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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

MAY - 3 2024

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) Subcase Nos. 67-15263 *et al.* (Hood)
Case No. 39576) See Exhibit A
) ORDER GRANTING UNITED STATES'
) MOTION TO COMPEL DISCOVERY
) RESPONSES

On May 1, 2024, the United States of America on behalf of the Bureau of Land Management, objector in the above-captioned subcases, filed the *United States' Motion to Compel Discovery Responses*, seeking an order compelling the claimants Keith and Karen Hood (Hoods) to respond in full to its discovery requests. Based upon the contents of the *Motion*, and good cause appearing, the Motion is hereby **granted**. Specifically, the following is hereby **ordered**:

1) Pursuant to I.R.C.P. 36(a)(7), this Special Master finds that the Hoods' objection to the United States' requests for admission (RFA) that the RFA is "outside the scope of protest" is both an insufficient answer and an unjustified objection. Accordingly, the Hoods are ordered to serve sufficient answers to the United States' RFAs and to state specifically what they admit or deny in response to each RFA. In the event that the Hoods fail to timely answer the RFAs, this Special Master opts to defer a final decision until the final pretrial conference on a potential order that the unanswered matters are deemed admitted.

2) As to the United States' interrogatories, the Hoods are ordered to properly respond thereto and in compliance with I.R.C.P. 33.

3) As to the United States' requests for production, the Hoods are ordered to respond thereto in compliance with I.R.C.P. 34.

Under I.R.C.P. 37(a)(5), "the court must, after giving an opportunity to be heard, require the party . . . whose conduct necessitated the motion . . . to pay the movant's

reasonable expenses incurred in making the motion, including attorney's fees." The United States has not submitted any information regarding expenses, and therefore a hearing on expenses cannot be held at this time.

IT IS SO ORDERED

Dated May 3, 2024

A handwritten signature in black ink, appearing to read 'T. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

67-15263
67-15264
67-15265
67-15266
67-15267
67-15268
67-15269
67-15270
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67-15289

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING UNITED STATES' MOTION TO CONPEL DISCOVERY RESPONSES was mailed on May 03, 2004, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:
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