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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	)	A. Subcase No. 37-21112
	)	
Case No. 39576	)	OBJECTOR'S OBJECTION AND
	)	MOTION TO DISALLOW COSTS
	)	PURSUANT TO I.R.C.P. 54(d)(6)
	)	

COMES NOW, the Objectors, Tom O'Gara, John F. Stevenson, Bill Molyneux, Pete Van Der Meulen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, and Pepin Corso-Harris, by and through their attorneys of record, Barker Rosholt & Simpson, LLP, and Objector, Big Wood Canal Company, by and through its attorneys of record, Hobdey & Hobdey, and hereby object to the Claimant Marathon Partners' Memorandum of Costs. Objectors further move this Court for an Order Disallowing Claimant's Request for an Award of Costs and Fees.

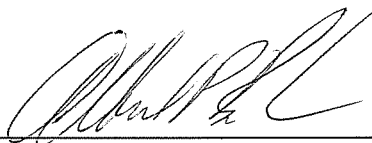
Claimant was not the prevailing party in this action under Idaho Rule of Civil Procedure 54(d)(1)(B). Costs and fees requested by Claimant were not verified or supported by necessary

documentation and not itemized as required by Rule 54(d). The Objectors prevailed in part by obtaining a remark on the right that Claimant adamantly refused to include on the remark for over one year, thereby unreasonably driving up costs, fees, and imposing upon the Court and the Department. Claimants' argument that the matter was pursued frivolously and without foundation is itself frivolous and without foundation. Claimant is not entitled to any award of costs or fees.

This objection to motion is supported by the Memorandum of Objectors in Support of Objection and Motion to Disallow Costs and Affidavit of Albert P. Barker in Support thereof.

DATED this 27th day of March, 2012.

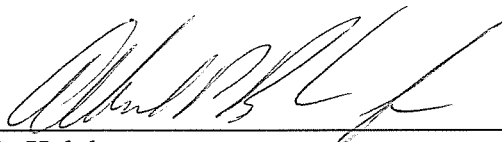
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Craig Hobdey

Attorneys for Big Wood Canal Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of March, 2012, I caused to be served a true and correct copy of the foregoing **OBJECTORS' OBJECTION AND MOTION TO DISALLOW COSTS PURSUANT TO I.R.C.P. 54(d)(6)** by the method indicated below, and addressed to each of the following:

Original hand-delivered to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Copies mailed to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
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