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MAY 29 2018

DEPARTMENT OF
WATER RESOURCES

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**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

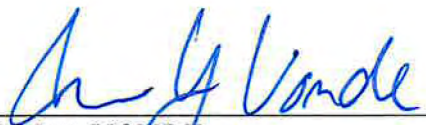
**IN THE MATTER OF LICENSE
NO. 37-7842 IN THE NAME OF
THE IDAHO WATER RESOURCE
BOARD**

**IWRB'S MOTION FOR SUMMARY
JUDGMENT**

The Idaho Water Resource Board ("IWRB"), by and through its attorneys of record hereby moves for summary judgment pursuant to IDAPA 37.01.01.260 and 37.01.01.565 and I.R.C.P. 56 and 12.b, and respectfully requests the hearing officer enter a final order dismissing the above referenced petition.

There is no genuine issue as to any material facts regarding this Motion. This motion is based on the file, agency record, and discovery responses filed in the above referenced matter and authorities and arguments set forth in the Memorandum in Support of IWRB's Motion for Summary Judgment and Affidavit of Ann Y. Vonde filed contemporaneously herewith.

DATED this 29th day of May, 2018.



ANN Y. VONDE
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of May, 2018, I caused to be served a true and correct copy of the foregoing IWRB'S MOTION FOR SUMMARY JUDGMENT by placing a copy thereof in the manner listed below:

1. Original to:

Director Spackman
Idaho Department of Water Resources
PO Box 83720
Boise ID 83720-0098

- ☐ U.S. Mail, postage prepaid
- ☒ Hand Delivery
- ☐ Federal Express
- ☐ Email:
- ☐ Statehouse Mail

2. Copies to

Joesph F. James
Brown and James
125 Fifth Avenue West
Gooding ID 83330

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☒ Email: joe@jamesmvlaw.com

Water District #37
Kevin Lakey
107 W 1st
Shoshone ID 83352

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Email:
- ☐ Statehouse Mail



ANN Y. VONDE
Deputy Attorney General