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DEPARTMENT OF
WATER RESOURCES

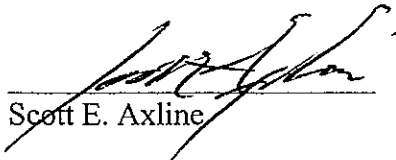
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

InRe SRBA	)	Subcase No. 27-4096
	)	
	)	MOTION TO PARTICIPATE
	)	
Case No. 39576	)	
	)	
	)	
	)	

COMES NOW, Patrick J. Taney, Subcase No. 00-92027, by and through his attorney of record, Scott E. Axline, Esq., and hereby files his Motion to Participate in "test case" 27-4096, as set forth in the Court's Order of September 1, 2009.

Said Attorney hereby Motions the Court to be a party in said "test case" 27-4096, so as to allow said attorney to present evidence at the trial scheduled on December 6-10, 2010.

DATED THIS 25th day of September, 2009.



Scott E. Axline

CERTIFICATE OF DELIVERY

I HEREBY CERTIFY that on the 25th day of September, 2009, I served a true copy of the foregoing document on the attorney(s) listed below:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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Preston R. Allen & Sons
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Natural Resources Div Chief
State of Idaho Attorney General's Office
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United States Department of Justice
Environment & Natural Resources Division
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Boise, ID 83724

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