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Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

) Subcase Nos.: 31-00053 A and
) 31-00055 C
)
)

Case 39576

) **APPLICANT'S REQUEST FOR**
) **ADMISSIONS TO OBJECTORS**
)
)

Applicants, Max Siddoway and Brenda Siddoway, hereby request that the Objectors, Joe Knotwell, Horace Frederiksen, Howard Frederiksen, David J. Hirschi and The Rocking Question LLC, admit the following facts pursuant to Rules 33,34 and 36, Idaho Rules of Civil Procedure to be answered within fifteen (15) days of receipt thereof.

INSTRUCTIONS AND DEFINITIONS FOR REQUEST FOR ADMISSIONS

- 1. All admissions are for purposes of this litigation only.**
- 2. If only a portion of a request for admission cannot be answered, provide the fullest possible answer to the request and thereafter specifically set forth the fact that the answer is incomplete and the reasons and grounds for any omissions and/or refusals to**

completely answer. If your answer is qualified, please set forth the details of such qualification.

3. The requests must be answered within the time provided by the Idaho Rules of Civil Procedure after service of the request or within the shorter or longer time as the court deems proper. If answers are not forth coming within the time period provided, these requests for admissions **WILL BE DEEMED ADMITTED.**

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Please admit that water rights numbers 31-00053 A and 31-00055 C are valid water rights.

REQUEST FOR ADMISSION NO. 2: Please admit that water rights numbers 31-00053 A and 31-00055 C are owned by Max Siddoway and Brenda Siddoway.

REQUEST FOR ADMISSION NO. 3: Please admit that water rights number 31-00053 A has a priority date of 5-1-1896 and please admit that water rights number 31-00055 C has a priority date of is 5-1-1896.

REQUEST FOR ADMISSION NO. 4: Please admit that water rights number 31-00053 A is for an amount of .3 cfs and please admit that water rights number 31-00055 C is for an amount of 1.0 cfs.

REQUEST FOR ADMISSION NO. 5: Please admit that water rights numbers 31-00053 A and 31-00055 C has as their source the East Camas Creek.

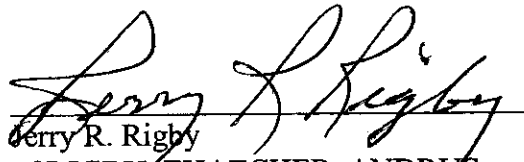
REQUEST FOR ADMISSION NO. 6: Please admit that water rights numbers 31-00053 A and 31-00055 C have been diverted from the East Camas Creek prior to 1950.

REQUEST FOR ADMISSION NO. 7: Please admit that the rights to water rights

numbers 31-00053 A and 31-00055 C have not been lost through forfeiture or abandonment.

REQUEST FOR ADMISSION NO. 8: Please admit that water rights numbers 31-00053 A and 31-00055 C have been diverted from the East Camas Creek at a point known as the head gate previously used as a diversion point by Knotwell, Hirschi, and Bennett.

DATED this 12th day of June, 2002.


Jerry R. Rigby
of RIGBY, THATCHER, ANDRUS
RIGBY, KAM, & MOELLER, Chtd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 12th day of June, 2002, a true and accurate copy of the foregoing was sent by U.S. Mail, postage prepaid to the following:

Joe Knotwell
Box 133
Dubois, ID 83423

David J. Hirschi
1749 East 100 North
Rexburg, ID 83440

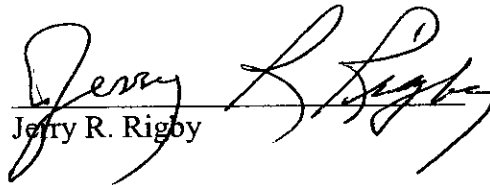
Howard Frederiksen
Kilgore Route
Kilgore, ID 83423

Horace Frederiksen
Kilgore Route
Kilgore, ID 83423

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