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Department of Water Resources

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Attorneys for Billingsley Creek Ranch

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. 36-11060, 36-15462
	)	36-00046
Case No. 39576	)	
	)	<u>MOTION FOR SUMMARY</u>
	)	<u>JUDGMENT</u>

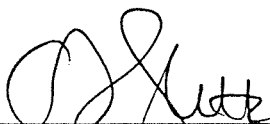
COMES NOW, Donnie McFadden, and moves the court pursuant to Rule 56 of the Idaho Rules of Civil Procedure, for summary judgment in the above-referenced subcases, on the grounds that there is no genuine issue of material fact, and Donnie McFadden is entitled to judgment as a matter of law.

This Motion is based upon the records, files and pleadings in the above-entitled action, together with the Affidavits of George Lemmon and Donnie McFadden filed herewith.

Oral argument is requested.

1 DATED this 1 day of July, 1996.

2 ROSHOLT, ROBERTSON & TUCKER

3
4 By 
5 Gary D. Slette
6

7 **CERTIFICATE OF MAILING**

8 I hereby certify that on the 1 day of July, 1996, I mailed the original and
9 copies of this form, including all attachments, to the following persons by mailing the
10 original and/or copies, postage prepaid and addressed as follows:

11 1. Original to:

12 Clerk of the District Court
13 Snake River Basin Adjudication
14 253 Third Avenue North
15 P.O. Box 2707
16 Twin Falls, Idaho 83303-2707

17 2. Copies to (insert names and addresses):

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