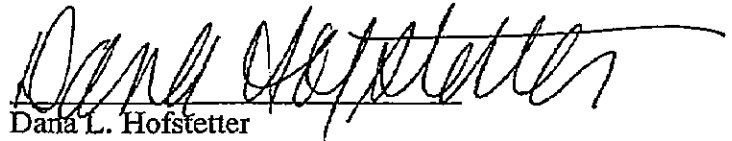


(2) Attached hereto as Exhibit A is a true and correct copy of The Terteling Company, Inc.'s Answers to the Edwards Family, LLC's First Set of Interrogatories and Requests for Production in SRBA Subcase Nos. 63-12, 63-13, 63-15, 63-308, 63-3603, 63-7595, 63-31051, 63-31058, 63-31059, 63-31060 and 63-31062. On Page 5 of these Answers, Mr. Ed Squires is identified as a hydrogeologist retained by The Terteling Company for many years to assist "in investigating various physical attributes of its own water rights, and other parties' water rights. He is aware of the physical attributes surrounding the diversions of water rights claimed by TTCI [The Terteling Company, Inc.] and surrounding the use of the same." On page 8 of these Answers, in response to Interrogatory No. 3, The Terteling Company, Inc. states, "Ed Squires may be called as a rebuttal expert depending upon the type of expert evidence that Edwards Family, LLC puts on in these subcases."

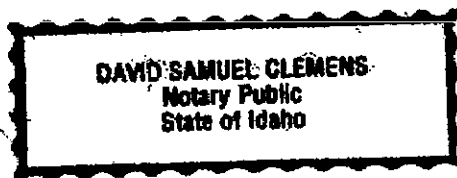
(3) Attached hereto as Exhibit B is a true and correct copy of the deposition transcript for the limited deposition of Ed Squires taken in the above-captioned Subcases. The said deposition was limited to the professional experience of Mr. Squires because of The Terteling Company counsel's representations on the record at the deposition that Mr. Squires would only be used as a rebuttal expert witness and had not been asked to provide any opinions in the subject proceedings.

FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 22nd day of September, 2010.


Dana L. Hofstetter

SUBSCRIBED AND SWORN to before me this 22nd day of September, 2010.




Notary Public in and for the State of Idaho
Residing at: BOISE, IDAHO
My Commission Expires: 7/18/2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of September, 2010, I caused to be served a true copy of the foregoing (with any attachments) by the method(s) indicated below, and addressed to each of the following:

Andrew Waldera

Moffatt Thomas

P.O. Box 829

Boise, Idaho 83701

☐ U.S. Mail ☐ FedEx Overnight ☐ Hand Delivery ☒ Fax

Charles Honsinger

Ringert Law

P.O. Box 2773

Boise, Idaho 83701-2773

☐ U.S. Mail ☐ FedEx Overnight ☐ Hand Delivery ☒ Fax

David Niznik

Diane Peck-Niznik

3911 Whitehead

Boise, Idaho 83703

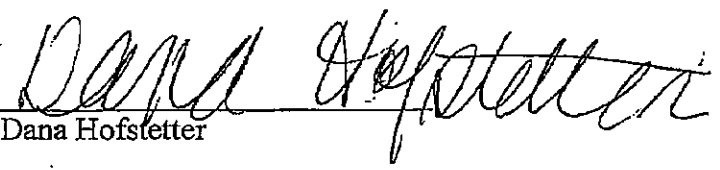
☒ U.S. Mail ☐ FedEx Overnight ☐ Hand Delivery ☐ Fax

IDWR Document Depository

P.O. Box 83720

Boise, Idaho 83720-0098

☐ U.S. Mail ☐ FedEx Overnight ☐ Hand Delivery ☒ Fax


Dana Hofstetter

CHARLES L. HONSINGER (ISB #5240)
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Boise, Idaho 83701-2773
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Facsimile: (208) 342-4657

Attorneys for Claimant 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 NOS. 63-00012, 63-00013,
) 63-00015, 63-00308, 63-03603, 63-07595,
) 63-31051, 63-31058, 63-31059, 63-31060,
) and 63-31062
)
) THE TERTELING COMPANY, INC.'S
) ANSWERS TO EDWARDS FAMILY,
) LLC'S FIRST SET OF
) INTERROGATORIES AND REQUESTS
) FOR PRODUCTION
)
)

Claimant, The Terteling Company, Inc. (hereinafter "TTCP") hereby responds to discovery by submitting these Answers to Edwards Family, LLC's First Set of Interrogatories and Request for Production pursuant to Rules 26 and 33 of the Idaho Rules of Civil Procedure.

