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AUG 05 2021
DEPARTMENT OF
WATER RESOURCES

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

IN RE CSRBA,
Case No. 49576

Case Nos.: 95-02138, 95-13699,
95-14511, and 95-17232

MOTION FOR SUMMARY JUDGMENT

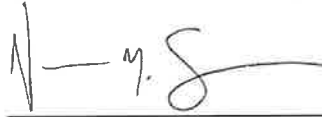
COMES NOW Kathryn Spackman, Daniel A. Barkley, and Melissa M. Stocking, by and through its counsel of record, Parsons Behle & Latimer, and file this Motion for Summary Judgment pursuant to CSRBA Administrative Order 1, Idaho Rule of Civil Procedure 56 and Idaho Code § 42-1411.

There is no genuine dispute of material fact regarding the Idaho Department of Water Resources' *Director's Report* for water rights numbers 95-13699; 95-14511; 95-17232; and 95-2138 or the objections thereto. In addition, due to the existing evidence supporting the *Director's Report*, Objectors are unable to meet their burden to overcome the evidentiary presumption created by the *Director's Report* under Idaho Code § 42-1411(5).

As a result, summary judgment should be granted consistent with the *Director's Report* for the water rights. This Motion for Summary Judgment is based on the Memorandum in Support of the Motion for Summary Judgment and the Affidavit of Counsel, filed herewith.

DATED this 4th day of August, 2021.

PARSONS BEHLE & LATIMER



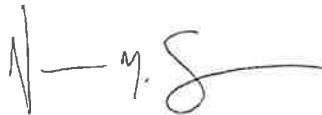
Norman M. Semanko

Attorneys for Kathryn Spackman, Daniel A.
Barkley, and Melissa M. Stocking

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of August, 2021, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

IDWR P. O. Box 83720 Boise, ID 83720-0098	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt:
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