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DEPARTMENT OF
WATER RESOURCES

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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	)	Subcase Nos. 37-00415, 37-00416, 37-04108,
	)	37-1211
Case No. 39576	)	
	)	RESPONSE OF THE OBJECTORS TO
	)	SINCLAIR AND NEWFOUNDLAND'S
	)	SECOND SET OF INTERROGATORIES,
	)	REQUESTS FOR PRODUCTION AND
	)	REQUEST FOR INSPECTION TO THE
	)	"CONCERNED WATER USERS"
	)	
	)	
	)	

COMES NOW, Claimants, the Concerned Water Users, by and through his attorneys of record, Barker Rosholt & Simpson LLP, in response to Sinclair and Newfoundland's Second Set of Discovery Requests to THE CONCERNED WATER USERS, hereby makes the following responses in accordance with the Idaho Rules of Civil Procedure.

GENERAL OBJECTIONS

1. THE CONCERNED WATER USERS objects to the Interrogatories and Request for Production and to the definitions and instructions to the extent they purport to require discovery

RESPONSE OF THE OBJECTORS TO SINCLAIR AND NEWFOUNDLAND'S SECOND SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION AND REQUEST FOR INSPECTION TO THE "CONCERNED WATER USERS"

responses beyond that required under the local rules and orders of the Idaho Rules of Civil Procedure. These responses are provided in accordance with the Idaho Rules of Civil Procedure irrespective of any definitions and instructions that may accompany the discovery requests.

2. These responses are made subject to all objections as to competence, relevance, materiality, and admissibility. These responses are subject to all objections that would require the exclusion of any statement, material, or information herein provided if such requests were asked of, or any statement, material, or information provided were made by witness present and testifying in court. All such objections are reserved and may be interposed at the time of trial.

3. Objectors specifically object to these discovery requests to the extent they seek information protected by the attorney-client privilege, the accountant-client privilege, the work product doctrine, and the rules governing discovery relating to experts as set forth in Rule 26(b)(4). This objection is intended to apply to each of the discovery requests that seek such information and will not be repeated specifically for each request to which it applies. Objectors, to the extent possible, construed each request as requesting only information and/or documents not subject to any applicable protection.

4. No incidental or implied admissions are intended. The fact that Objectors have responded to any discovery request or part thereof should not be taken as an admission that Objectors accept that the discovery request or the response or objection thereto constitutes admissible evidence. Similarly, the fact that Objectors have responded to all or part of a request is not intended to and shall not be construed to be a waiver by Objectors of all or part of any objection to other requests. Objectors' answers to any discovery request herein does not constitute a waiver of its right to object to any future additional, or supplemental discovery requests regarding the same or similar matters.

5. Each of these objections is incorporated into the response to each of the Interrogatories and the Request for Production of Documents as though set forth verbatim therein.

INTERROGATORIES

INTERROGATORY NO. 19: Please identify, in full and complete detail, any records or documents obtained by you from Sun Valley Water and Sewer District or produced to you by Sun Valley Water and Sewer District pursuant to public records requests or otherwise.

ANSWER TO INTERROGATORY NO. 19: Sun Valley Water District has provided a single response to record requests with a listing of irrigation water delivered by Sun Valley Water Sewer District to Sinclair which appears to be in the place of use of Sinclair's claimed water rights.

INTERROGATORY NO. 20: Other than counsel, please identify each and every individual who participated in the preparation of the Objections filed by the Concerned Water Users in these Subcases and detail the areas and subjects of each individual's participation.

ANSWER TO INTERROGATORY NO. 20: The objections filed in these subcases by the individuals were filed by counsel after consultation with the individual objectors and the consultants. Objectors object to Sinclair's request to identify the roles played by any individual client in consultation with counsel as violative of the attorney-client and work product privileges. To describe the participation in communication with counsel concerning preparation of objections by definition requires inquiry into the nature and extent of communications with counsel. Accordingly, objectors object to this interrogatory in its entirety.

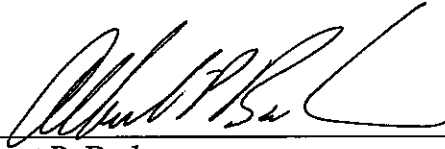
REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 13: 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.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13: See attached.

DATED this 16th day of July 2009

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'Albert P. Barker', is written over a horizontal line.

Albert P. Barker
Attorney for Objectors

VERIFICATION

I, **PEPIN CORSO-HARRIS**, as one of the Objectors, declare, under penalty of perjury under the laws of the United States, that I have read the Response of the Objectors to Sinclair and Newfoundland's Second Set of Interrogatories, Requests for Production and Request for Inspection to Objectors above are true, accurate, and complete to the best of my knowledge and belief.

Dated: _____

PEPIN CORSO-HARRIS

CERTIFICATE OF SERVICE

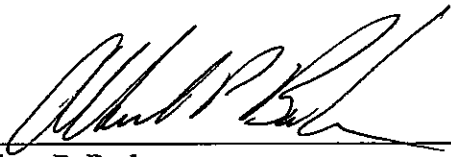
I hereby certify that on the 16th day of July, 2009, I mailed the original and copies of the **RESPONSE OF THE CONCERNED WATER USERS TO SINCLAIR AND NEWFOUNDLAND'S SECOND SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION AND REQUESTS FOR ADMISSION TO THE "CONCERNED WATER USERS"** to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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Albert P. Barker

Sun Valley Company Metered Irrigation Accounts (gallons)

Acct.#	Address	2006	2007	2008
1.0126.02	3 West Lake	111,410	192,630	249,110
1.0134.01	4 West Lake	0	0	492,730
1.0174.02	1 West Lake	1,008,370	775,280	1,124,320
1.0354.03	2 West Lake	59,690	223,100	269,600
1.0491.02	5 West Lake	0	0	399,870
2.1100.01	Daycare	117,480	193,690	185,230
2.1107.01	Fire Pump	1,561,300	2,679,200	2,644,000
2.1118.01	Lodge Lawn	1,172,500	1,632,100	1,524,700
2.1122.01	Inn Bus Loop	0	589,300	375,400
2.1123.01	Laundry Building	622,800	243,300	171,000
2.1172.01	Dollar Lodge north	935,490	1,675,170	1,180,900
2.1173.01	Dollar Lodge south	3,030,800	2,127,600	3,361,600
TOTAL BY YEAR		8,619,840	10,331,370	11,978,460