

C. Tom Arkoosh, ISB #2253
ARKOOSH LAW OFFICES, CHTD.
P.O. Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

Attorneys for American Falls
Reservoir District #2

John A. Rosholt, ISB #1037
John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301-6167
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

W. Kent Fletcher, ISB #2248
FLETCHER LAW OFFICE
P.O. Box 248
Burley, Idaho 83318
Telephone: (208) 678-3250
Facsimile: (208) 878-2548

Attorneys for Minidoka Irrigation District

Attorneys for Milner Irrigation District,
North Side Canal Company, Twin Falls
Canal Company, A & B Irrigation District,
and Burley Irrigation District

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

IN THE MATTER OF DISTRIBUTION OF)
WATER TO VARIOUS WATER RIGHTS)
HELD BY OR FOR THE BENEFIT OF A & B)
IRRIGATION DISTRICT, AMERICAN FALLS)
RESERVOIR DISTRICT #2, BURLEY)
IRRIGATION DISTRICT, MILNER)
IRRIGATION DISTRICT, MINIDOKA)
IRRIGATION DISTRICT, NORTH SIDE)
CANAL COMPANY, AND TWIN FALLS)
CANAL COMPANY,)
_____)

**JOINT NOTICE OF
TAKING DEPOSITION
DUCES TECUM OF
C. EUGENE FRANZOY, P.E.**

TO: C. EUGENE FRANZOY, P.E.:

PLEASE TAKE NOTICE that counsel for A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company will take the testimony upon oral examination of C. EUGENE FRANZOY, P.E. 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, on **October 9, 2007 at 9:00 o'clock a.m.**, and continuing from day to day until completion, at the offices of the **RACINE OLSON NYE BUDGE & BAILEY**, 101 S. Capitol Blvd., Suite 200, Boise, Idaho, at which time and place you are notified to appear and take part in such examination.

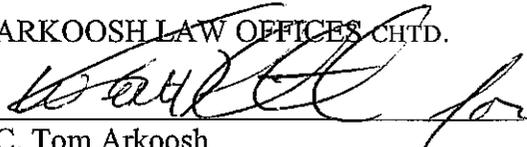
Pursuant to Idaho Rules of Civil Procedure 26, 30(b)(5) and 34, you are further instructed to bring to the deposition:

- (1) all documents relied upon, incorporated, produced, or utilized by you in connection with preparation of any expert report, expert testimony, or affidavit filed in this action.
- (2) all documents you have reviewed and will review in preparation for this deposition.

For the 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.

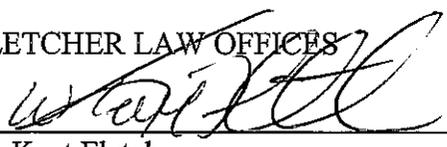
DATED this 2 day of October, 2007.

ARKOOSH LAW OFFICES CHTD.


C. Tom Arkoosh

Attorneys for American Falls
Reservoir District #2

FLETCHER LAW OFFICES


W. Kent Fletcher

Attorneys for Minidoka Irrigation District

BARKER ROEHOLT & SIMPSON LLP


Travis L. Thompson

Attorneys for Milner Irrigation District,
North Side Canal Company, Twin Falls
Canal Company, A & B Irrigation
Company, and Burley Irrigation Company

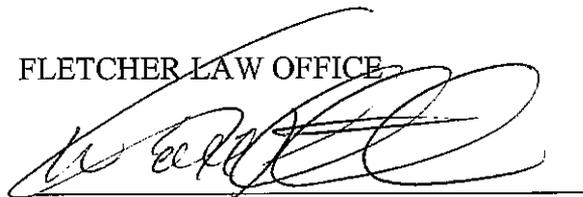
CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of October, 2007, I caused to be served a true and correct copy of the foregoing JOINT NOTICE OF TAKING DEPOSITION DUCES TECUM OF C. EUGENE FRANZOY, P.E. by electronic mail, facsimile or regular U.S. Mail, postage prepaid, to:

<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 301 Main Gooding ID 83330 *** service by electronic mail only</p> <p>facsimile – 208-934-8873 tarkoosh@cableone.net</p>	<p>Sarah A. Klahn Amy W. Beatie White & Jankowski, LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 *** service by electronic mail only</p> <p>facsimile – 303-825-5632 sarahk@white-jankowski.com</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>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@idlawfirm.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>

<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 tlt@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 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@givenspurslev.com jcf@givenspurslev.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 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>

FLETCHER LAW OFFICE



W. Kent Fletcher