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DEPARTMENT OF
WATER RESOURCES

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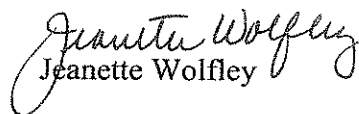
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	
	)	Subcase 27-00016C
Case No. 39576	)	
	)	SHOSHONE-BANNOCK TRIBES' MOTION
	)	FOR SUMMARY JUDGMENT OF DISMISSAL
_____	)	

COMES NOW, the Shoshone-Bannock Tribes, by and through their attorney, Jeanette Wolfley, and file this Motion for Summary Judgment pursuant to Rule 56, I.R.C.P. This Motion relates to the water claims filed by Marion Walker. This motion is based upon the legal authorities and undisputed facts set forth in the Shoshone-Bannock Tribes' Memorandum in Support of the Motion for Summary Judgment. As set forth in the Memorandum Claimant's place of water use is occurring partially on the Fort Hall Reservation, Objector's lands, and therefore, the right should be denied as it applies to the Objector's lands. Therefore, the water claim of Marion Walker should be modified and/or dismissed with prejudice.

Dated this 11th day of January, 2008.

Respectfully submitted,


Jeanette Wolfley