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**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO IN AND FOR THE COUNTY OF POWER**

ABERDEEN-SPRINGFIELD CANAL  
COMPANY, an Idaho Corporation, JEFFREY  
and CHANA DUFFIN, individually, as  
stockholders, and as husband and wife,

Plaintiffs,

vs.

IDAHO DEPARTMENT OF WATER  
RESOURCES, an executive department of the  
State of Idaho,

Defendant.

Case No. CV-2014-165

**SURFACE WATER COALITION'S  
MOTION FOR SUMMARY  
JUDGMENT**

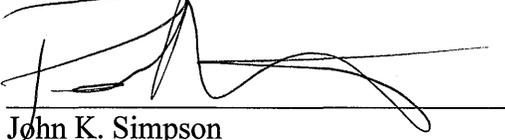
COME NOW, A&B Irrigation District, American Falls Reservoir District #2, Burley  
Irrigation District, Minidoka Irrigation District, Milner Irrigation District, North Side Canal  
Company and Twin Falls Canal Company (hereafter collectively "Surface Water Coalition,"  
"Coalition" or "SWC"), by and through their attorneys of record, and move this Court for entry of  
summary judgment pursuant to Rule 56 of the Idaho Rules of Civil Procedure. This Motion is made

on the grounds that there are no material facts in dispute and that the Coalition is entitled to Judgment as a matter of law as to the interpretation of Idaho Code § 42-228.

This motion is supported by the *Memorandum in Support of Surface Water Coalition's Motion for Summary Judgment* and *Affidavit of Paul L. Arrington*, each filed concurrently herewith.

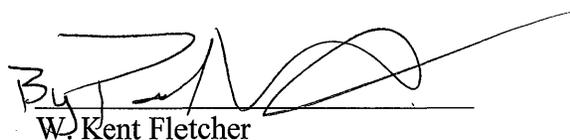
**DATED** this 4<sup>th</sup> day of March, 2015.

**BARKER ROSSHOLT & SIMPSON LLP**



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**CERTIFICATE OF SERVICE**

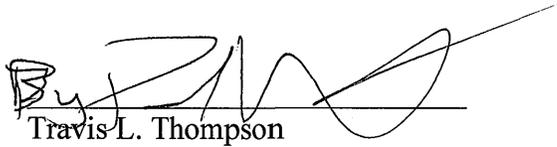
I HEREBY CERTIFY that on the 4<sup>th</sup> day of March, 2015, I served true and correct copies of the foregoing upon the following by the method indicated:

Garrick Baxter  
John Homan  
Meghan Carter  
Deputies Attorney General  
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