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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 Nos.: Attachment A**
)
) **SURFACE WATER COALITION'S**
) **JOINT MOTION TO DECREE**
) **GENERAL PROVISION**
)
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COME NOW, A&B Irrigation District, American Falls Reservoir District #2, Burley
Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal
Company and Twin Falls Canal Company (collectively "Surface Water Coalition" or
"Coalition"), by and through their undersigned attorneys of record, and submit this *Joint Motion*
to Decree General Provision.

The Coalition seeks to have the Court decree the following general provision applicable to the Basin 01 storage water right decrees:

All storage water rights in the Reservoir system shall be entitled to accrue available natural flow beginning on November 16th for the following calendar year in priority; provided, however, water accruing to the storage rights of the Reservoir system may be temporarily held in unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range 21E, sections 28 and 29, when determined by the Watermaster (as supervised by the Director of the Department of Water Resources), the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner. Storage water rights nos. 1-4055, 1-10044, 1-10045, 1-2064, 1-2068, 1-10401, 21-12946, 21-2161, 21-2156, 21-4155, and 21-10560 may accrue natural flow for the following calendar year according to priority between October 1st and November 15th; provided, however, each of the enumerated rights shall only be entitled to accrue natural flow available above the point of diversion of each right during this time period. Natural flow available between October 1st and November 15th to the March 30, 1921 priority of water right no. 01-2064 shall only be available after water right no. 01-06 receives up to 850 cfs of the available natural flow.

“Reservoir system” shall mean all Federal reservoirs on the Snake River and its tributaries down to and including Lake Walcott, which store water for distribution pursuant to water right nos. 1-219, 1-2064, 1-2068, 1-4055, 1-10042, 1-10043, 1-10044, 1-10045, 1-10620, 1-10621A, 1-10621B, 1-10622, 1-10623A, 1-10623B, 21-2156, 21-4155, 21-10560, 21-13161, 25-7004, 25-14413A and 25-14413B.

SWC Proposed General Provision.

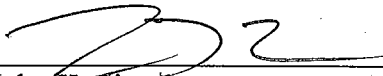
The Coalition submits the above general provision is “necessary for the definition of the rights or for the efficient administration” of the Basin 01 storage water rights listed at Attachment A. See I.C. § 42-1412(6).

This joint motion is supported by the accompanying *Memorandum in Support*, the *Factual Addendum* and exhibits, and the *Declaration of David B. Shaw* filed together herewith. The Coalition respectfully requests the Court to grant the motion and decree the proposed general provision. The Coalition requests oral argument on this motion.

Finally, and in the alternative if the Court determines it is necessary, the Coalition would request an evidentiary hearing regarding the proposed general provision.

DATED this 15th day of May, 2017.

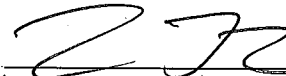
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W. Kent Fletcher

*Attorneys for American Falls Res. Dist. #2
and Minidoka Irr. Dist.*

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May, 2017, I served a true and correct copy of the foregoing **SURFACE WATER COALITION'S JOINT MOTION TO DECREE GENERAL PROVISION** on the person(s) listed below, by U.S. Mail, and electronic mail if available:

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Regional Director, PN Region
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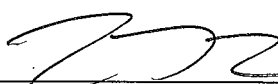
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ATTACHMENT A

01-219
01-2064
01-2068
01-4055
01-10042
01-10043
01-10044
01-10045
01-10620
01-10621A
01-10621B
01-10622
01-10623
21-02156
21-04155
21-10560
21-13161
25-07004