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DEPARTMENT OF
WATER RESOURCES

Attorneys for Osborn Ranch, Inc.

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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 Nos. 78-02025B 78-04080
78-04133 78-04170

OSBORN RANCH INC.'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS TO ALVIN
H. HALL AND LINNEA L. HALL

**TO: WATER RIGHT OBJECTORS ALVIN H. HALL AND LINNEA L. HALL AND
THEIR ATTORNEYS OF RECORD**

PLEASE TAKE NOTICE that Osborn Ranch, Inc., an Idaho corporation,
(hereafter "Osborn Ranch"), by and through its attorneys of record, Moffatt, Thomas, Barrett,
Rock & Fields, Chartered, and pursuant to Idaho Rules of Civil Procedure 26, 33, and 34, and
pursuant to Section 1 of the Court's Administrative Order 1, hereby submits its First Set of
Interrogatories and Requests for Production of Documents to Alvin H. Hall and Linnea L. Hall
(hereafter the "Halls") as follows:

1. Pursuant to Rule 33 of the Idaho Rules of Civil Procedure, you must fully and fairly answer all of the questions in this set of interrogatories, under oath, within thirty (30) days from service hereof.

2. Pursuant to Rule 34 of the Idaho Rules of Civil Procedure, you must fully and fairly comply with each request for production of documents by producing the same for inspection and/or copying at the offices of Moffatt, Thomas, Barrett, Rock & Fields, Chartered, 101 S. Capitol Boulevard, 10th Floor, Boise, Idaho, 83702, within thirty (30) days from service hereof.

INSTRUCTIONS

1. In responding to these Interrogatories and Requests for Production, you are requested to furnish all information available to you, or subject to your reasonable inquiry, including information in the possession of your attorneys, investigators, employees, agents, representatives, guardians, consultants, expert witnesses, and any other person or persons acting on your behalf, and not merely such information as is known to you by your own personal knowledge.

2. In responding to these requests, you must make a diligent search of your Records and all other papers and materials that are in your possession or available to you, or to the individuals described in the preceding paragraph. If any item has subparts, answer each part separately and in full. If you cannot answer any of the following requests in full after exercising due diligence to secure the information necessary to do so, please so state and answer or respond to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions.

3. If you object to any request on the ground that the information sought is privileged and non-discoverable, please state the basis for your claim of privilege and, in the case of any request for production, identify the documents and records which you object to producing, in sufficient detail as to enable the court to rule upon claim of privilege.

4. These requests are deemed to be continuing. If, after responding to these requests, you acquire any further information responsive to them, you are hereby requested, pursuant to Idaho Rule of Civil Procedure 26(e), to file and serve supplemental answers or responses containing such further information.

5. If you fail to respond to one or more of these requests or if your response to one or more of these requests is evasive or incomplete, Osborn Ranch may move the Court for an order compelling you to fully respond to these requests and to pay the reasonable expenses, including attorney fees, incurred by it in obtaining the order.

6. If you fail to produce documents and records requested herein on the ground that the necessary information, records or documents are not within your care, custody, possession or control, please state what efforts you have made to obtain such information, documents or records.

7. If you fail to respond to any of these requests in full or fail to supplement your answers or responses as requested, Osborn Ranch may move the Court for an order precluding you from introducing into evidence, or otherwise using either at trial or on motion for summary judgment, any testimony, witness, exhibit, document, record, publication, or other item or information not timely disclosed in your responses to these requests.

DEFINITIONS

1. The term “communication(s)” shall include, without limitation, any dissemination of information or transmission of a statement from one person to another or in the presence of another, whether written, oral, or by action or conduct.

2. The terms “document(s)” and/or “record(s)” mean any tangible thing upon which has been placed handwriting, e-mail transmission, typewriting, printing, photocopying, photographing, digital or computerized data, or any other form of recording, communication or representation including, but not limited to, letters, words, pictures, sounds, magnetic impulses, symbols, numbers or any combination thereof, whether or not visible to the unassisted human eye. This definition shall include, but is not limited to, any and all originals, copies, or drafts of any and all of the following: Records, notes, summaries, schedules, contracts, agreements, orders, meeting minutes, design manuals, inventories, audits, acknowledgments, diaries, findings, forecasts, tests, appraisals, reports, memoranda, telephone recordings, telephone logs, telephone lists, diaries, calendars, planners, day-timers, correspondence and letters, e-mail, telegrams, telexes, facsimiles and faxes, cables, tapes, tape recordings, statements, receipts, invoices, transcripts, recordings, photographs, witness statements, pictures, films, videotapes, computer programs, computer databases, models, things and materials of any nature whatsoever. Any “document” which contains any comment, notation, addition, insertion or marking of any kind which is not part of another document is to be considered as a separate “document.”

