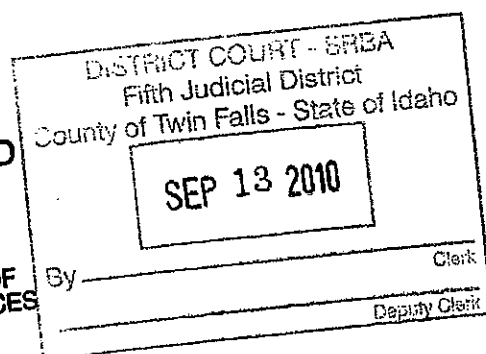


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DEPARTMENT OF
WATER RESOURCES



Attorneys for Claimant W & H Limited Liability 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

Case No. 39576

SUBCASE NO. 63-32910

**ORDER GRANTING MOTION TO
COMPEL RESPONSES TO
DISCOVERY**

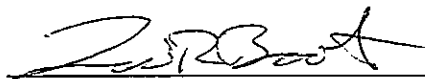
**ORDER GRANTING MOTION FOR
EXPEDITED HEARING**

On September 2, 2010, claimant W & H Limited Liability Company ("W&H"), through its counsel of record, Givens Pursley LLP, filed *W&H LLC's Motion to Compel Responses to Discovery* and on September 8, 2010, W&H filed *W & H Limited Liability Company's Motion for Expedited Hearing*. The *Motions* were heard on September 9, 2010. Michael Creamer and Michael Lawrence appeared on behalf of W&H, Dana Hofstetter appeared on behalf of Respondent Mr. Greg Obendorf, and Nick Spencer appeared on behalf of the Idaho Department of Water Resources. Based on the *Motions*, the Affidavit of Michael C. Creamer, and argument of counsel for W&H and Mr. Obendorf, and good cause appearing therefore, W&H's *Motions* are hereby **granted**.

Respondent Greg Obendorf shall respond to Claimant W&H's discovery requests on or

before December 30, 2010. Pursuant to I.R.C.P. 37(a)(4), it is the intent of this Special Master to recommend that the Court order Obendorf to pay W&H's reasonable expenses incurred in obtaining this *Order Granting Motion to Compel Responses to Discovery*. This special Master finds such reasonable expenses to be \$625. This award of W&H's expenses is contingent until **October 8, 2010**, by which time Obendorf may file with the Court a written response to W&H's motion for expenses which the Court will take into consideration with respect to this expenses award.

DATED this 13th day of September, 2010.



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO COMPEL RESPONSES TO DISCOVERY; ORDER GRANTING MOTION FOR EXPEDITED HEARING was mailed on 9/13/10, with sufficient first-class postage to the following:

Greg Obendorf

Represented by:

Dana L. Hofstetter
608 W. Franklin St.
Boise, ID 83702

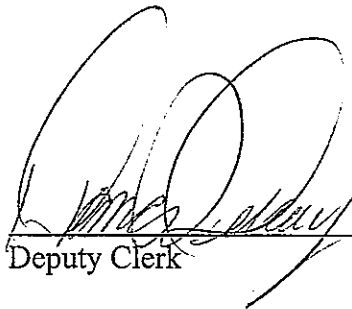
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W & H Limited Liability Company

Represented by:

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Deputy Clerk