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DEPARTMENT OF
WATER RESOURCES

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

JOINT NOTICE OF OBJECTION TO DISCOVERY

A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company and Twin Falls Canal Company (collectively referred to as the “Objectors”) hereby object to the *Interrogatories, Requests for Production* and *Notice of Taking Deposition - Duces Tecum*, all dated March 5, 2009, submitted by Aberdeen-Springfield Canal Company (“ASCC”) to the Districts, on the grounds that all of the propounded discovery violates the *Trial Schedule Order*, dated September 2,

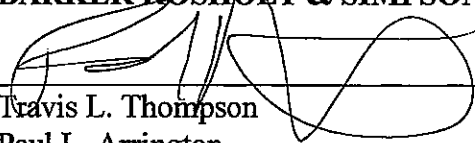
2008. That *Order* specifically provides “March 6, 2009 Discovery cut-off; discovery shall be complete.” Depositions also should have been completed by March 6, 2009.

ASCC’s discovery request fails to comply with this requirement. First, ASCC attempts to set a deposition for April 1, 2009 – nearly a month after the deadline. Second, pursuant to the Idaho Rules of Civil Procedure, all Interrogatories and Requests for Production should have been submitted no later than thirty (30) days prior to the discovery cutoff date in order to be complete by March 6, 2009 – as required by the *Trial Schedule Order*.

Accordingly, the Districts object to ASCC’s untimely discovery request.

DATED this 27th day of March, 2009.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson
Paul L. Arrington

Attorneys for A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company and Twin Falls Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of March, 2009, I served a copy of the foregoing **JOINT NOTICE OF OBJECTION TO DISCOVERY** upon the following:

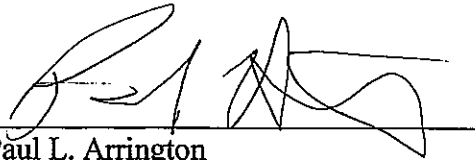
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