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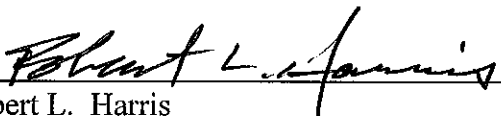
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LICENSING WATER
RIGHT PERMIT NO. 01-7011 IN THE
NAME OF TWIN FALLS CANAL
COMPANY AND NORTH SIDE CANAL
COMPANY

**UPPER SNAKE WATER USERS' AND
GROUND WATER DISTRICTS'
MOTION FOR SUMMARY JUDGMENT**

Mud Lake Water Users, Independent Water Users, Jefferson Canal Company, Montevue Canal Company, Producer's Canal Company, and Fremont-Madison Irrigation District (collectively, the "Upper Snake Water Users"), and Aberdeen-American Falls Ground Water District, Bingham Ground Water District, and Bonneville-Jefferson Ground Water District (collectively, the "Ground Water Districts"), acting for and in behalf of their member water users, by and through counsel, hereby move for summary judgment regarding the *Final Order* issued by the Director of the Idaho Department of Water Resources. The grounds for the motion are discussed in a supporting memorandum and *Affidavit of Luke H. Marchant in Support of Upper Snake Water Users and Ground Water Districts' Motion for Summary Judgment* filed herewith.

DATED this 12th day of February, 2010.


Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering, by mailing or by facsimile, with the correct postage thereon, a true and correct copy thereof on this 12th day of February, 2010.

DOCUMENT SERVED: UPPER SNAKE WATER USERS' AND GROUND WATER DISTRICTS' MOTION FOR SUMMARY JUDGMENT

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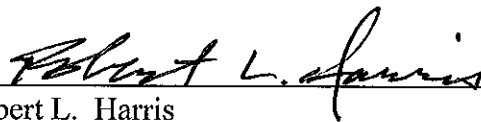
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