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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 13 2023	
By _____	Clerk
_____	Deputy Clerk

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

ORDER ON MOTION TO STRIKE, AND ON
JUDICIAL NOTICE

SUBCASE NOS.: 95-2067, 95-9115, and 95-9119

I. BACKGROUND

Avista Corporation filed a *Motion to Strike* in the above subcases, objecting to Exhibits 4 and 5 to the *Affidavit of Vanessa Boyd Willard*. In addition, Avista's *Motion* asked the Court to take judicial notice of the files for subcases 95-9115 and 95-9119. The Court heard argument on the *Motion to Strike* and on the request to take judicial notice of the files in 95-9115 and 95-9119.

II. ORDER

THEREFORE, after considering the argument of counsel, the Court **denied in part** the *Motion to Strike*, but held that the complete *Claims* rather than Exhibits 4 and 5 are the documents to which the Court will look when determining what is in those documents.

In addition, the Court **granted in part** the request to take judicial notice of the files for 95-9115 and 95-9119. The Court held that it will take judicial notice of those portions of the *Claims* that relate to the elements at issue.

Dated: October 13, 2023.


BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTION TO STRIKE AND ON JUDICIAL NOTICE was mailed on October 13, 2023, with sufficient first-class postage to the following:

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ORDER

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