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Attorneys for Unit A Association

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF THE NORTH  
SNAKE AND MAGIC VALLEY GROUND  
WATER DISTRICTS' 2009 JOINT  
MITIGATION PLAN FOR 2009  
(Blue Lakes)

**Docket Nos. CM-MP-2009-002**

IN THE MATTER OF A&B IRRIGATION  
DISTRICT'S RULE 43 MITIGATION PLAN

**UNIT A ASSOCIATION'S MOTION  
FOR SUMMARY JUDGMENT**

(Water Right Nos. 36-02356A, 36-07210, and  
36-07427)

Protestant Unit A Association ("Unit A"), by and through its counsel of record, Perkins Coie LLP, hereby moves for entry of summary judgment in favor of Unit A for the reasons set forth in the Memorandum in Support of Unit A Association's Motion for Summary Judgment filed concurrently herewith. Entry of summary judgment in favor of Unit A should result in an order denying approval of the A&B Irrigation District's Rule 43 Mitigation Plan. This motion is filed in accordance with applicable Scheduling Orders and IDAPA 37.01.01 Rules 260 & 565.

This motion is based upon the Memorandum in Support of Unit A Association's Motion for Summary Judgment, the Affidavit of Erika E. Malmén in support of Unit A Association's Motion for Summary Judgment filed concurrently herewith, and all other Unit

A filings of record in this matter.

DATED: February 19, 2010

**PERKINS COIE LLP**

By:  \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on February 19, 2010, I caused a true and correct copy of the within named document to be forwarded with all required charges prepaid and properly addressed, by the method(s) indicated below, in accordance with IDAPA 37.01.01.303, to all of the parties of record in this proceeding, as follows:

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