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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. 01-00023B, 01-00297, 35-02543, 35-04246
	)	(Aberdeen-Springfield Canal Company)
	)	
Case No. 39576	)	STATE OF IDAHO'S NOTICE OF ADDITIONAL
	)	AUTHORITY
	)	
	)	
	)	

The State of Idaho hereby gives notice of additional authority in support of the STATE OF IDAHO'S RESPONSE TO THE SURFACE WATER COALITION'S JOINT OPENING BRIEF ON CHALLENGE dated December 28, 2010. The State desires to bring to the attention of this Court relevant legal authority which was not cited in the State's briefing in the above-referenced matter. Providing a court with notice of additional authority is specifically allowed in the context of an appeal to a district court or the Idaho Supreme Court. See I.A.R. 34(f)(1),

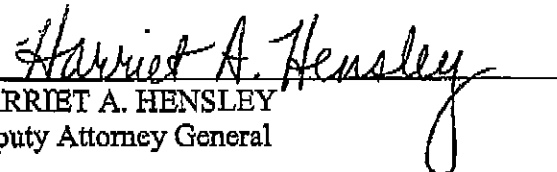
I.R.C.P. 84(r). The following decisions by the SRBA Court are relevant to the arguments presented by the parties in the summary judgment briefing for this matter, and this Court should therefore consider them.

1. *Memorandum Decision and Order on Cross-Motions for Summary Judgment Re: Bureau of Reclamation Streamflow Maintenance Claim, Subcase 63-03618 (Lucky Peak Reservoir)*, dated September 23, 2008.
2. *Amended Consent Decree Re: Aesthetic, Recreation, and Wildlife (ARW) Purposes of Use, Basin-Wide Issue No. 00-91014*, dated February 25, 2009.
3. *Order of Partial Decree, Water Right: 02-10348 (Warner)*, dated June 23, 2009.

RESPECTFULLY SUBMITTED this 18th day of January 2011.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
STATE OF IDAHO


HARRIET A. HENSLEY
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of January 2011, I caused to be served a true and correct copy of the foregoing IDAHO'S NOTICE OF ADDITIONAL AUTHORITY on each of the following persons by the indicated method

1. Original to:

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

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies via facsimile to the following parties at their listed fax numbers:

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT
TWIN FALLS CANAL COMPANY
NORTH SIDE CANAL CO LTD

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W STE 303
PO BOX 485
TWIN FALLS ID 83303-0485
Fax: (208) 735-2444

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
301 MAIN ST
PO BOX 32
GOODING, ID 83330
Fax: (208) 934-8873

ABERDEEN-SPRINGFIELD CANAL CO

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
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Fax: (208) 232-6109

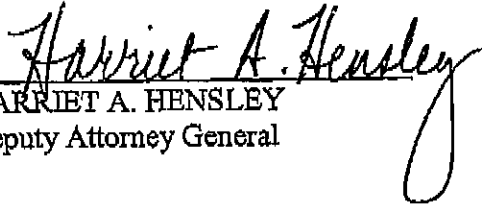
MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318
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UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION
USDI BLM

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