014).
12. All documents you have reviewed or will review in preparation for this deposition.

The term "document" as used above includes, but is not limited to, notes (oral or written), memoranda, reports, studies, maps, surveys, plans, drawings, photographs, calculations, spreadsheets and any computer analyses, whether written or electronic in format.

The oral examination will continue from day to day until completed.

DATED this 3rd day of March, 2015.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for Thomas Leno, Cedar Ridge Dairy, LLC, and Four Sisters Dairy, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2015, I served a true and correct copy of the foregoing *Notice of Taking Deposition Duces Tecum of Edward S. Smith*, by depositing same in the United States mail, postage prepaid, addressed to the following:

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