GENERAL OBJECTIONS

1. Claimant has not completed its own investigations and/or discovery. Accordingly, the answers that follow are based upon the best knowledge, information and beliefs of Claimant at this time. Claimant reserves the right to make any further answers if it appears that any omission

THE TERTELING COMPANY, INC.'S ANSWERS TO EDWARDS FAMILY, LLC'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION - Page 1

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EXHIBIT
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or error has been made in connection with these answers or that more accurate information is or has become available. These answers are made without prejudice to Claimant's right to use in later discovery or to present at trial, such evidence as may later be discovered or evaluated.

2. Claimant objects to the definitions and instructions to the extent that they purport to require discovery answers beyond that required under the Idaho Rules of Civil Procedure. These answers are provided in accordance with the Idaho Rules of Civil Procedure irrespective of any definitions and instructions that may accompany these interrogatories.

3. These answers are made subject to all objections as to competence, relevance, materiality, and admissibility. These answers are subject to all objections that would require the exclusion of any statement, material, or information herein provided if such request were asked of or any statement, material, or information provided were made by witnesses present and testifying at the formal hearing or trial on this matter. All such objections are reserved and may be interposed at the time of the hearing or trial on this matter.

4. Claimant specifically objects to these discovery requests to the extent that they seek information protected by the attorney-client privilege, the attorney work product doctrine, and the rules governing the discovery of facts of experts as set forth in Rule 26(b)(4), Idaho Rules of Civil Procedure. This objection is intended to apply to all of the discovery requests that seek such information and will not be repeated specifically for each interrogatory to which it applies. Claimant has, to the extent possible, construed each interrogatory as requesting only information and/or documents not subject to any applicable protection.

5. No incidental or implied admissions are intended. The fact that Claimant has

responded to any discovery request or part thereof should not be taken as an admission that Claimant accepts that the discovery request or the response or objection thereto constitutes admissible evidence. Similarly, the fact that Claimant has responded to all or part of a request is not intended to and shall not be construed to be a waiver by Claimant of all or part of any objection to other requests. Claimant's answers to any discovery requests herein do not constitute a waiver of Claimant's right to object to any future additional or supplemental requests regarding the same or similar matters.

INTERROGATORY NO. 1: Please set forth the name, address, telephone number, and occupation of each and every individual known to you or your counsel who has knowledge of or who purports to have knowledge relating to any or all of your Claims (whether in support or in contradiction thereof), relating to any or all of the SRBA Director's Report Recommendations for your Claims, relating to any or all Objections filed in the SRBA Director's Report Recommendations for your Claims, or relating to any or all Responses filed to any filed Objections for your Claims, and set forth a full and accurate summary of the knowledge possessed by each such person.

ANSWER TO INTERROGATORY NO. 1: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague, and at least some of the information requested is in the possession of and/or equally available to Edwards Family, LLC. Notwithstanding its objections and without waiving the same, TTCI responds as follows:

1. J.L. Terteling
The Terteling Company, Inc.
3858 Garden Center Way, Suite 300
Boise, ID 83703
(208)229-4491

Mr. Terteling is a principal in TTCI. He is aware of facts and circumstances surrounding the filing of TTCI's claims in the SRBA, and of the filing of objections by TTCI to its claims in the SRBA. He is aware of facts and circumstances surrounding the use of each water right claimed by TTCI in the SRBA, and is aware of the facts and circumstances surrounding the basis for objections filed by TTCI to other water rights in the SRBA.

