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SEP 15 2010
DEPARTMENT OF
WATER RESOURCES

Attorneys for Franklin Ditch Company, Inc.

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

)
) SUBCASE NOS. 63-00166A, 63-00166B
) 63-00167A, 63-00167B, 63-00179A,
) 63-00179C, and 63-32580
)

) FRANKLIN DITCH COMPANY'S
) MOTION FOR SUMMARY JUDGMENT
)
)

COMES NOW Franklin Ditch Company (hereinafter "Franklin"), by and through its counsel of record, Ringert Law Chartered, and moves this Court, pursuant to Rule 56 of the Idaho Rules of Civil Procedure and pursuant to the Trial Scheduling Order filed December 21, 2007, for entry of summary judgment confirming its ownership of these water rights, and dismissing Pioneer's notices of claims and objections.

This Motion is based upon: Franklin's Memorandum in Support of Motion for Summary Judgment, the Affidavit of Jon C. Gould, the Affidavit of Helen Larson, the claims of Franklin and the pleadings and documents on file with this Court.

Oral argument is requested.

COPY

DATED this 14th day of September, 2010.

RINGERT LAW CHARTERED

By: 
Daniel V. Steenson
Attorney for Franklin Ditch Company

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of September, 2010, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

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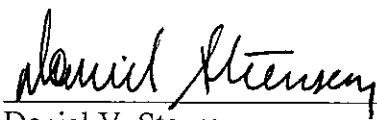
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