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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT FOR THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Subcase Nos. 61-248 and 61-10419

**MHID'S MOTION TO STRIKE
PORTIONS OF THE AFFIDAVITS OF
TIMOTHY M. HEALY, DANIEL P.
WEITZ, AND EXHIBIT 1 TO
MEMORANDUM IN SUPPORT OF
WEITZ'S MOTION FOR SUMMARY
JUDGMENT**

COMES NOW Mountain Home Irrigation District ("MHID"), through its counsel of record McHugh Bromley, PLLC, and moves the Court pursuant to Rules 7(b), 12(f), 56(c)(2) and (3), as well as 56(e) of the Idaho Rules of Civil Procedure for an order striking from the record portions of the Affidavit of Timothy M. Healy, the Affidavit of Daniel P. Weitz, and the entirety of Exhibit 1 to the *Memorandum in Support of Weitz's Motion for Summary Judgment*.

This Motion is based on the memorandum filed contemporaneously herewith, the pleadings and record in this case, and the arguments of counsel presented at the hearing on said motion.

Oral argument is requested.

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CLERK OF DISTRICT COURT
WHEREFORE, MHID respectfully requests this Court grant its Motion and Strike Paragraph 6 of the *Healy Affidavit*, paragraphs 5, 6, and 7 of the *Weitz Affidavit*, and Exhibit 1 attached to the *Memorandum in Support of Weitz's Motion for Summary Judgment* from the record in this case.

DATED this 25th day of February, 2021.

MCHUGH BROMLEY, PLLC



CHRIS M. BROMLEY
Attorneys for MHID

CERTIFICATE OF SERVICE

I certify that on this 25th day of February, 2021, I caused to be served a true and correct copy of the foregoing upon the following persons by U.S. Mail:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
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