2. A.J. Terteling
The Terteling Company, Inc.
3858 Garden Center Way, Suite 300
Boise, ID 83703
(208)229-4491

Mr. Terteling is a principal in TTCI. He is aware of facts and circumstances surrounding at least some of TTCI's objections to its claims in the SRBA. He is aware of facts and circumstances surrounding the use by TTCI of at least some of its water rights that are claimed in the SRBA and is aware of the facts and circumstances surrounding the basis for at least some of the objections filed by TTCI to other water rights in the SRBA.

3. T.E. Terteling
The Terteling Company, Inc.
3858 Garden Center Way, Suite 300
Boise, ID 83703
(208)229-4491

Mr. Terteling is a principal in TTCI. He is aware of facts and circumstances surrounding at least some of TTCI's objections to its claims in the SRBA. He is aware of facts and circumstances surrounding the use by TTCI of at least some of its water rights that are claimed in the SRBA and is aware of the facts and circumstances surrounding the basis for at least some of the objections filed by TTCI to other water rights in the SRBA.

4. Vicky Music
IDWR Western Regional Offices
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190

Ms. Music is an IDWR water right agent. She was involved in the preparation of the recommendations of many of TTCI's water rights and of water rights held by other parties in the area. She has also been involved with Water District 63-S.

5. Jan Shurte
IDWR Western Regional Offices
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190

Ms. Music is an IDWR water right agent. She was involved in the preparation of the recommendations of many of TTCI's water rights and of water rights held by other parties in the area. She has also been involved with Water District 63-S.

6. Garnette Edwards
4106 Sand Creek Street
Boise, Idaho 83703

Ms. Edwards is a principal in Edwards Family, LLC. She is aware of facts and circumstances surrounding Edwards Family, LLC's objections to TTCI water rights.

7. Norm Young
ERO Resources
3314 Grace Street
Boise, ID 83703

Mr. Young is listed as a witness in this matter by Edwards Family, LLC. The extent of his knowledge regarding this matter is currently unknown.

8. Ed Squires
Hydro Logic, Inc.
1002 W. Franklin
Boise, ID 83701
(208)342-8369

Mr. Squires is a hydrogeologist who has been retained by TTCI for many years to assist TTCI in investigating various physical attributes of its own water rights, and other parties' water rights. He is aware of the physical attributes surrounding the diversions of water rights claimed by TTCI, and surrounding the use of the same.

9. Terry Scanlan
SPF Water Engineering
300 E. Mallard Drive, Suite 350
Boise, ID 83706
(208)383-4140

M. Scanlan is an engineer who has previously worked for Edwards Family, LLC in an administrative protest against a prior TTCI transfer application. Mr. Scanlan may have some information regarding the physical attributes of water rights held by TTCI.

10. Ken Neely
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83720-0098
(208)287-4800

Mr. Neely is the Water District 63-S watermaster. He is aware of facts and circumstances regarding the use of low-temperature geothermal water by TTCI, Edwards Family, LLC, and by various other parties holding and/or claiming water rights within Water District 63-S. Because of his monitoring duties, Mr. Neely may be aware of the physical attributes of wells that are the points of diversion for TTCI and Edwards Family, LLC water rights, in addition to wells owned by other parties within Water District 63-S.

11. Unknown Engineer

TTCI employed an engineer during the early portion of the Snake River Basin Adjudication to assist it in preparing claims. TTCI is unaware of the engineer's name, address or phone number.

12. Dana Hofstetter
Hofstetter Law Offices
608 W. Franklin Street
Boise, ID 83702

Ms. Hofstetter is the attorney for Edwards Family, LLC. She may be aware of various facts, circumstances and theories that form the basis for objections filed by Edwards Family, LLC to water rights claimed in the SRBA by TTCI.

13. Other IDWR employees, agents, officers, former employees and/or personnel

Other IDWR personnel may have been involved in the preparation of the recommendations of TTCI's water rights, and may have been otherwise involved with TTCI's water rights or with Water District 63-S.

14. Rebuttal Witnesses

TTCI does not know at this time what rebuttal witnesses, if any, it will call to testify at

the trial of this matter.

INTERROGATORY NO. 2: Please set forth the name, address, telephone number, and occupation of each person you may call as a witness at the trial in these Subcases, and for each such witness, state the substance of his/her expected testimony.

