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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Aberdeen-Springfield Canal Company

**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	)	
	)	A. Subcase Nos. 01-23B, 01-297, 35-2543, 35-4246
Case No. 39576	)	
	)	CLAIMANT'S FIRST DISCOVERY REQUESTS
	)	
	)	
	)	
	)	
	)	

- TO: (1) Objectors Twin Falls Canal Company, A&B Irrigation Company, North Side Canal Company, Burley Irrigation District and Milner Irrigation District, and their attorneys of record, John K. Simpson, Travis L. Thompson, Paul Arrington:**
- (2) Objector Minidoka Irrigation District and its attorney of record, W. Kent Fletcher:**

COMES NOW Claimant Aberdeen-Springfield Canal Company (hereinafter "Claimant"), by and through counsel, and pursuant to I.R.C.P. Rules 33, 34 and submit the following Interrogatories and Requests for Production of Documents to each of the above-named Objectors. You are directed to Answer and Respond to the following Interrogatories and Requests for Production of Documents within fifteen (15) days of service upon you. Further, these Interrogatories

are deemed to be continuing and should you at any time acquire additional information you are to supplement these Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 1: Please set forth the name, address and phone number of each person who is providing the information to answer each respective interrogatory.

INTERROGATORY NO. 2: Please state the name and address of each person you intend to call as a witness at the trial of this matter and the substance of each person's expected testimony.

INTERROGATORY NO. 3: Identify by name and address each and every person you intend to call as an expert at the trial of this matter and for each such person the following:

- a. The scientific, technical or other specialized knowledge possessed by such person.
- b. The knowledge, skill, experience, training and education which qualifies such person as an expert.
- c. All facts and data upon which the expert bases his opinion.
- d. All opinions and inferences to which the expert may testify and the reasons therefor.

INTERROGATORY NO. 4: Do you contend that you own water rights which will be injured if the Claimant's Water Right Nos. 01-23B, 01-297, 35-2543 and 35-4246 are partially decreed as recommended in the Director's Report? If your answer is yes, please answer the following for each water right you contend is injured:

- a. Indicate the water right number;
- b. Provide a copy of each water right or describe the priority date, quantity, point of diversion, place of use and acres irrigated;

c. Please describe precisely and in detail how you believe your water rights will be injured.

INTERROGATORY NO. 5: With respect to each of Claimant's water right claims and the elements of each right to which you have objected as identified in the Standard Form 1 Objection, please state precisely and in detail:

- a. The reasons supporting each objection;
- b. What you believe each element should be;
- c. All evidence you intend to present at trial in support of your objection;
- d. The name, address and phone number of each witness who will testify with respect to each objection and a capsule summary of the testimony to be presented;
- e. A description of all exhibits you will present at trial in support of your objections.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1: Please produce all documents which pertain to and/or which you base your answer to the above interrogatories.

REQUEST FOR PRODUCTION NO. 2: Produce a copy of all documents which you intend to present as exhibits at the time of trial.

REQUEST FOR PRODUCTION NO. 3: Produce a copy of all documents which support your contention your water rights will be injured if Claimant's Water Right Nos. 01-23B, 01-297, 35-2543 and 35-4246 are partially decreed as recommended in the Director's Report.

DATED this 5th day of March, 2009.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED



RANDALL C. BUDGE
Attorney for Claimant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of March, 2009, I caused to be served the original and copies of the foregoing document to the following persons by the indicated methods:

Original to:	Clerk of the District Court Snake River Basin Adjudication P.O. Box 2707 253 Third Avenue North Twin Falls, Idaho 83303-2707	U.S. Mail and Email
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Copy to the Claimant:

Aberdeen-Springfield Canal Company P.O. Box 857 Aberdeen, Idaho 83210	U.S. Mail and Email
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Copy to each of the parties and their attorneys:

John K. Simpson/Travis L. Thompson Barker Rosholt & Simpson LLP P.O. Box 485 Twin Falls, Idaho 83303-0485	U.S. Mail and Email
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Twin Falls Canal Company P.O. Box 326 Twin Falls, Idaho 83303-0326	U.S. Mail
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A&B Irrigation District P.O. Box 675 Rupert, Idaho 83350-0675	U.S. Mail
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North Side Canal Company 921 N. Lincoln Avenue Jerome, Idaho 83338	U.S. Mail
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Burley Irrigation District 246 E. 100 S. Burley, Idaho 83318	U.S. Mail
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Milner Irrigation District 5294 E. 3610 N. Murtaugh, Idaho 83344	U.S. Mail
--	-----------

W. Kent Fletcher
Attorney at Law
P.O. Box 248
Burley, Idaho 83318

U.S. Mail & Email

Minidoka Irrigation District
98 West 50 South
Rupert, Idaho 83350

U.S. Mail

Copies to: IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

U.S. Mail

United States Department of Justice
Environment and Natural Resource Div.
550 W. Fort Street, MSC 033
Boise, Idaho 83724

U.S. Mail

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

U.S. Mail


