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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 Nos. 1-217, 1-218, 1-4024, and 1-4025
	)	(Minidoka Power Rights)
	)	
	)	Subcase Numbers: 1-2068 and 1-4054
Case No. 39576	)	(Palisades Power Rights)
	)	
	)	UPPER VALLEY WATER USERS'
	)	RESPONSE TO THE STATE OF
	)	IDAHO'S MOTION FOR PARTIAL
	)	SUMMARY JUDGEMENT

COME NOW, Fremont-Madison Irrigation District, Egin Bench Canals, Inc., Idaho Irrigation District, New Sweden Irrigation District, Blackfoot Irrigation Company, and United Canal Company, (collectively, the "Upper Valley Water Users") by and through counsel of record, respectfully submit this response to the *State of Idaho's Motion for Partial Summary Judgment* ("State's Motion").

UPPER VALLEY WATER USERS' RESPONSE TO THE STATE OF IDAHO'S MOTION
FOR PARTIAL SUMMARY JUDGMENT - p- 1

The Upper Valley Water Users do not object to the entry of summary judgment as requested by the State of Idaho and hereby join in and support the State's Motion.

DATED this 3rd day of November, 2009

RIGBY, ANDRUS & RIGBY,
CHARTERED

By: Robert H. Wood

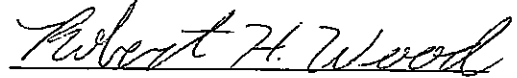
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CERTIFICATE OF MAILING

I do hereby certify that on this 3rd day of November, 2009, a true and correct copy of the foregoing was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:



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