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**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

Case No. 39576

Subcase Numbers 55-02414, 55-07319, 55-07383, 55-07410, 55-07413, 55-07420, 55-11890 (USDI/BLM), and 55-13450 (LU Ranching, Jeff Anderson Estate, Inc. and Stanford)

**LU Ranching's Second Set of
Interrogatories to the United States**

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L.U. Ranching Co., by and through its attorneys, submits the following Interrogatories to the United States to be answered under oath and in compliance with Idaho Rule of Civil Procedure 33.

INSTRUCTIONS AND DEFINITIONS

1. Restate each interrogatory in full preceding the answer or objection to it.

2. Furnish not only the documents and information available to the individual signing the responses, but also (a) documents and information available to the United States, and all branches, departments, divisions or parts thereof; and (b) documents and information (other than any that are subject to work-product immunity or attorney-client privilege) in the possession of your attorneys or any investigators or experts retained on your behalf.

3. These interrogatories are deemed continuing until trial. If any information sought by these interrogatories and requests is learned or obtained after these interrogatories have been answered, or if the answers for any reason should later become incomplete or incorrect, there shall be a continuing duty to the time of trial on the party answering these interrogatories and requests to formally supplement answers previously submitted.

4. If any document or information is withheld on a claim of work-product immunity or attorney-client privilege, you must identify it and the basis for your claim in sufficient detail for LU Ranching and the Court to assess the nature of what has been withheld and the basis of the claim. With respect to each such document, please identify:

- a. The date of the document;
- b. The author of the document;
- c. Each other person who prepared or in any way participated in the preparation of the document;
- d. Each person who received the document or a copy of it;
- e. Each person from whom the document was received;
- f. The present locations of the document and all copies of it;
- g. Each person having custody or control of the document or any copy; and

- h. Sufficient further information concerning the document to explain the basis for the claim of privilege.

5. "Document, "documents" or "writing" should be interpreted in the broadest definition under the applicable Rules of Civil Procedure to include, without limitation, all written, printed, typed, recorded, or graphic matter of every kind and description, and any other means for retention of information, both originals and copies, and all attachments, exhibits, and appendices thereto. Without limiting the foregoing, "document" "documents" or "writing" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, telecopies, facsimiles, messages, memoranda, notes, records, reports, orders, rulings, decisions, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations, minutes or summaries or other records of meetings or conferences, diaries, diary entries, calendars, appointments books, time records, instructions, statistical data, statistical statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, notebooks, telephone bills or records, statements, invoices, lists, journals, advertising, recommendations, files, printouts, compilations, tabulations, purchase orders, receipts, sell orders, confirmations, checks, canceled checks, letters of credit, envelopes or folders or similar containers, vouchers, receipts and other records of payment, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiche, articles, speeches, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, electronic mail, data compilations (including, without limitation, matter used in data processing), including those contained in individual computer

hard-drives, network server hard-drives and any back-up tapes of such hard drives, an other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computers-stored, or electronically-stored matter, however and by whomever produced, prepared, reproduces, disseminated or made. The terms "document," "documents" or "writing" shall also include, without limitation, all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original need not be separately produced. "Document," "documents" or "writing" shall mean and include, without limitation, all matter within the foregoing definition that is in the active or constructive possession, control, or custody of the United States and its employees, managers, agents, consultants, advisors, experts, investigators, attorneys, accountants, or other representatives. Without limiting the term "control," a document is deemed to be within the control of the United States, if the United States or its employees, managers, agents, consultants, advisors, experts, investigators, attorneys, accountants, or other representatives, has ownership, possession, or custody of the document, or the right to secure the document or a copy thereof from any person or entity having physical possession thereof.

6. When used in these interrogatories, the term "United States" is intended to and shall embrace and include the United States, and all department, agencies, representatives, employees, officials, agents and attorneys of the United States, including but not limited to the Department of the Interior, the Secretary of the Interior, and the Bureau of Land Management.

7. When used in these interrogatories, "Claims" refer to all claims at issue in the within litigation and all claims, including amended claims, filed in relation to SRBA subcase

numbers 55-02414, 55-07319, 55-07383, 55-07410, 55-07413, 55-07420, 55-11890 and 55-13450.

8. When used in these interrogatories, "Places of Use" refer to all legal descriptions or places of use identified in all claims, including amended claims, filed in relation to SRBA subcase numbers 55-02414, 55-07319, 55-07383, 55-07410, 55-07413, 55-07420, 55-11890 and 55-13450.

9. When used in these interrogatories, "Subcases" refers to SRBA subcase numbers 55-02414, 55-07319, 55-07383, 55-07410, 55-07413, 55-07420, 55-11890 and 55-13450 at issue herein.

INTERROGATORIES

1. For all Claims filed by the United States, state all facts on which the United States bases its claimed water rights.

2. Identify all individuals with knowledge of the facts stated in Interrogatory Number One (1) including each individual's name, job title, address, phone number, and scope of his or her knowledge.

3. Identify all documents which the United States believes support the Claims filed by the United States.

3. Identify all individuals the United States intends to call as witnesses at the trial of the Subcases, including each individual's name, job title, address, phone number, and scope of his or her expected testimony.

4. Identify all documents the United States intends to introduce at the trial of the Subcases.

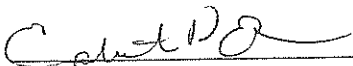
5. Pursuant to I.R.C.P. 26(b)(4)(A)(I), for each person the United States expects to call as an expert witness at the trial of the Subcases, identify the expert by name and business address, state the subject matter on which the expert is expected to testify, state the substance of the opinions to which the expert is expected to testify, and state the underlying facts and data upon which the expert's opinions are based.

6. To the extent that any of the United States' responses to LU Ranching's prior Interrogatories, Requests for Admission, or Requests for Production of Documents have changed, supplement each and every such response.

7. For any document or file requested in the accompanying request for production that has been destroyed or cannot be located, state the date, time, and place of its destruction if known, the document or file's last known location prior to its destruction, and identify each person with knowledge of the circumstances of the document or file's destruction, and each document related to such destruction.

Dated this 21 day of April, 2005.

Respectfully submitted,
McQuaid, Bedford & Van Zandt LLP

By: 
Michael J. Van Zandt
Elizabeth P. Ewens

CERTIFICATE OF SERVICE

I certify that on April 29, 2005, I served a true and correct copy of foregoing **LU Ranching's Second Set of Interrogatories to the United States** upon the following individuals by placing the document in the United States Mail, postage paid, and addressed as follows:

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General Litigation Section
Environment and Natural Resources Division
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Boise, ID 83724

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