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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHTS HELD BY MEMBERS OF THE BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION DIVERTING FROM THE BIG WOOD RIVER	Docket No. CM-DC-2015-001
IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHTS HELD BY MEMBERS OF THE BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION DIVERTING FROM THE LITTLE WOOD RIVER	Docket No. CM-DC-2015-002 **NOTICE OF TAKING RULE 30(b)(6) DEPOSITION DUCES TECUM OF BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION**

TO: BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION AND ITS COUNSEL OF RECORD

PLEASE TAKE NOTICE that Sun Valley Company will take testimony upon oral examination of the most knowledgeable officers or designated witnesses of BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION, before an officer authorized to administer oaths on **Monday, September 21, 2015, at 10:00 a.m.**, and continuing thereafter from day to day until completed, at the offices of MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD., located at 101 S. Capitol Boulevard, 10th Floor, Boise, Idaho, at which time and place you are notified to appear and take such part in the examination as you may deem proper.

Pursuant to Idaho R.Civ.P. 30(B)(6), Big Wood & Little Wood Water Users Association shall designate one or more officer, directors, managing agents, or other persons to testify as witnesses on the areas of inquiry attached and identified as **Exhibit A.**

Sun Valley Company requires Big Wood & Little Wood Water Users Association and the deponent to produce and make available for inspection and/or photocopying, documents identified in the attached **Exhibit A**.

DATED this 21st day of August, 2015.

MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED

By _____
Matthew J. McGee – Of the Firm
Attorneys for Sun Valley Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of August, 2015, I caused a true and correct copy of the foregoing **NOTICE OF TAKING RULE 30(b)(6) DEPOSITION DUCES TECUM OF THE BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION** to be served by U.S. Mail to the following:

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EXHIBIT A

1. Any and all documents which reflect or concern each water right that you or your members contend is being injured.

2. Any and all documents which reflect the:

   (a) water right number and date of priority for each such water right,

   (b) purpose of and current use of each such water right,

   (c) current authorized and actual point(s) of diversion and common diversion name or water district diversion identifier, if applicable, and IDWR metal tag number / point of diversion identifier for each such water right,

   (d) historic quantities of water actually diverted at each point of diversion under each such water right and when such diversions commenced and ended each year,

   (e) current place of use for each such water right,

   (f) historic number of acres actually irrigation within the place of use for each such water right and location of such acreage,

   (g) complete description of the diversion and delivery system for the water used under each such water right,

   (h) historic conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,

   (i) method for measuring, determining or calculating the conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,

   (j) historical methods of irrigation water application for each irrigation water right, and

   (k) soil type(s) of the irrigated acreage comprising the place of use of each such water right.

3. Any and all documents which reflect or concern any other water right(s) that authorize any member to deliver water to each and every actual place of use or stock location ("Overlapping Water Right").

4. Any and all documents which reflect the:

   (a) water right number and date of priority for each Overlapping Water Right,

   (b) source of water authorized by each Overlapping Water Right,

(c) current authorized and actual point(s) of diversion and IDWR metal tag number / point of diversion identifier for each Overlapping Water Right,

(d) historic quantities of water actually diverted at each point of diversion under each Overlapping Water Right and when such diversions commenced and ended each year,

(e) historic quantities of water diverted under each Overlapping Water Right that is actually delivered to the acreage or stock location,

(f) current place(s) of use for each Overlapping Water Right,

(g) historic number of acres actually irrigation within the place of use for each Overlapping Water Right and location of such acreage,

(h) complete description of the diversion and delivery system for the water under each Overlapping Water Right,

(i) historic conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,

(j) method for measuring, determining or calculating the conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,

(k) well number, well identification number or IDWR metal tag number that identifies the well(s) from which each Overlapping Water Right is diverted, and

(l) location of the well and the driller's report(s) associated with each well, if applicable.

5. Any and all documents which reflect the nature, source and amount of any application of tail water or waste water to the historic number of acres actually irrigated within the place of use for each injured water right, as well as any run-off from such acreage.

6. Any and all documents or records which reflect or concern any water measurement devices or water measurement and recording devices used at any place within the delivery system that delivers water to each member's actual place of use for each member's water rights, including without limitation documents reflecting the size, type, manufacturer, model, serial number, installation date, IDWR identification number, location and date(s) on which each such device was calibrated or checked by a watermaster, IDWR, groundwater district hydrographer or other person or entity, and the identity of such person(s).

7. Any and all documents or records which reflect information, measurements, calibrations, data, or study results concerning water use, water measurement, water availability, or injury for each member's water right(s).

8. Any and all documents or records, including but not limited to maps, GIS shape files, charts, photographs, schematics or other representations that illustrate or show the water delivery system for each member's water rights.

9. Any and all documents, including but not limited to financial and other accountings, Excel, Quickbooks or other accounting spreadsheets, invoices and receipts setting forth each member's expenses associated with the delivery of water under each member's water rights.

10. Any and all documents which reflect each member's crop records, including crop reports, crop yields, crop rotations, and crop receipts over the period for which each member has such records.

11. Any and all documents which reflect each member's shares, assessments, ownership, rights or interests in any organized or incorporated irrigation delivery entity, including without limitation canal companies, lateral ditch water users' associations, or irrigation districts, and in any organized or incorporated drainage entity.

12. Any and all organizational and governance documents for the Big Wood & Little Wood Water Users Association, including without limitation any articles of incorporation, organization or association, operating agreements, rules, regulations, bylaws, meeting minutes, and member lists.

DEFINITIONS

A. The words "Document(s)" and/or "Record(s)," as used herein, mean any tangible thing upon which has been placed handwriting, typewriting, printing, photocopying, photographing, digital or computerized date, or any other form of recording, communication or representation, including but not limited to letters, words, pictures, sounds, magnetic impulses, electronically stored information, symbols, numbers or any combination thereof, whether or not visible to the unassisted human eye. This definition shall include, but is not limited to, any and all originals, copies or drafts of any and all of the following: correspondence, e-mail, records, notes, summaries, schedules, contracts, agreements, drawings, blueprints, sketches, invoices, orders, acknowledgments, diaries, reports, findings, forecasts, tests, appraisals, engineering reports, memoranda, medical records, telephone recordings, telephone logs, letters, telegrams, telexes, facsimiles, cables, tapes, tape recordings, statements, receipts, invoices, check registers, transcripts, recordings, photographs, witness statements, pictures, films, videotapes, computer programs, models, things and materials of any nature whatsoever. Any document which contains any comment, notation, addition, insertion or marking of any kind which is not part of another documents is to be considered as a separate document.

B. The words "Historic" or "Historical," refer to the entire time period for which you and the associations members have, or have access to, knowledge, information, documents or records about a subject, or the last ten (10) years, whichever is longer.

C. The words "member" or "members" refer to all members of the Big Wood & Little Wood Water Users Association.