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Attorneys for Claimants The Terteling Company, Inc.

**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. 63-5284
Case 38576	)	
	)	AFFIDAVIT OF CHARLES L. HONSINGER
	)	IN SUPPORT OF MOTION TO COMPEL
	)	
	)	
	)	
_____	)	
STATE OF IDAHO	)	
	) ss	
COUNTY OF ADA	)	

CHARLES L. HONSINGER, being first duly sworn upon his oath, deposes and says that:

1. I am the attorney for the objector, The Terteling Company, Inc. in the above captioned Snake River Basin Adjudication subcase.
2. I make this affidavit based upon my own personal knowledge and belief of the facts contained herein.
3. On March 26, 2007, on behalf of my client, I submitted The Terteling Company Inc.'s First Set of Interrogatories and Requests for Production to Claimant Charles Gibson. A Notice of Service of the same was filed with the SRBA District Court on March 27, 2007.

4. On or about April 26, 2007, I received a telephone call from Claimant Charles Gibson. Mr. Gibson informed me that his responses to the discovery propounded by The Terteling Company, Inc. would not be transmitted to my by the due date because he would be out of town. I agreed to grant Mr. Gibson a reasonable extension.

5. On May 31, 2007, I sent a letter to Mr. Gibson requesting that he respond to the discovery requests. A true and accurate copy of that letter is attached hereto as Exhibit "A".

6. On or about July 31, 2007, attorney Dana Hofstetter filed a Notice of Appearance informing the Court and parties that she would be representing Mr. Gibson in this matter.

7. On August 13, 2007, I sent a letter to Ms. Hofstetter requesting that she respond to the discovery requests served on March 26, 2007, and included a copy of the same for her records. A true and accurate copy of my August 13, 2007 letter to Ms. Hofstetter is attached hereto as Exhibit "B".

8. On August 14, 2007, I received an e-mail message from Dana Hofstetter requesting that I provide her with an electronic copy of the discovery requests served upon Mr. Gibson. A true and accurate printed copy of that e-mail message is attached hereto as Exhibit "C".

9. On August 14, 2007, I provided Ms. Hofstetter with an electronic copy of the discovery requests served on Mr. Gibson via electronic mail. A true and accurate printed copy of that e-mail message is attached hereto as Exhibit "D".

10. On September 14, 2007, I sent a letter to Ms. Hofstetter explaining the necessity that the discovery responses be provided as soon as possible. A true and accurate printed copy of that letter is attached hereto as Exhibit "E".

11. To date, I have not received responses to the discovery requests served on Mr. Gibson on March 26, 2007.

12. I.R.C.P. 37(b)(2) provides that a party may move for an Order compelling discovery if a party fails to respond to discovery.

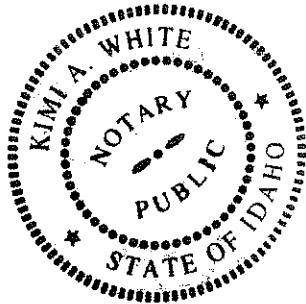
13. I hereby certify that I have attempted to confer with Mr. Gibson's attorney in good faith in an attempt to secure the requested discovery responses without resorting to a motion to compel in compliance with I.R.C.P. 37(a)(2). Such good faith attempt is evidenced by the attachments hereto.

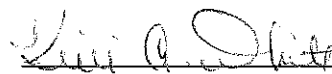
Further your affiant sayeth naught.

DATED this 27th day of September, 2007.

By: 
Charles L. Honsinger

Sworn to and subscribed before me this 27th day of September, 2007.




Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 01/01/10

CERTIFICATE OF MAILING

I hereby certify that service of the within and foregoing document was made this 27th day of September, 2007, by mailing a copy thereof, postage prepaid, to each of the parties listed below.

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