



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

RECEIVED

JAN 14 2008

DEPARTMENT OF
WATER RESOURCES

January 11, 2008

Clerk of the SRBA Court
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: In Re SRBA, Case No. 39576 – Consolidated Subcase no. 92-23

Dear Clerk:

Please find enclosed for filing in the above referenced matter the originals of the following, including copies for conforming:

1. Memorandum in Support of State of Idaho's Motion for Partial Summary Judgment;
2. Affidavit of Michael C. Orr in Support of State's Motion for Partial Summary Judgment, including exhibits;
3. Affidavit of Laird Noh;
4. Affidavit of Kristin M. Ford, Legislative Librarian, Legislative Services Office, including exhibit; and
5. Affidavit of Patsy McGourty, Secretary, Idaho Water Resource Board, including exhibit.

Also enclosed are two copies for chambers (for the Judge and his clerk) of each of the above. For the Court's convenience, please also find enclosed two copies of a CD containing a hyperlinked electronic version of the Memorandum in Support of the State's Motion for Partial Summary Judgment ("Memorandum"). The hyperlinked citations in the Memorandum will open the corresponding portion of the record or the corresponding legal authority in a new window. The new window can be closed by clicking the "X" in the upper right corner.

Please note that in order for the hyperlinking feature to function properly, a few simple steps must be taken after loading the CD. These steps are described in the

"Electronic Brief Instructions" that open automatically when the CD is loaded into a computer. A copy of the "Electronic Brief Instructions" is also attached hereto.

Please also note that the electronic brief will run in Adobe® Acrobat ® Reader® versions 7 and 8, but not version 6. Version 8 is available for downloading, free of charge, at www.adobe.com.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael C. Orr". The signature is fluid and cursive, with the first name "Michael" being more prominent than the last name "Orr".

Michael C. Orr
Deputy Attorney General

MCO/olv

Enclosures

cc: Counsel

Electronic Brief Instructions

*This page contains steps that **MUST** be taken for the hyperlinking in the electronic brief to function properly. These steps only require a total of five mouse clicks.*

This CD contains a hyperlinked electronic version of the “Memorandum in Support of State of Idaho’s Motion for Partial Summary Judgment” in Consolidated Subcase 92-23 (*In re SRBA*, Case No. 39576) (“Memorandum”). Clicking the hyperlinked citations in the Memorandum will open the corresponding portion of the record or the corresponding legal authority in a new window. The new window can be closed by clicking the “X” in the upper right corner.

In order for the hyperlinking feature to function properly, however, a few steps must first be taken.

1. Print this page for reference while following these instructions.
2. The following link opens the Memorandum. After opening the Memorandum, you **must** follow the remaining instructions in order for the hyperlinks to function properly.

