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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

Case No. 39576

)
) Subcase Nos. 01-2064, 01-2064A-G, and L,
) 01-10042, 01-10042A and B, 01-10053A,
) and 01-10190 (American Falls Subcases), and
) 01-2068, 01-6068D-F, M, and Y, 01-10043,
) 01-10043A and E, 01-10191, and 01-10389
) (Palisades Subcases)
)
) **MOTION FOR LEAVE TO FILE**
) **AMICUS BRIEF: STATE OF IDAHO'S**
) **MOTION CONCERNING "REFILL"**
) **OF BUREAU OF RECLAMATION**
) **STORAGE RIGHTS**
)
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**MOTION FOR LEAVE TO FILE AMICUS BRIEF: STATE OF IDAHO'S
MOTION CONCERNING "REFILL" OF BUREAU OF RECLAMATION
STORAGE RIGHTS**

COMES NOW, Black Canyon Irrigation District, New York Irrigation District, Pioneer Irrigation District, Nampa-Meridian Irrigation District, and the Boise Project Board of Control, by and through their counsel of record, and hereby move this Court for an order permitting the filing of an Amicus Brief addressing the State of Idaho's Motion for Summary Judgment on the issue of whether a remark is necessary on storage water rights in Bureau of Reclamation reservoirs in the State of Idaho subordinating "refill" of reservoirs to all existing and future water rights. While this issue has only been raised in certain Basin 01 water right proceedings, the position of the state has the potential to affect already licensed and partially decreed storage rights in Bureau of Reclamation reservoirs throughout the State of Idaho. For this reason the above listed irrigation storage water right holders have a direct and substantial interest in the potential outcome of these proceedings, and believe it is necessary to submit the Amicus Brief, submitted simultaneously herewith, drawing this Court's attention to the potential state-wide implications of this Court's determination concerning the storage right "refill" issue in the above-listed subcases.

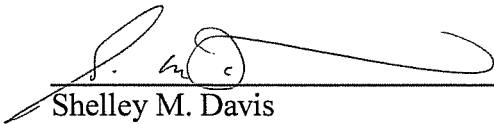
Furthermore, because of the potential implications that a determination regarding whether a remark is necessary on storage water rights in Bureau of Reclamation reservoirs in the State of Idaho has the potential to affect not only the Amici listed above, but all storage water right holders in the State of Idaho, the above Amici also submit herewith a Petition to Designate a Basin Wide Issue regarding this matter so that all storage water right holders in Bureau of Reclamation reservoirs in the State of Idaho may be provided notice and an opportunity to participate in the proceedings to determine this issue.

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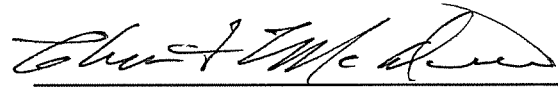
THEREFORE, Black Canyon Irrigation District, New York Irrigation District, Pioneer Irrigation District, Nampa-Meridian Irrigation District, and the Boise Project Board of Control, hereby request that this Court enter an Order permitting the filing of the Amicus Brief filed concurrently herewith.

Dated this 8th day of June, 2012.

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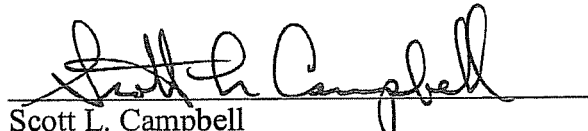
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CERTIFICATE OF SERVICE

I hereby certify that on the 8 day of June, 2012, I served a true and correct copy of the foregoing **Motion for Leave to File Amicus Brief: State of Idaho's Motion Concerning "Refill" of Bureau of Reclamation Storage Rights** on the person(s) listed below, by U.S. Mail, and electronic mail if available:

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