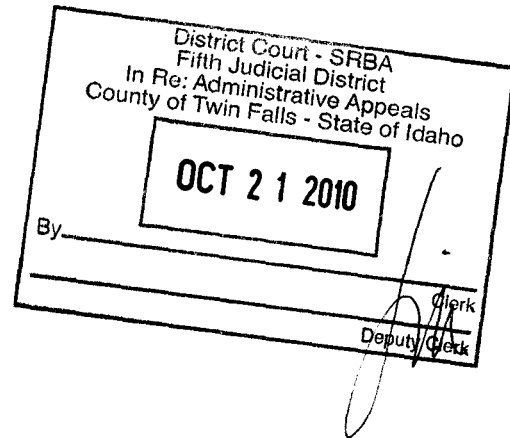


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

IDAHO GROUND WATER)
APPROPRIATORS, INC.,)
)
Petitioners,)
)
vs.)
)
CITY OF POCATELLO,)
)
Petitioner,)
)
vs.)
)
TWIN FALLS CANAL COMPANY, NORTH)
SIDE CANAL COMPANY, A&B IRRIGATION)
DISTRICT, AMERICAN FALLS RESERVOIR)
DISTRICT #2, BURLEY IRRIGATION)

Case No. CV-2010-382
(consolidated Gooding County
Cases CV-2010-382, CV-2010-383,
CV-2010-384, CV-2010-387,
CV-2010-388, and Twin Falls
County Case CV-2010-3403)

**MOTION FOR EXTENSION OF
TIME TO LODGE THE SETTLED
AGENCY TRANSCRIPT AND
RECORD WITH THE COURT**


2. Based upon the objections filed by the parties in response to the agency transcript and record as lodged with the agency on October 1, 2010, the incorporation of the record presently before Gooding County Court in case no. CV-2008-551, has been requested into the case referenced above. The agency agrees with the inclusion. Therefore, the agency will need additional time to print off a 40 volume record, and exhibits and transcripts in addition to preparing and incorporating a record of the case beyond what the Agency Record and Transcript contained. This task will take additional time to accomplish before settlement and lodging with the Court is possible.

3. An extension of time was requested by IGWA to respond with its complete objection because of an error in the content of the CD it was provided by IDWR staff. This extension will delay the agency from completing and lodging the record with the Court by October 29, 2010.

4. Due to other record deadlines associated with matters pending before IDWR (case no. CV 2010-3822), the agency reasonably expects that it will be able to lodge the settled transcript and agency record with the Court on or before **December 3, 2010**.

Accordingly, IDWR requests an order from the Court extending the time for preparation and lodging of the agency record and transcript with the Court consistent with the foregoing. A proposed order is provided with this motion.

DATED this 20th day of October, 2010.


GARRICK L. BAXTER
CHRIS M. BROMLEY
Deputy Attorneys General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of October, 2010, I caused a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME TO LODGE THE SETTLED AGENCY TRANSCRIPT AND RECORD WITH THE COURT** to be filed with the Court and served on the following parties by the indicated methods:

<p><i>Original to:</i> SRBA Court 253 3rd Ave. North P.O. Box 2707 Twin Falls, ID 83303-2707 Facsimile: (208) 736-2121</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
<p>John A. Rosholt John K. Simpson Travis L. Thompson Paul L. Arrington BARKER ROSHOLT & SIMPSON, LLP P.O. Box 485 Twin Falls, ID 83303 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>C. Thomas Arkoosh CAPITOL LAW GROUP, PLLC P.O. Box 32 Gooding, ID 83330 tarkoosh@capitollawgroup.net</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 wkf@pmt.org</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

<p>Randall C. Budge Candice M. McHugh Thomas J. Budge RACINE OLSON P.O. Box 1391 Pocatello, ID 83204-1391 rcb@racinelaw.net cmm@racinelaw.net tjb@racinelaw.net</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>A. Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>Sarah A. Klahn WHITE & JANKOWSKI LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>



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