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Attorneys for M3 Eagle LLC

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

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 63-32573 IN THE
NAME OF M3 EAGLE LLC, ASSIGNED
TO THE CITY OF EAGLE

**NOTICE OF DEPOSITION DUCES TECUM
OF JASON SMITH**

PLEASE TAKE NOTICE that commencing on **October 11, 2011, at 9 a.m.**, at the offices of Givens Pursley LLP, 601 W. Bannock Street, Boise, Idaho 83702, the Applicant, M3 Eagle LLC, by and through their attorneys of record, will take the deposition upon oral examination of **JASON SMITH**, pursuant to the Hearing Officer's September 8, 2011 *Prehearing Order* and October 3, 2011 *Order Limiting Presentation of Evidence at Supplemental Hearing*, IDAPA 37.01.01.523, and I.R.C.P. 30 and 30(b)(5), before a court reporter and notary public, or other officer duly authorized to administer oaths. The deposition shall continue until completed.

YOU ARE FURTHER COMMANDED to bring with you all documents and tangible things examined, analyzed, relied upon, incorporated or utilized by you in connection with the above-entitled matter, in addition to all documents reviewed by you in preparing for said deposition.

DATED this 4th day of October, 2011.

Respectfully submitted,
GIVENS PURSLEY LLP

By



Jeffrey C. Fereday
Michael P. Lawrence

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of October, 2011, the foregoing was filed, served, or copied as follows:

ORIGINAL SERVED

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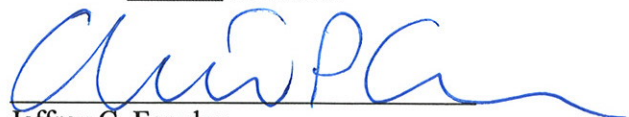
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