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Attorneys for Idaho Ground Water Appropriators, Inc.

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

| | | |
|-------------------------------------|---|------------------------|
| IN THE MATTER OF DISTRIBUTION OF |) | IGWA AND CITY OF |
| WATER TO VARIOUS WATER RIGHTS |) | POCATELLO'S AMENDED |
| HELD BY OR FOR THE BENEFIT OF |) | NOTICE OF TAKING |
| A&B IRRIGATION DISTRICT, AMERICAN |) | DEPOSITION DUCES TECUM |
| FALLS RESERVOIR DISTRICT #2, BURLEY |) | OF CHARLES BROCKWAY |
| IRRIGATION DISTRICT, MILNER |) | |
| IRRIGATION DISTRICT, MINIDOKA |) | |
| IRRIGATION DISTRICT, NORTH SIDE |) | |
| CANAL COMPANY, AND TWIN FALLS |) | |
| CANAL COMPANY |) | |
| _____ |) | |

TO: CHARLES BROCKWAY

PLEASE TAKE NOTICE that counsel for the CITY OF POCA TELLO and IDAHO GROUND WATER APPROPRIATORS, INC. will take the testimony on oral examination of CHARLES BROCKWAY pursuant to Rule 30 and other applicable rules of the Idaho Rules of Civil Procedure. The deposition will take place before a court reporter and Notary Public with the firm of M & M Court Reporting Service, commencing at the hour of **9:00 a.m. on Monday, October 22, 2007**, at the offices of BARKER, ROSHOLT & SIMPSON, LLP, 1010 West Jefferson Street, Suite 102, Boise, ID, 83701, and at the hour of **9:00 a.m., on Tuesday, October 23, 2007**, and continuing from day to day until completion, at the offices of BARKER, ROSHOLT & SIMPSON, LLP, 1010 West Jefferson Street, Suite 102, Boise, ID, 83701, at which time and place you are notified to appear and take part in such examination.

Pursuant to Idaho Rules of Civil Procedure 26, 30(b)(5), and 34, you are further instructed to bring to the deposition:

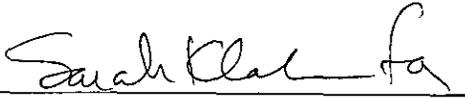
- (1) all documents relied upon, incorporated, produced, or utilized by you in connection with preparation of the "Surface Water Coalition Expert Report" dated September 26, 2007, and the "Expert Testimony of Charles E. Brockway, P.E., PhD" dated September 26, 2007; and
- (2) all documents you have reviewed and will review in preparation for this deposition.

For purposes of this notice, "document" includes but is not limited to memoranda, notes (field, meeting, or otherwise), reports, studies, maps, photographs, calculations, and spreadsheets and any other computer analyses.

DATED this 5th day of October, 2007.

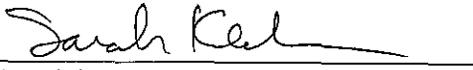
CITY OF POCA TELLO ATTORNEY'S OFFICE

Attorneys for the City of Pocatello

By 
A. Dean Tranmer

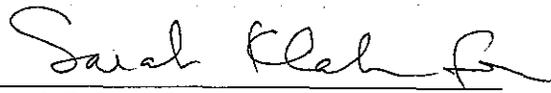
WHITE & JANKOWSKI, L.L.P.

Attorneys for the City of Pocatello

By 
Sarah A. Klahn

RACINE OLSON NYE BUDGE & BAILEY,
CHARTERED

Attorneys for Idaho Ground Water Appropriators, Inc.

By 
Randall C. Budge

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of October 2007, I caused to be served a true and correct copy of the foregoing **IGWA and City of Pocatello's AMENDED Notice of Taking Deposition Duces Tecum of Charles Brockway** by electronic mail, facsimile or regular U.S. Mail, postage prepaid, to:



Sarah A. Klahn, White & Jankowski, LLP

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|---|--|---|
| <p>Gerald F. Schroeder Hearing Officer State of Idaho Dept of Water Resources 322 E Front St Boise ID 83720-0098 *** service by electronic mail and facsimile only</p> <p>facsimile – 208-287-6700 fcjschroeder@gmail.com Victoria.Wigle@idwr.idaho.gov Dave.tuthill@idwr.idaho.gov</p> | <p>Daniel V. Steenson Ringert Clark PO Box 2773 Boise ID 83701 *** service by electronic mail only</p> <p>facsimile – 208-342-4591 dvs@ringertclark.com</p> | <p>Josephine P. Beeman, Esq. Beeman & Associates 409 W Jefferson Boise ID 83702 *** service by electronic mail only</p> <p>facsimile – 208-331-0954 jo.beeman@beemanlaw.com</p> |
| <p>C. Tom Arkoosh Arkoosh Law Office PO Box 32 Burley ID 83330 *** service by facsimile only</p> <p>facsimile – 208-934-8873 alo@cableone.net</p> | | <p>Michael Gilmore Deputy Attorney General Statehouse, Room 210 PO Box 83720 Boise ID 83720-0010 *** service by U.S. mail only</p> <p>facsimile – 208-334-2830 mike.gilmore@ag.idaho.gov</p> |
| <p>W. Kent Fletcher Fletcher Law Office PO Box 248 Burley, ID 83318-0248 *** service by electronic mail only</p> <p>facsimile – 208-878-2548 wkf@pmt.org</p> | <p>Scott Campbell Moffatt Thomas PO Box 829 Boise ID 83701 *** service by electronic mail only</p> <p>facsimile – 208-385-5384 slc@moffatt.com</p> | <p>Terry Uhling J.R. Simplot Co 999 Main St Boise ID 83702 *** service by electronic mail only</p> <p>tuhling@simplot.com</p> |
| <p>Roger D. Ling Ling Robinson PO Box 396 Rupert ID 83350-0396 *** service by electronic mail only</p> <p>facsimile – 208-436-6804 rdl@idlwafirm.com</p> | <p>Kathleen Carr US Dept Interior, Office of Solicitor Pacific Northwest Region, Boise Field Office 960 Broadway Ste 400 Boise ID 83706 *** service by electronic mail only</p> <p>facsimile – 208-334-1918 kmarioncarr@yahoo.com</p> | <p>James Tucker Idaho Power Co 1221 W Idaho St Boise ID 83702 *** service by electronic mail only</p> <p>jamestucker@idahopower.com</p> |

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|---|--|--|
| <p>John Rosholt Travis Thompson Barker Rosholt 113 Main Ave West Ste 303 Twin Falls ID 83301-6167 *** service by electronic mail only</p> <p>facsimile – 208-735-2444 jar@idahowaters.com tlr@idahowaters.com</p> | <p>Matt Howard U.S. Bureau of Reclamation 1150 N Curtis Road Boise ID 83706-1234 *** service by electronic mail only</p> <p>facsimile – 208-378-5003 mhoward@pn.usbr.gov</p> | <p>James Lochhead Adam DeVoe Brownstein Hyatt 410 – 17th St 22nd Floor Denver CO 80202 *** service by electronic mail only</p> <p>jlochhead@bhf-law.com adevoe@bhf-law.com</p> |
| <p>John Simpson Barker Rosholt PO Box 2139 Boise ID 83701-2139 *** service by electronic mail only</p> <p>facsimile – 208-344-6034 jks@idahowaters.com</p> | <p>Lyle Swank IDWR 900 N Skyline Dr Idaho Falls ID 83402-6105 *** service by electronic mail and facsimile only</p> <p>facsimile – 208-525-7177 lyle.swank@idwr.idaho.gov</p> | <p>Michael C Creamer Jeffrey C. Fereday Givens Pursley 601 W Bannock St Ste 200 PO Box 2720 Boise ID 83701-2720 *** service by electronic mail only</p> <p>mcc@givenspursley.com jcf@givenspursley.com</p> |
| <p>Randy Budge Candice McHugh Racine Olson PO Box 1391 Pocatello ID 83204-1391 *** service by electronic mail only</p> <p>rcb@racinelaw.net cmm@racinelaw.net</p> | <p>Allen Merritt Cindy Yenter IDWR 1341 Fillmore St Ste 200 Twin Falls ID 83301-3033 *** service by electronic mail and facsimile only</p> <p>facsimile – 208-736-3037 allen.merritt@idwr.idaho.gov cindy.yenter@idwr.idaho.gov</p> | <p>A. Dean Tranmer City of Pocatello PO Box 4169 Pocatello ID 83201 *** service by electronic mail only</p> <p>facsimile – 208-234-6297 dtranmer@pocatello.us</p> |