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DEPARTMENT OF
WATER RESOURCES

Attorneys for Canal Companies

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 No. 63-3618
Case No. 39576	)	
	)	
	)	MOTION FOR SUMMARY JUDGMENT
	)	
_____	)	

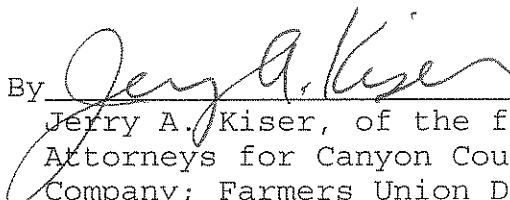
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COMES NOW, CANYON COUNTY WATER COMPANY; FARMERS UNION DITCH COMPANY, LTD.; MIDDLETON IRRIGATION ASSOCIATION, INC.; and, MIDDLETON MILL DITCH COMPANY (hereinafter "Canal Companies") by and through their attorney of record, JERRY A. KISER of the firm STOPPELLO & KISER ATTORNEYS AT LAW, and hereby moves this Honorable Court for Summary Judgment decreeing the purpose of use for 264,250 acre feet of water in Lucky Peak Reservoir, as irrigation storage and irrigation from storage. This Motion is supported by the Affidavit of Jerry A. Kiser filed concurrently herewith, and Brief in Support of Motion for Summary Judgment.

DATED this 12 day of October, 2007.

STOPPELLO & KISER
ATTORNEYS AT LAW

By


Jerry A. Kiser, of the firm
Attorneys for Canyon County Water
Company; Farmers Union Ditch Company,
Ltd.; Middleton Irrigation Association,
Inc.; and, Middleton Mill Ditch Company

CERTIFICATE OF SERVICE: The undersigned does hereby certify that on this date he caused a true and correct copy of the within and foregoing MOTION FOR SUMMARY JUDGMENT; AFFIDAVIT OF JERRY A. KISER IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT; and, BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT to be mailed by United States first-class, postage prepaid mail to the following:

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Represented by:
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BOISE VALLEY IRRIGATION DITCH
EAGLE ISLAND WATER USERS ASSN
EUREKA WATER COMPANY
NAMPA & MERIDIAN IRRIGATION
NEW DRY CREEK DITCH COMPANY
SOUTH BOISE WATER COMPANY
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DATED this 12 day of October, 2007.

STOPPELLO & KISER
ATTORNEYS AT LAW

By 
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County Water Company; Middleton
Irrigation Association; and, Middleton
Mill Ditch Company