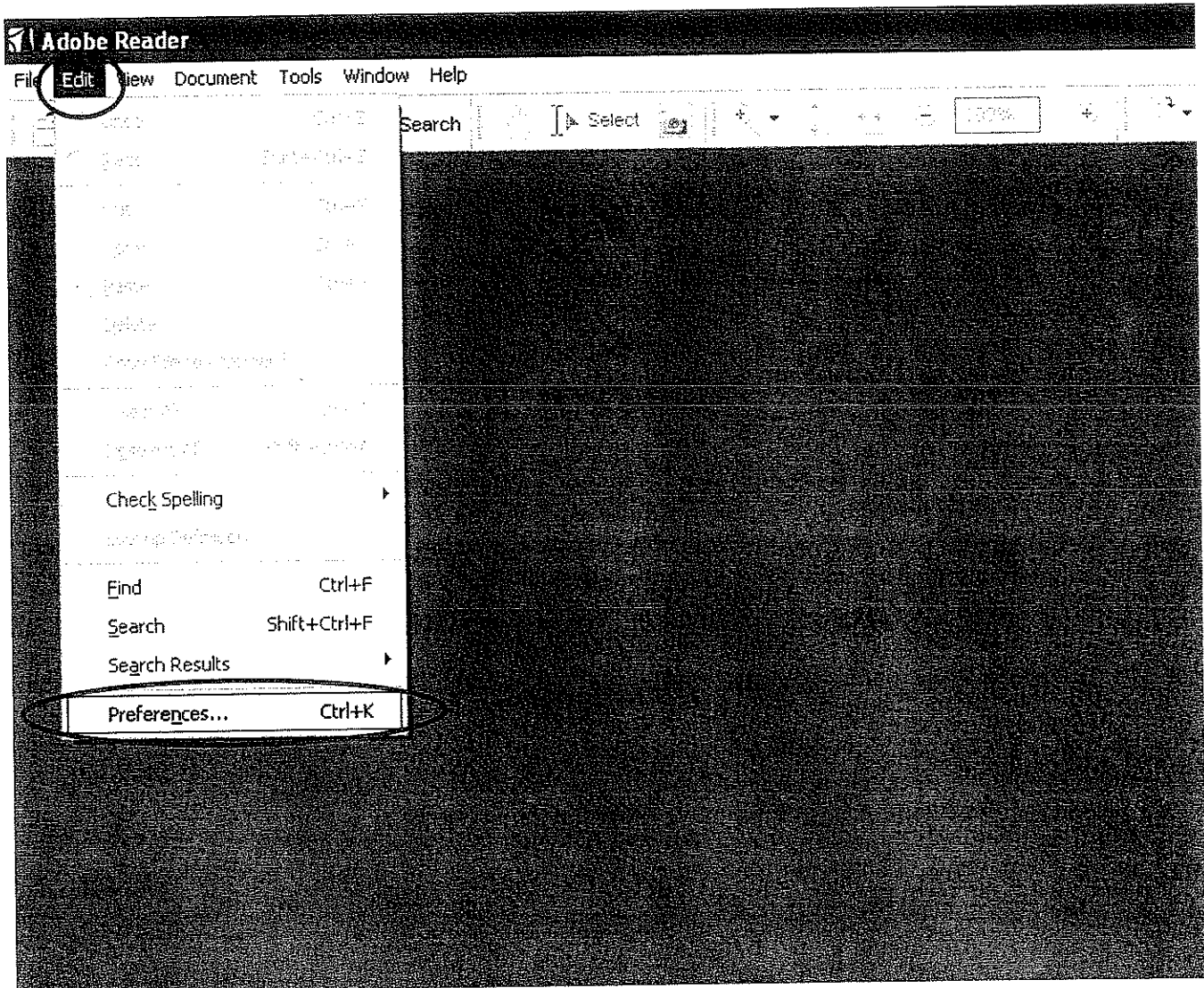
Click this link to open the Memorandum and then **follow the remaining steps in these instructions.**

