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JUN 12 2008

DEPARTMENT OF
WATER RESOURCES

CHARLES L. HONSINGER (ISB #5240)
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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 No. 63-18957
Case 38576	)	
	)	
	)	
	)	
	)	AFFIDAVIT OF CHARLES L. HONSINGER
	)	
_____	)	
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. The discovery deadline in this case was originally set on March 14, 2008. Trial was originally scheduled for April 14, 2008. Trial was rescheduled for May 28, 2008, and was again rescheduled to be held on July 17, 2008. No discovery deadline was set at the same time

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that the trial was rescheduled in either instance. The reason for rescheduling trial dates is that the parties have been discussing settlement of their differences.

4. At issue in this subcase is the capacity of Claimant Owyhee Motorcycle Club, Inc.'s diversion and distribution system.

5. Because of settlement discussions that have been ongoing, Objector The Terteling Company, Inc. has not, until now, requested permission from Claimant for it and its experts and consultants to enter upon Claimant's real property located at 6600 Cartwright Road in Boise, Idaho to inspect the diversion and distribution system thereon. After informing Claimant's attorney of its desire to inspect the property, Claimant's attorney has recently informed Objector's attorney that the inspection sought by Objector The Terteling Company, Inc. is not authorized by Claimant Owyhee Motorcycle Club, Inc.

6. The inspection sought by Objector will not in any way prejudice Claimant, and, in the interests of justice, should be granted.

7. There is no other method by which Objector will be able to accurately determine the capacity of Claimant's water diversion and distribution system that is at issue in this proceeding.

8. An expedited hearing is necessary to hear Objector's Motion to Enter Upon Land and Motion to Enlarge Time because trial is approaching fast, and the parties need to prepare for the same.

Further your affiant sayeth naught.

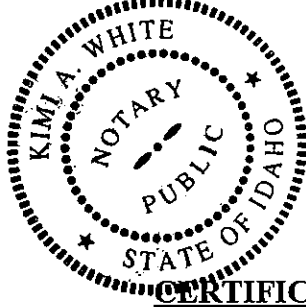
DATED this 11th day of June, 2008.

By:

Charles L. Honsinger

Charles L. Honsinger

Sworn to and subscribed before me this 11th day of June, 2008.



Kim A. White
Notary Public for Idaho

Residing in Boise, Idaho

My Commission Expires: 01/01/10

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of June, 2008, I caused to be served a true and correct copy of the foregoing document via U.S.mail and facsimile to the following:

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Morrow Dinius
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