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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

Jason Smith 3135 N. Osprey Road Eagle, ID 83616	____ U. S. Mail X Hand Delivered ____ Overnight Mail ____ Facsimile ____ E-mail

SERVICE

Idaho Department of Water Resources 322 East Front Street P.O. Box 83720 Boise, ID 83720-0098	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile X E-mail
City of Eagle Bruce M. Smith Moore, Smith, Buxton & Turcke, Chtd. 950 W. Bannock Street, Suite 520 Boise, ID 83702	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile X E-mail
North Ada County Groundwater Users Association c/o David Head 855 Stillwell Drive Eagle, ID 83616	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile X E-mail
North Ada County Groundwater Users Association c/o John Thornton 5264 N. Sky High Lane Eagle, ID 83616	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile X E-mail
Norman Edwards 884 W. Beacon Light Road Eagle, ID 83616	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile X E-mail
Alan Smith 3135 N. Osprey Road Eagle, ID 83616	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile

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