

John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson, Suite 102
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Clear Springs Foods, Inc.

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

IN THE MATTER OF DISTRIBUTION OF)
WATER TO WATER RIGHTS NOS.) Docket No. CM-MP-2009-004
36-04013A, 36-04013B, AND 36-07148)
(SNAKE RIVER FARM)) **NOTICE OF TAKING DEPOSITION**
) **OF TIM LUKE**
(Water District Nos. 130 and 140))
)
)
)
)
_____)

TO: TIM LUKE

YOU WILL PLEASE TAKE NOTICE, that counsel for Clear Springs Foods, Inc. will take the testimony pursuant to Rules 26, 30(a), and 30(b)(6) of the Idaho Rules of Civil Procedure, on oral examination of Tim Luke. Said deposition shall take place before a court reporter, a notary public, or before some other officer authorized to administer oaths, to commence on **Monday, November 16, 2009 at 9:00 a.m.** or as soon thereafter as possible on said day at the offices of **Barker Rosholt & Simpson located at 1010 W. Jefferson, Suite 102,**

NOTICE OF TAKING DEPOSITION OF TIM LUKE

Boise, Idaho. Oral examination will continue from time to time until completed and you are hereby notified to appear and take part in the examinations.

Mr. Luke shall be prepared to testify as to matters related to administration in WD 130, including, but not limited to, curtailment orders, mitigation plans, and transfers.

DATED: This 6th day of November, 2009.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Travis L. Thompson
Paul U. Arrington

Attorneys for Clear Springs Foods, Inc.

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of November, 2009, I served a true and correct copy of the foregoing *Notice of Taking Deposition of Tim Luke* on the person(s) listed below via First Class U.S. Mail, pre-paid and email:

Randy Budge
Candice M. McHugh
RACINE OLSON
P.O. Box 1391
Pocatello, Idaho 83204-1391
cmm@racinelaw.net
rcb@racinelaw.net

() US Mail, Postage Prepaid
() Facsimile
(x) E-mail

Daniel V. Steenson
Charles L. Honsinger
RINGERT CLARK
P.O. Box 2773
Boise, Idaho 83701-2773

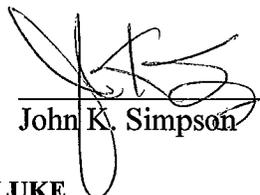
() US Mail, Postage Prepaid
() Facsimile
(x) E-mail

Mike Creamer
Jeff Fereday
GIVENS PURSLEY
P.O. Box 2720
Boise, Idaho 83701-2720
mcc@givenspursley.com
jeffereday@givenspursley.com

() US Mail, Postage Prepaid
() Facsimile
(x) E-mail

Gary Spackman, Interim Director
c/o Victoria Wigle
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Gary.spackman@idwr.idaho.gov
Phil.rassier@idwr.idaho.gov
Chris.Bromley@idwr.idaho.gov

() US Mail, Postage Prepaid
() Facsimile
(x) E-mail



John K. Simpson