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Attorneys for Dry Lot LLC

RECEIVED
MAY 07 2009
DEPARTMENT OF
WATER RESOURCES

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 37-22252 and TRANSFER NO.
74449 (In the Name of Dry Lot LLC)

)
)
) **NOTICE OF TAKING DEPOSITION**
) **DUCES TECUM OF PROTESTANT**
) **INDIAN CREEK RANCH OWNERS,**
) **INC. PURSUANT TO IRCP 30(b)(6)**
)
)

**TO: PROTESTANT INDIAN CREEK RANCH OWNERS, INC. and its counsel of
record, Dana L. Hofstetter**

PLEASE TAKE NOTICE that the Applicant Dry Lot LLC, by and through its 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 Indian Creek Ranch Owners, Inc.
("Indian Creek"), pursuant to I.R.C.P. 30(b)(6), before a duly authorized court reporter and
notary public. Examination will commence at **9:00 a.m. on June 1, 2009** and will continue day
to day until completed at our offices at 113 Main Ave., Suite 303, Twin Falls, Idaho.

Indian Creek shall designate officers, directors, employees, and agents to testify on its
behalf as to matters known or reasonably available to Indian Creek so that questions pertaining
the following matters can be answered:

NOTICE OF TAKING DEPOSITION DUCES TECUM OF PROTESTANT
INDIAN CREEK RANCH OWNERS, INC. PURSUANT TO IRCP 30(b)(6)

1. Indian Creek's water rights and historic and current diversion and use of those rights.
2. Records and measurements, or other knowledge, related to diversion from all sources under Indian Creek's water rights.
3. The bases for Indian Creek's objections to Dry Lot's applications in the above-captioned matter.
4. The governance and structure of Indian Creek, its bylaws and other policies, and information about decisions by the Indian Creek board or its officers pertaining to the above-captioned matter.

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 documents that consist of, pertain to, or contain information on any of the above topics and not already produced to Dry Lot prior to the deposition.
2. All records and documents identified in *Applicant's First Request for Production of Documents to Protestant* served on December 22, 2008.
3. All documents the deponent reviewed in preparing for this deposition.

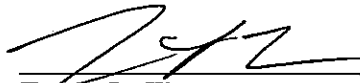
DEFINITIONS

The term "document" includes all items identified in Idaho Rule of Civil Procedure 34(a)(1), and, also is used in this First Set of Interrogatories and Requests for Admissions in its broad and literal sense and at a minimum means any written, drawn, typed, printed, recorded, Photostatted, computer generated, microfiche, microfilm or graphic matters, whether produced, reproduced, or stored on paper, cards, disc, tape, film, electronic facsimile, computer storage or any other media, whether an original, master or duplicate including, but not limited to accounts, advertisements, affidavits, agreements, analyses, appraisals, applications, appointment books, appointment calendars, bank checks, bills, blueprints, books, bookkeeping entries, bulletins, cablegrams, cache logs, calculations, canceled checks, cashier's checks, catalogs, charts, check stubs, circulars, communications, compilations, computer printouts, computer source codes and object codes, contracts, correspondence, court filings, day books, data, declarations, depositions, desk calendars, diagrams, diaries, diary entries, documents, drafts, drawings, electronic mail, electronic files stored on a computer disk, CD-ROM, or other computer disk or tape technology, expense reports, field notebooks, files, financial statements,

flowcharts, forecasts, graphs, invoices, itineraries, interview notes, ledgers, letters, lists, log books, mailgrams, manuals, memoranda, minutes, notebooks, note pads, notes, pamphlets, papers, periodicals, photographs, plans, projections, proposals, prospectuses, publications, receipts, records, reports, returns, sketches, sound recordings, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, summaries or records of meetings, conferences or legislative, judicial, or other public hearings, summaries or reports of investigations or negotiations, opinions and/or reports of consultants, tax returns, telefax, telegrams, telephone logs, tickets, time records, time sheets, transcriptions, transcripts, travel reports, travel vouchers, vouchers, working papers, worksheets, and all other papers, writings, drawings, recordings, or physical things containing information, including all original and amended versions of the documents, preliminary and subsequent drafts or marginal notes appearing on any documents, however denominated or described by the parties to whom the particular interrogatories and/or requests for admission and requests for production are directed. The term "document" shall further collectively include the original, duplicate original, and any or all copies or reproductions of the original document, to the extent that any or all copies are different in any way from the original document, whether by interlineation, receipt stamps, notation, indication of copies sent or received otherwise, which are in your possession, custody or control.

DATED this 6th day of May 2009.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for Dry Lot LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2009, I served a true and correct copy of the foregoing by email and depositing same in the United States mail, postage prepaid, addressed to the following:

Gary Spackman (Hearing Officer)
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Attorney for Protestant Indian Creek Owners Assn., Inc.


Travis L. Thompson