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Irrigation District and David P. Overvold

5 UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

7 JUDY KROSHUS, et al.,

8 Plaintiffs,

9 vs.

10 UNITED STATES OF AMERICA, et al.,

11 Defendants.

CASE 3:08-CV-00246 LDG-RAM
DEPT. NO.**-----) PROTECTIVE ORDER RE
TRUCKEE CARSON IRRIGATION
DISTRICT DEPOSITIONS**

12 Pursuant to Defendants Truckee-Carson Irrigation District and David Overvold's Motion
13 for Protective Order and good cause appearing therefor:

14 IT IS ORDERED:

- 15 1. Except upon further order of the Court, at all hearings, depositions, and other
16 proceedings, no examination will be allowed on the following issues:
- 17 a. That TCID and its employees and former employees conspired to
18 fraudulently ascertain, compute, assess, obtain, calculate and issue water
incentive credits under OCAP.
- 19 b. That TCID and its employees and former employees materially falsified
20 numbers regarding delivery of water to the head gates of irrigated land in
northern Nevada.
- 21 c. That TCID and its employees and former employees engaged in a practice
22 of record keeping whereby TCID noted a greater amount of water delivery
to certain landowners and project participants when no amount (or a
23 significantly lesser amount) of water had actually been delivered to those
landowners and project participants at that time);
- 24 d. That TCID and its employees and former employees manipulated at least
one water meter to record a greater amount flowing through a ditch than in
25 fact was actually flowing;
- 26 e. That TCID ditch riders were instructed by TCID Water Masters to record
27 their delivery of water to landowners and project participants in pencil,
providing an opportunity to later manipulate the ditch rider's numbers; \

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- f. That TCID and its employees and former employees used abandoned canal head gates for writing off water;
- g. That TCID and its employees and former employees submitted inflated figures regarding its total amount of water delivered to farm head gates of landowners and project participants (referred to in the indictment as the "total delivery amount") to Bureau of Reclamation (BOR);
- h. That TCID and its employees and former employees submitted false total delivery amounts on behalf of TCID to the BOR;
- i. That TCID and its employees and former employees "wrote off" water and manipulated and disabled water meters and instructed other employees and former employees to do the same;
- j. That TCID and its employees and former employees falsified TCID's project water delivery records;
- k. That TCID and its employees and former employees made false claims to the BOR that TCID's delivery of project water called for the issuance of incentive credits by BoR pursuant to OCAP;
- l. That TCID and its employees and former employees made false statements to the BOR by presenting records as to TCID's delivery of project water for calculation and issuance of incentive credits pursuant to OCAP; and
- m. Of alleged false statements and fraudulent presentations against and allegations of aiding/abetting and conspiracy regarding the calculation of incentive credits as they relate to water delivery records and data and/or meter tampering.

DATED this 16th day of July, 2009.



UNITED STATES MAGISTRATE JUDGE