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SEP 19 2011
Department of Water Resources
Eastern Region

Attorneys For Petitioners

BEFORE THE DEPARTMENT OF WATER RESOURCE
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	
37-07842 IN THE NAME OF THE	)	MOTION FOR SUMMARY JUDGMENT
IDAHO WATER RESOURCES	)	
BOARD	)	
_____	)	

COME NOW, Petitioners, by and through their attorney, Joseph F. James, of Brown & James, and hereby moves The Director for entry of his order granting summary judgment in favor of the Petitioners pursuant to I.D.A.P.A 37.01.01.565 in the Statement of Legal Issues entered June 28, 2011.

This motion is based upon the grounds that there is not genuine issue of material fact, and Petitioners are entitled to a judgment as a matter of law. This motion is supported by the entire record on file herein. Oral argument is requested.

DATED this 16th day of September, 2011.

BROWN & JAMES

By:


Joseph F. James

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September, 2011, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Shasta Kilminster-Hadley
Natural Resources Division
P.O. Box 83720
Boise, ID 83720-001

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David I. Stanish
Natural Resources Division
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Boise, ID 83720-001

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Sharla Cox-Administrative Assistant
I.D.W.R.
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

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