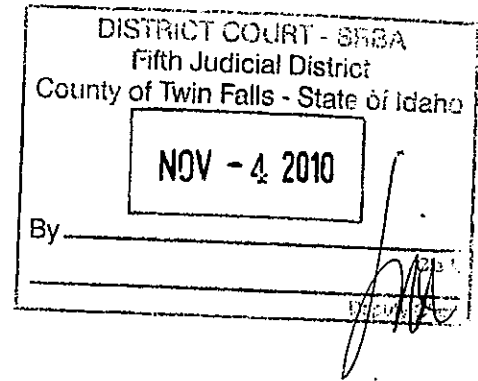


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase Nos: 34-2459, 34-2460, 34-2461,
34-2462, and 34-10925

Case No. 39576

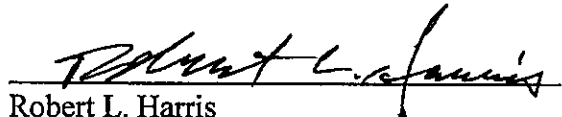
MOTION FOR SUMMARY JUDGMENT

Isom Acres Limited Partnership, Charles Isom, and Don Isom (collectively, "Isom"), by and through his counsel of record, Robert L. Harris of Holden, Kidwell, Hahn & Crapo, PLLC, hereby move this court for summary judgment pursuant to Rule 56(c) of the Idaho Rules of Civil Procedure and Rule 6(4)(f) of this Court's Administrative Order 1 ("AO1"). This motion is supported by the *Memorandum in Support of Motion for Summary Judgment* submitted herewith, as well as the the *Second Affidavit of Attorney Robert L. Harris* in Support of Motion for Summary Judgment, (hereinafter, the "*Second Harris Affidavit*"), which includes documents previously submitted to this court on March 23, 2009 attached to the Affidavit of Attorney Robert L. Harris. For ease of reference, documents relevant to this motion contained in the prior Harris Affidavit will be attached to the *Second Harris Affidavit*.

Additionally, this motion is supported by the *Affidavit of Charles Isom*, and the *Affidavits of Ernest Carlsen* and *James Cefalo* submitted in a separate district court matter, but addressing the issue of reference to canal systems in water rights and the legal effect of that reference.

Isom's motion addresses objections filed by the Big Lost River Irrigation District ("BLRID"), by and through its counsel of record, Kent Fletcher of Fletcher Law Office, and by Doug Schureman, Jim Huelsman, and Tyler Felton (collectively, "Schureman"), by and through their counsel of record, Paul L. Arrington of Barker, Rosholt & Simpson, LLP. The objections filed by BLRID and Schureman fail as a matter of law, and summary judgment in Isom's favor should be granted.

Dated this 3rd day of November, 2010.


Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

CERTIFICATE OF MAILING

I certify that on this 3rd day of November, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

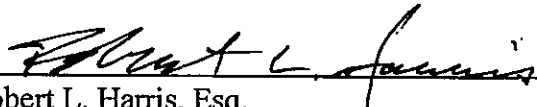
2. Copies to:

Paul L. Arrington
Barker, Rosholt & Simpson, LLP
PO Box 485
Twin Falls, ID 83303

(☒) First Class Mail
(☐) Hand Delivery
(☐) Facsimile
(☐) Overnight Mail
(☒) Email

W. Kent Fletcher
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PO Box 248
Burley, ID 83318

(☒) First Class Mail
(☐) Hand Delivery
(☐) Facsimile
(☐) Overnight Mail
(☒) Email


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