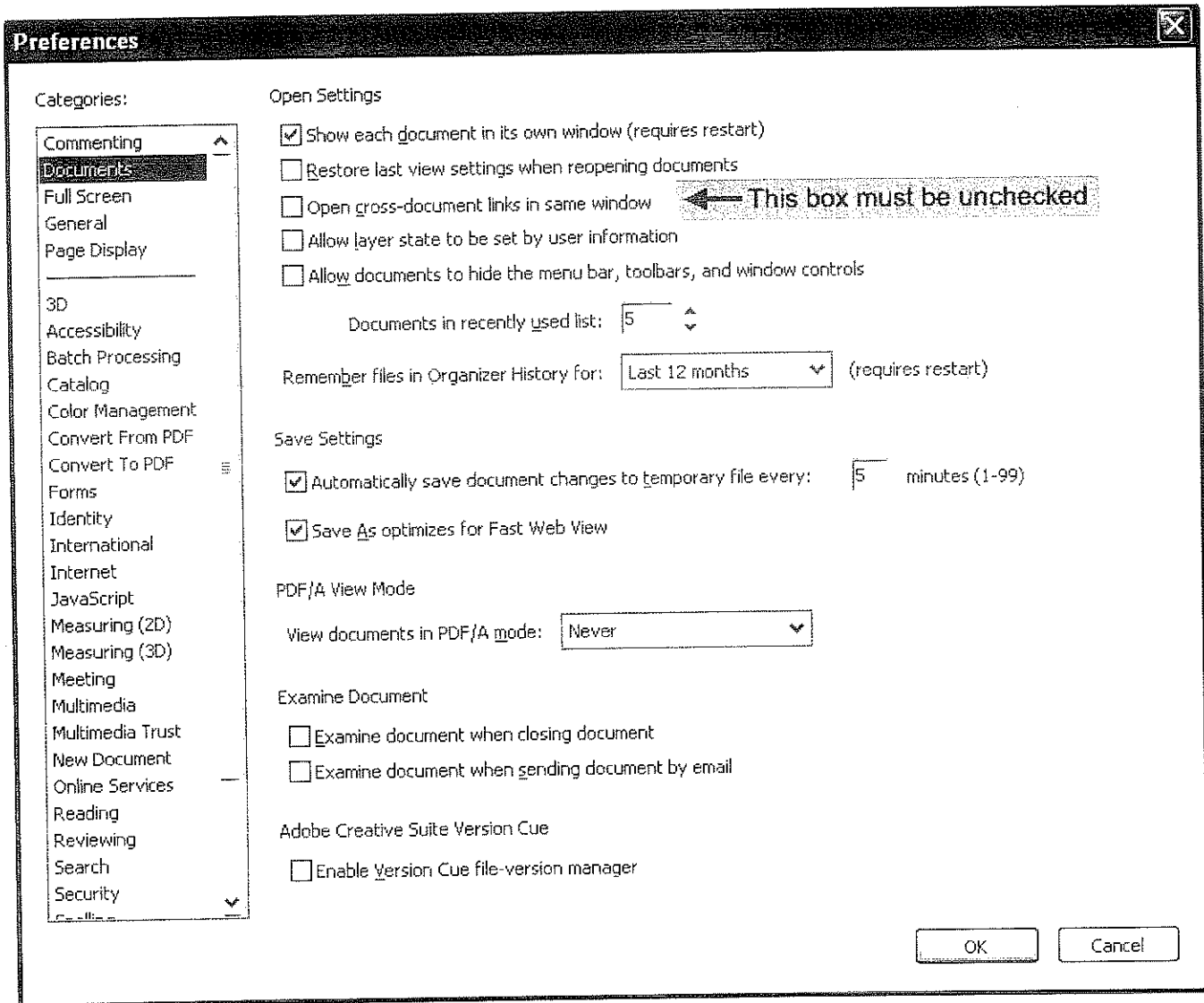
3. Select “Edit” from the main toolbar at the top of the document window;
4. Select the “Preferences” option from the bottom of the “Edit” menu;
5. Select “Documents” from the “Categories” list on the left-hand side of the “Preferences” window. (If there is not a “Documents” option, then select “General”.)
6. **This is the most critical step:**
Uncheck the box for “**Open cross-document links in same window.**” (This is the third checkbox from the top.)
7. Click the “OK” button at the bottom of the “Preferences” window or hit “Enter”.

These steps are illustrated in the screen prints on the following pages. After completing these steps, the hyperlink feature should function properly. If you have any questions, please contact Michael Orr at 208-334-4154.

This Memorandum requires Adobe® Acrobat® Reader® version 7 or 8. A copy of this software can be obtained at www.adobe.com at no charge.

Screen shot for Steps 3 and 4





Adobe® Acrobat® Reader® version 7.

Preferences

Categories:

- 3D
- Accessibility
- Forms
- Full Screen
- General
- Identity
- International
- Internet
- JavaScript
- Multimedia
- Page Display
- Reading
- Search
- Security
- Spelling
- Startup
- Trust Manager
- Units
- Updates

Miscellaneous

☒ Automatically save document changes to temporary file every minutes (1-99)

☒ Automatically detect URLs from text

☐ Open cross-document links in same window

☒ Save As optimizes for Fast Web View

☐ Emit passthrough PostScript when printing

☒ Enable print preview

☐ Use single-key accelerators to access tools

☐ Enable text selection for the Hand tool

☐ Disable edit warnings

☒ Show documents in taskbar (takes effect after next launch of Acrobat)

Selection

Select Tool Options:

Text Selection Margin: pixels

Column Selection Margin: pixels

☐ Use fixed resolution for snapshots Resolution: pixels/inch

← This box must be unchecked