

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 <u>63-2878</u>  |
|                | ) |                            |
| Case No. 39576 | ) | MOTION TO AMEND OPPOSITION |
|                | ) | TO WATER RIGHT             |

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Comes Now, Black Canyon Irrigation District ("BCID") by and through its attorneys of record McDevitt & Miller LLP, by Chas F. McDevitt, and moves to amend its opposition to Subcase No. 63-2878.

To amend Section 10 to read as follows:

"a remark should be added to the water right as follows"

"The source of this right is waste water. The wasting of water may be discontinued at any time."

Amend reasons supporting Objections as follows—deleting present "reasons" and add the following:

Remark will inform water users that water may not continue to be available.

Dated this 21<sup>st</sup> day of August, 2007.

McDevitt & Miller LLP

  
Chas F. McDevitt

### CERTIFICATE OF MAILING

I certify that on August 18<sup>th</sup>, 2007, I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

**Current Owner:**

Name: Nampa & Meridian Irrigation District

Address: 1503 First Street South  
Nampa, ID 83651

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
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P.O. Box 2773  
Boise, ID 83701

  
McDEVITT & MILLER LLP