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Attorneys for Idaho Ground Water Appropriators, Inc., North Snake Ground Water District, and Magic Valley Ground Water District

IN THE SUPREME COURT OF THE STATE OF IDAHO

CLEAR SPRINGS FOODS, INC.,
Petitioner/Respondent,

v.

BLUE LAKES TROUT FARM, INC.,
Cross-Petitioner/Respondent,

v.

IDAHO GROUND WATER APPROPRIATORS,
INC., NORTH SNAKE GROUND
WATER DISTRICT, and MAGIC VALLEY
GROUND WATER DISTRICT,
Cross-Petitioners/Appellants,

v.

IDAHO DAIRYMEN'S ASSOCIATION, INC.,
Cross-Petitioner/Respondent,

v.

RANGEN, INC.,
Cross-Petitioner/Respondent,

v.

Supreme Court No.: 37308-2010

**AFFIDAVIT OF COUNSEL IN
SUPPORT OF MOTION FOR
EXTENSION OF TIME FOR FILING
OPENING BRIEF**

GARY SPACKMAN., in his capacity as Director of the Idaho Department of Water Resources; and the IDAHO DEPARTMENT OF WATER RESOURCES, Respondents/Respondents.

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHT NOS. 36-02356A, 36-07210, AND 36-07427 t(Blue Lakes Delivery Call)

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHT NOS. 36-04013A, 36-04013B, AND 36-07148 (Clear Springs Delivery Call)

STATE OF IDAHO)
County of Ada)
ss:

CANDICE M. McHUGH being first duly sworn upon oath, deposes and says:

1. I am one of the attorneys of record for the Appellants, Idaho Ground Water Appropriators, Inc., Magic Valley Ground Water District, and North Snake Ground Water District. I am over the age of 18 and state the following based upon my own personal knowledge.

2. On April 1, 2010, Appellants filed *Appellants' Motion to File a Brief in Excess of Fifty Pages* because of the number and complexity of the issues presented in this appeal. No action has yet been taken on that Motion.

3. Appellant's opening brief is due May 4, 2010.

4. No previous extensions of time have been requested or granted.

5. The extension is necessary and there is good cause therefore, because the Appellants (Ground Water Users) are waiting for the Court to consider their *Motion to File a Brief in Excess of Fifty Pages*. We have been diligently preparing the opening brief, but as stated in the *Motion to File a Brief in Excess of Fifty Pages*, because of the number and complexity of the issues involved in this appeal, a brief that exceeds the fifty page limit is necessary.

6. The Ground Water Districts do not foresee any reason why they will not be able to file the brief on or before June 4, 2010, provided that the order on the *Motion to File Brief in Excess of Fifty Pages* is received at least fourteen days prior to that date in order to allow sufficient time to revise and finalize the brief accordingly.

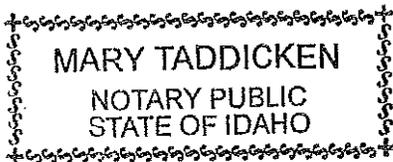
7. Counsel for Respondent, the Idaho Department of Water Resources, indicated that he does not object to this Motion. I contacted counsel for cross-petitioners in the morning today, but did not receive a call or email back at the time of filing indicating their position on this Motion.

DATED this 26th day of April, 2010.

Further, your Affiant saith not.


CANDICE M. McHUGH

Subscribed and sworn to before me, a Notary Public, this 26th day of April, 2010.




Notary Public for Idaho
Residing at Boise
My commission expires: 9-12-13

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2010, the above and foregoing document was served in the following manner:

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