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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Grandview Mutual Canal Company

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 02-00080

MOTION TO SET ASIDE PARTIAL DECREE
FOR WATER RIGHT NO. 02-00080

COMES NOW, Grandview Mutual Canal Company (hereinafter “GVMCC”), by and through its counsel of record, Sawtooth Law Offices, PLLC, and pursuant to §14.d of the SRBA District Court’s Administrative Order No. 1 and I.R.C.P. 60(b)(6), hereby moves this court to set aside the partial decree for water right no. 02-00080 for the purpose of modifying the partial decree as explained in the *Motion to File Amended Notice of Claim*, filed contemporaneously with this *Motion to Set Aside*.

The grounds for this motion are that the quantity that decreed for water right no. 02-00080 is insufficient to provide for conveyance losses in delivering the quantities of water that have historically been used, and continue to be delivered and required, for irrigation of lands that receive water through the Grandview Mutual Canal. GVMCC became aware of the inadequacy of the

MOTION TO SET ASIDE PARTIAL DECREE FOR WATER RIGHT NO. 02-00080 - Page 1

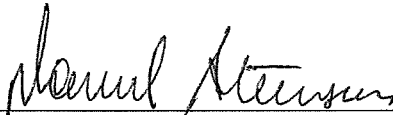
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decreed quantity this year as a result of notice from the Watermaster for Water District No. 02.

This *Motion* is supported by the *Affidavit of Rohl Hipwell*, the *Affidavit of Corbin Knowles*, and the *Memorandum in Support of Motion to Set Aside Partial Decree for Water Right No. 02-00080*, which will be filed with the Court prior to hearing. GVMCC requests oral argument on this *Motion*.

Dated this 30th day of September, 2013.

SAWTOOTH LAW OFFICES, PLLC



Daniel V. Steenson

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CERTIFICATE OF SERVICE

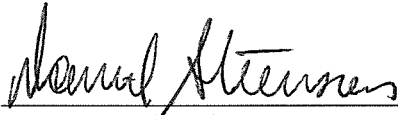
I certify that on September 30, 2013, I served copies of this document, including all attachments by mailing a copy thereof, postage prepaid, to each of the parties listed below.

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