

Claimants Names:

Marathon Partners LLC

Attorney Name & Address:

**James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752**

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 14 2012	
By _____	Clerk
_____	Deputy Clerk

**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

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Subcase 37-21112

MEMORANDUM OF

ATTORNEY'S FEES AND COSTS

Pursuant to I.R.C.P. § 54(d)(5), Claimant, Marathon Partners LLC ("Marathon"), by the undersigned as its Manager, hereby submit this Memorandum of Attorney's Fees and Costs pursuant to I.R.C.P. § 54 and, after first being duly sworn under oath, hereby deposes and states that to the best of his knowledge and belief the items set forth herein are correct and the costs claimed are in compliance with I.R.C.P. § 54(d)(5).

I. DISCRETIONARY COSTS [I.R.C.P. 54(d)(1)(D)]

A. Photocopies	\$198.99
B. Long Distance Telephone	\$54.24
C. Postage	\$19.58
E. Idaho Water Engineering	\$12,330.00

**MEMORANDUM OF
ATTORNEY'S FEES AND COSTS - 1**

F. John Gaeddert

\$665.00

TOTAL DISCRETIONARY COSTS

\$13,267.82

III. ATTORNEY'S FEES

Claimant claims attorney's fees against Objectors pursuant to I.R.C.P. 54 in the amount of \$ 27,729.50. Pursuant to I.R.C.P. 54(e)(5) the basis and method of computation of the attorney's fees claimed is set forth in the Affidavit of James P. Speck in Support of Attorney's Fees filed herewith and the Memorandum in support thereof filed herewith.

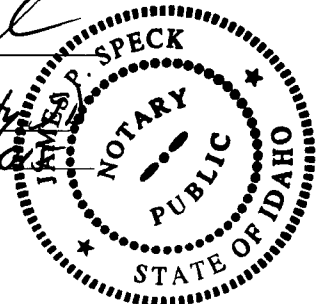
Accordingly, Claimant respectfully requests the Court award it discretionary costs in the amount of \$ 13,267.82, and attorney's fees in the amount of \$ 27,729.50 for a total award of \$ 40,997.32.

DATED this 12 day of March, 2012.

Edmund E. Dumke
EDMUND E. DUMKE

SUBSCRIBED AND SWORN TO before me this 12 day of March, 2012.

J.P. Speck
Notary Public for Idaho
Residing at: Blaine County, ID
Comm. Expires: 1/29/2015



CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of March, 2012, I served a true and correct copy of the foregoing MEMORANDUM OF ATTORNEY'S FEES AND COSTS on the following persons in the manner designated below:

Mr. Nicholas J. Spencer
Idaho Department of Water Resources
322 E. Front Street
Boise ID 83720-0098
Fax: (208) 287-6700

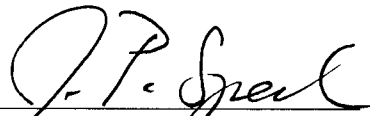
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid
- ☐ Electronic mail

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Fax: (208) 344-6034

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid
- ☐ Electronic mail

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Fax: (208) 934-4420

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid
- ☐ Electronic mail


JAMES P. SPECK