3. The term “drawing(s)” shall include, without limitation, any and all drawings, as-builts, mylars, designs, blueprints, sketches, maps, plans, notes, graphic depictions, schematics, or similar items, whether prepared by an engineer, architect, surveyor, other licensed professional, or other person.

4. When asked to “identify” a person or entity or when asked for the “identity” of a person or entity, please include:

- (a) The name of the person or entity;
- (b) The present or last known address and telephone number of the person or entity;
- (c) The present or last known occupation, title, business, and employer of the person or entity; and
- (d) The present or last known address and telephone number of the employer of the person or entity.

5. When asked to “identify” a record or document please include:

- (a) The nature or type of record or document (*e.g.*, letter, photograph, map, drawing, tape recording, etc.);
- (b) The subject matter of the record or document and/or a general description of its contents;
- (c) The “identity” of the person who authored or created the record or document;
- (d) The date of the document or, if it bears no date, the date on which it was prepared or created; and
- (e) The physical location of the original and any copies of the document or record of which you are aware and the “identity” of the present custodian of the record or document.

INTERROGATORIES

INTERROGATORY NO. 1: Please identify each and every individual known to you who has any knowledge of, or who claims to have knowledge of, any facts or evidence discoverable in this matter, together with a summary of each person's knowledge.

INTERROGATORY NO. 2: Please identify each and every person you intend to call as a lay witness at the trial of this matter, together with a summary of the substance of each person's expected testimony.

INTERROGATORY NO. 3: Please identify each and every person you expect to call as an expert witness at the trial in this matter, and for each such person, state with particularity:

- (a) The qualifications upon which you intend to rely to establish said person as an expert witness;
- (b) The subject matter on which said person is expected to testify;
- (c) The substance of the facts and opinions to which he or she is expected to testify; and
- (d) The other information required by Rule 26(b)(4) of the Idaho Rules of Civil Procedure and Rule 705 of the Idaho Rules of Evidence.

INTERROGATORY NO. 4: Please identify each exhibit which you plan to offer into evidence at the trial of this matter and the proposed use and relevance of each such exhibit.

INTERROGATORY NO. 5: If you contend that Osborn Ranch, or any individual(s) acting on behalf of Osborn Ranch, has made any admission or statement against Osborn Ranch's interests in this matter, please state the following:

- (a) the identity of the individual making the admission and/or statement;

(b) the date, time, and location where the admission and/or statement was made;

(c) the name and address of each individual present at the time the admission and/or statement was made;

(d) whether the admission and/or statement was written or oral; and

(e) if the admission and/or statement was oral, please state the complete content of the admission and/or statement to the best of your knowledge.

INTERROGATORY NO. 6: Please separately identify each communication which in any way relates to this matter or which you may offer into evidence at the trial of this action. For each such communication please identify:

(a) whether the communication was oral or written;

(b) who were the parties to the communication;

(c) the date of the communication;

(d) the substance of the communication; and

(e) the relevance of the communication to the issues in this case.

INTERROGATORY NO. 7: Please separately identify each document, including without limitation, all e-mails, pictures, plans, drawings, correspondence, notes, and audio or video recordings which in any way relate to this matter.

INTERROGATORY NO. 8: Please identify, in full and complete detail, any diaries, journals, calendars, reports, records, day-timers or any other similar document of which you are aware and which relate in any way to this matter.

INTERROGATORY NO. 9: Please identify each person consulted in responding to these discovery requests and identify the discovery request for which he or she was consulted.

INTERROGATORY NO. 10: Please identify in full and complete detail each and every fact, document, witness, communication, and other evidence which supports or otherwise relates to your position that the Idaho Department of Water Resources should recommend water right No. 78-4080 with a priority date of 1879. See Standard Form 1 Objection, Subcase 78-4080.

