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DEPARTMENT OF
WATER RESOURCES

Michael D. Allen (ISB No. 7727)
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Attorney for Robert P. and Dawn M. Sullivan

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	)	MOTION TO SET ASIDE
	)	ORDER FOR PARTIAL DECREE
	)	
	)	Subcase No. 73-12037
	)	(Sullivan)
_____	)	

COME NOW Robert P. and Dawn M. Sullivan, by and through their attorney, Michael D. Allen, and hereby move the Court, pursuant to Idaho Rule of Civil Procedure 60(b), for an order setting aside the June 30, 2010 Order of Partial Decree as it pertains to Subcase No. 73-12037. The grounds for this motion are set out in the Memorandum in Support of Motion to Set Aside Order for Partial Decree and the Affidavit of Michael D. Allen filed contemporaneously herewith. Movants, by and through undersigned counsel, hereby request oral argument on this motion.

PRAYER FOR RELIEF

Movants Robert P. Sullivan and Dawn M. Sullivan hereby respectfully pray for the following relief:

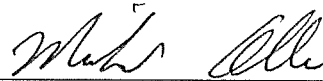
1. That the Court enter an order setting aside its June 30, 2010 Order for Partial Decree.
2. That the Court enter a scheduling order setting dates for:

a. Movants Robert P. Sullivan and Dawn M. Sullivan to submit evidence to the Idaho Department of Water Resources in support of their claims in the above-captioned subcase; and

b. The Idaho Department of Water Resources Director to enter an amended Director's Report regarding the same.

3. That the Court grant such other and further relief as it deems just and proper.

RESPECTFULLY SUBMITTED this 12th day of December, 2012.



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Attorney for Robert P. and Dawn M. Sullivan

CERTIFICATE OF SERVICE

I certify that on the 12th day of December, 2012, I mailed the original and copies of this form, including all attachments, to the following via US Mail -1st Class, postage prepaid and addressed as follows:

(Original)

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

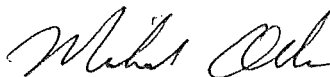
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