

A. Dean Tranmer (ISB # 2793)  
City of Pocatello  
P. O. Box 4169  
Pocatello, ID 83201  
(208) 234-6149  
(208) 239-6986 (Fax)  
[dtranmer@pocatello.us](mailto:dtranmer@pocatello.us)

Sarah A. Klahn (ISB #7928)  
Mitra M. Pemberton  
White & Jankowski, LLP  
511 Sixteenth Street, Suite 500  
Denver, Colorado 80202  
(303) 595-9441  
(303) 825-5632 (Fax)  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)

*ATTORNEYS FOR THE CITY OF POCATELLO*

Randall C. Budge, ISB #1949  
Candice M. McHugh, ISB #5908  
Thomas J. Budge, ISB #7465  
RACINE OLSON NYE  
BUDGE & BAILEY, CHARTERED  
101 S. Capitol Blvd., Suite 300  
Boise, Idaho 83702  
Telephone: (208) 395-0011  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)  
[tjb@racinelaw.net](mailto:tjb@racinelaw.net)

*ATTORNEYS FOR THE IDAHO GROUND WATER  
APPROPRIATORS*

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

**IN THE MATTER OF DISTRIBUTION OF  
WATER TO WATER RIGHT NOS.  
36-02551 & 36-07694  
(RANGEN INC.)**

Docket No.: CM-DC-2011-004

**JOINT NOTICE OF TAKING  
DEPOSITION DUCES TECUM OF TIM  
LUKE**

**To: TIM LUKE, AND HIS COUNSEL OF RECORD, GARRICK BAXTER, CHRIS  
BROMLEY, IDAHO DEPUTY ATTORNEYS GENERAL:**

Please take notice, that counsel for the City of Pocatello and the Idaho Ground Water Appropriators Inc. ("IGWA") will jointly take your testimony upon oral examination as a witness, **TIM LUKE**, pursuant to Rule 30, I.R.C.P., other applicable rules of the Idaho Rules of Civil Procedure and applicable rules of the Idaho Department of Water Resources Procedural Rules, IDAPA 37.01.01. The deposition will take place before a court reporter and Notary Public with the firm of M&M Court

**JOINT NOTICE OF TAKING DEPOSITION DUCES TECUM OF TIM LUKE, IDWR**

Reporting Service or other duly qualified person in the above-captioned matter. Said deposition will commence at **1:30 p.m. on Thursday, March 14, 2013**, and continue from day to day until completion, at the **M&M Court Reporting Offices, 421 W. Franklin Street, Boise, Idaho 83702**, at which time and place you are notified to appear and take part in such examination.

Please take additional notice that the deposition will be conducted via Video Teleconferencing as well as live at the IDWR State Office.

Pursuant to Idaho Rules of Civil Procedure 26, 30(b)(5) and 34 and IDAPA 37.01.01.525, this notice further instructs you to bring to the deposition the following materials:

1. All documents you have reviewed and will review in preparation for this deposition.
2. Curriculum Vitae, including a full record of publications in which you are listed as an author.
3. All documents, not previously produced, which were relied upon, incorporated, or utilized by you to prepare the February 27, 2013 *Staff Memorandum in Response to Expert Reports Submitted for Rangen Delivery Call (In the Matter of Distribution for Water to Water Right Nos. 36-02551 and 36-07694)*.

For purposes of this notice, “document” includes but is not limited to memoranda, notes (field, meeting, or otherwise), graphs, logs, reports, studies, maps, photographs, calculations, spreadsheets, any computer analyses, ledgers, letters, receipts, sketches, publications, drawings, flow charts, manuals, worksheets, pamphlets, manuals and data compilations in whatever form. “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 interlineations, notations, or indication of copies sent or received otherwise, which are within your possession, custody or control.

Respectfully submitted this 5<sup>th</sup> day of March, 2013.

CITY OF POCA TELLO ATTORNEY'S OFFICE

WHITE & JANKOWSKI

By:   
Sarah A. Klahn

RACINE, OLSON, NYE, BUDGE &  
BAILEY, CHARTERED

By:   
Randall C. Budge  
Candice M. McHugh  
Thomas J. Budge  
*Attorneys for IGWA*

## CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of March, 2013, I caused to be served a true and correct copy of the foregoing, **JOINT NOTICE OF TAKING DEPOSITION DUCES TECUM OF TIM LUKE**, upon the following by the method indicated:

  
\_\_\_\_\_  
Signature of person mailing form

Director, Gary Spackman  
Idaho Department of Water Resources  
PO Box 83720  
Boise, ID 83720-0098  
Attn: Deborah Gibson  
[Deborah.Gibson@idwr.idaho.gov](mailto:Deborah.Gibson@idwr.idaho.gov)  
[Kimi.white@idwr.idaho.gov](mailto:Kimi.white@idwr.idaho.gov)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-mail

Garrick Baxter, Deputy Attorney General  
Chris Bromley, Deputy Attorney General  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83720-0098  
[garrick.baxter@idwr.idaho.gov](mailto:garrick.baxter@idwr.idaho.gov)  
[chris.bromley@idwr.idaho.gov](mailto:chris.bromley@idwr.idaho.gov)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-mail

Robyn M. Brody  
Brody Law Office, PLLC  
PO Box 554  
Rupert, ID 83350  
[rbrody@cableone.net](mailto:rbrody@cableone.net)  
[robynbrody@hotmail.com](mailto:robynbrody@hotmail.com)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-mail

Fritz X. Haemmerle  
Haemmerle & Haemmerle, PLLC  
PO Box 1800  
Hailey, ID 83333  
[fxh@haemlaw.com](mailto:fxh@haemlaw.com)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-mail

J. Justin May  
May, Browning & May, PLLC  
1419 West Washington  
Boise, ID 83702  
[jmay@maybrowning.com](mailto:jmay@maybrowning.com)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-mail

JOINT NOTICE OF TAKING DEPOSITION DUCES TECUM OF TIM LUKE, IDWR

Sarah Klahn  
Mitra Pemberton  
WHITE JANKOWSKI, LLP  
511 16<sup>th</sup> St, Suite 500  
Denver, Colorado 80202  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)  
[mitrap@white-jankowski.com](mailto:mitrap@white-jankowski.com)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-Mail

*Courtesy copy to:*  
M&M Court Reporting Service, Inc.  
421 W Franklin Street  
PO Box 2636  
Boise, ID 83701-2636  
[m-and-m@qwestoffice.net](mailto:m-and-m@qwestoffice.net)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-Mail