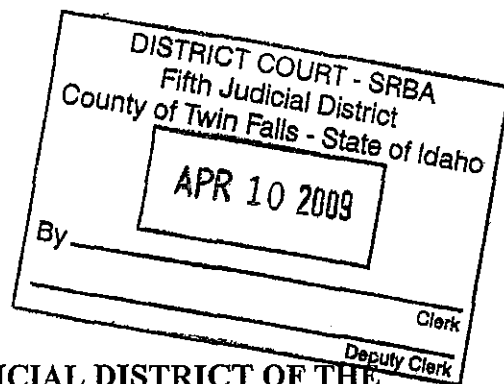


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APR 13 2009

DEPARTMENT OF
WATER RESOURCES



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

Case No. 39576

) Subcases 01-2064, et al.
) (see list of 42 subcases attached)
) (American Falls Rights)
)

ORDER GRANTING MOTION TO PARTICIPATE

On November 19, 2008, American Falls Reservoir District No. 2 filed a *Motion to Participate*, A.O.1(10)(k), I.R.C.P. 24 in the above subcases "because applicant has an interest relating to the subject matter of this action and is so situated that disposition of the action may, as a practical matter, impair or impede its ability to protect that interest, and said interest is not adequately represented by the existing parties."

A hearing on the *Motion* was held by telephone on April 9, 2009. C. Tom Arkoosh appeared for American Falls Reservoir; Michael A. Gheleta appeared for Idaho Power Company; Josephine P. Beeman appeared for the City of Pocatello, along with and Mitra Pemberton; Gregory W. Moeller appeared for New Sweden and Fremont-Madison Irrigation Districts; David I. Stanish appeared for the State of Idaho; Candice M. McHugh appeared for various groundwater districts; and Andrea L. Courtney appeared for IDWR. No one opposed the *Motion*.

THEREFORE, IT IS ORDERED that the *Motion* is granted.

DATED April 10, 2009.

A handwritten signature in cursive script, reading 'Terrence A. Dolan'.

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

01-2064 ET AL

Subcase Nos:

01-02064
01-02064A
01-02064B
01-02064C
01-02064D
01-02064E
01-02064F
01-02064L
01-02068
01-02068D
01-02068E
01-02068F
01-02068M
01-02068Y
01-04055
01-10042
01-10042A
01-10042B
01-10043
01-10043A
01-10043E
01-10044
01-10045
01-10045A
01-10045B
01-10053A
01-10190
01-10191
01-10196
01-10389
01-10485
01-10486
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01-10522
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01-10528
01-10529
01-10530

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO PARTICIPATE was mailed on April 10, 2009, with sufficient first-class postage to the following:

HILLSDALE IRRIGATION DIST
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL CO LTD
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY
Represented by:
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AMERICAN FALLS RESERVOIR
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GOODING, ID 83330
Phone: 208-934-8872

IDAHO POWER COMPANY
Represented by:
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STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

ABERDEEN AMERICAN FALLS GROUND
ABERDEEN-SPRINGFIELD CANAL CO
BINGHAM GROUND WATER DISTRICT
BONNEVILLE JEFFERSON GROUND
CAREY VALLEY GROUND WATER DIST
IGWA INC
JEFFERSON CLARK GROUND WATER
MADISON GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER DIST
NORTH SNAKE GROUND WATER DIST

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(Certificate of mailing continued)

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
FALLS IRRIGATION DISTRICT

Represented by:

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UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
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MINIDOKA IRRIGATION DISTRICT

Represented by:

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DIRECTOR OF IDWR
PO BOX 83720
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