ANSWER TO INTERROGATORY NO. 2: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague, and at least some of the information requested is in the possession of and/or equally available to Edwards Family, LLC. Moreover, TTCI has not yet determined what witnesses, if any, it will call to testify at the trial in these subcases. Notwithstanding its objections and without waiving the same, TTCI responds as follows: TTCI may call as witnesses any of the individuals listed in Answer to Interrogatory No. 1.

INTERROGATORY NO. 3: Please identify each person whom you may call as an expert witness at the trial of these Subcases and state the subject matter on which such expert witness is expected to testify, the substance of the facts to which such expert witness is expected to testify, and the substance of the opinions to which such expert witness is expected to testify as required by Rule 26(b)(4) of the Idaho Rules of Civil Procedure together with all of the underlying facts and data as required by Rule 705 of the Idaho Rules of Evidence.

ANSWER TO INTERROGATORY NO. 3: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague. Moreover, TTCI has not yet determined if it will, in fact call any expert witnesses at the trial in these subcases. Notwithstanding its objections and without waiving the same, TTCI responds as follows: It may call IDWR

employees, including Vicky Music, to testify regarding IDWR's recommendations of the water rights captioned above. The underlying facts and data supporting Ms. Music's recommendations are contained in IDWR's SRBA claim files and water right back files for the above-captioned water rights, and are available on the IDWR website, but will also be made available for Edwards' Family, LLC's review and copying. It is also possible that Ed Squires may be called as a rebuttal expert depending upon the type of expert evidence that Edwards Family, LLC puts on in these subcases

INTERROGATORY NO. 4: Please identify each person with whom you or your representatives have communicated seeking information which in any way relates to any or all of your Claims (including, without limitation, any or all of the SRBA Director's Report Recommendations for them, any or all Objections filed to such SRBA Director's Report Recommendations, or any or all Responses filed to any such Objections).

ANSWER TO INTERROGATORY NO. 4: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague, requests information subject to I.R.E. 408, requests information subject to the attorney work product doctrine and attorney client privilege, and at least some of the information requested is in the possession of and/or equally available to Edwards Family, LLC. Notwithstanding its objections and without waiving the same, TTCI responds as follows: Such individuals include, but are not limited to, Vicky Music, Jan Shurte, David Tuthill, Nicholas B. Spencer, Ken Neely, Sean Vincent, Lori Graves, other IDWR employees/personnel, Ed Squires, Norm Young, J.L. Terteling, T.E. Terteling, A.J. Terteling, Garnette Edwards, Paul Edwards, Dana Hofstetter, unknown engineer employed by TTCI to assist in claim preparation.

THE TERTELING COMPANY, INC.'S ANSWERS TO EDWARDS FAMILY, LLC'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION - Page 8

INTERROGATORY NO. 5: Please identify each person who supplied information that has been used in any way to answer these Interrogatories and designate the information supplied by each such person. (This interrogatory is intended to discover principle sources of information and does not seek to ascertain the identify of typist or other persons responsible for the mechanical preparation of these answers.)

ANSWER TO INTERROGATORY NO. 5: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague. Notwithstanding its objection and without waiving the same, TTCI responds to the Interrogatory as follows: Ed Squires supplied information to enable TTCI to answer Interrogatory Nos. 14 and 15. J.L. Terteling supplied all other information.

INTERROGATORY NO. 6: Please separately identify each communication which in any way relates to any or all of your Claims (including, without limitation, any or all of the Director's Report Recommendations for them, any or all Objections filed to such Director's Report Recommendations, or any or all Responses filed to such Objections). For each such communication, please identify:

- a. Whether the communication was oral or written;
- b. Who were the parties to the communication;
- c. The date of the communication;
- d. The substance of the communication; and
- e. The relevance of the communication to the issues in these Subcases or any of them.

ANSWER TO INTERROGATORY NO. 6: Objection. The interrogatory is compound, overbroad, burdensome, ambiguous and vague, requests attorney work product and THE TERTELING COMPANY, INC.'S ANSWERS TO EDWARDS FAMILY, LLC'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION - Page 9