INTERROGATORY NO. 11: Please identify in full and complete detail each and every fact, document, witness, communication, and other evidence which supports or otherwise relates to your position regarding the effect a 1920 priority date for water right No. 78-4080 would have on water right No. 78-2025B.

INTERROGATORY NO. 12: Please identify in full and complete detail each and every fact, document, witness, communication, and other evidence which supports or otherwise relates to your position regarding the effect a 1920 priority date for water right No. 78-4080 would have on water right No. 78-4170.

INTERROGATORY NO. 13: Please identify in full and complete detail each and every fact, document, witness, communication, and other evidence which supports or otherwise relates to your position regarding the effect a 1920 priority date for water right No. 78-4080 would have on water right No. 78-4133 owned by Osborn Ranch.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce copies of any and all documents relied upon in, identified in, or responsive to your answers to each of the above-stated interrogatories.

REQUEST FOR PRODUCTION NO. 2: Please produce copies of all documents and exhibits that you expect to offer as evidence at the trial of this matter.

REQUEST FOR PRODUCTION NO. 3: Please produce copies of any notes, memoranda, letters or other correspondence between you and Osborn Ranch regarding this matter.

REQUEST FOR PRODUCTION NO. 4: Please produce a copy of any and all documents including, without limitation, all notes, memoranda, drafts, reports, and work papers from or prepared by expert witnesses listed in your answers to the foregoing interrogatories.

REQUEST FOR PRODUCTION NO. 5: Please produce any and all written reports or documents of any kind whatsoever generated, relied upon, reviewed or possessed by expert witnesses of any type retained by you to renew or analyze this matter and/or render expert testimony.

REQUEST FOR PRODUCTION NO. 6: Please produce the current resume and/or curriculum vitae of each individual whom you may call as an expert witness at the trial of this matter.

REQUEST FOR PRODUCTION NO. 7: Please produce the current resume and/or curriculum vitae of all expert witnesses or consultants with whom you have consulted, either directly or indirectly in this matter.

REQUEST FOR PRODUCTION NO. 8: Please produce copies of any or all statements previously made by Osborn Ranch or its respective employees, agents or representatives relating in any way to this matter, including any written statement signed or otherwise adopted or approved by Osborn Ranch or its respective employees, agents or representatives.

REQUEST FOR PRODUCTION NO. 9: Please produce copies of any statements which your witnesses will use, or you anticipate may be used, to refresh their memory, either for deposition or trial.

REQUEST FOR PRODUCTION NO. 10: Please produce copies of any communications including, without limitation, all meeting minutes and all e-mails, letters or other correspondence, between you and any other person, which relate in any way to this matter.

REQUEST FOR PRODUCTION NO. 11: Please produce copies of any documents or records identified in, or related to, your response to Interrogatory No. 10 above.

REQUEST FOR PRODUCTION NO. 12: To the extent not produced in response to the preceding requests for production, please produce all electronically stored information in your possession, custody, or control that is responsive to Osborn Ranch's First Set of Interrogatories and Requests for Production to Alvin H. Hall And Linnea L. Hall pursuant to Idaho Rule of Civil Procedure 34(a), including, but not limited to, information stored on any desktop computer, laptop computer, blackberry, hard drive, external storage media, local area network, wide area network, handheld device, personal digital assistant, mobile phone, server, and/or archive/backup system.

DATED this 6th day of June, 2008.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Scott L. Campbell
Scott L. Campbell – Of the Firm
Attorneys for Osborn Ranch

CERTIFICATE OF SERVICE

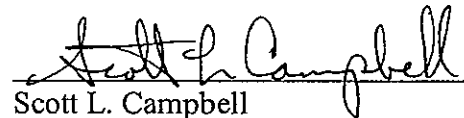
I HEREBY CERTIFY that on this 6th day of June, 2008, I caused a true and correct copy of the foregoing **OSBORN RANCH INC.'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO ALVIN H. HALL AND LINNEA L. HALL** to be served by the method indicated below, and addressed to the following:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. Box 83720
Boise, ID 83720-0098
Fax: 287-6700

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Charles L. Honsinger
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, ID 83701-2773
Fax: 342-4657

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Scott L. Campbell