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DEPARTMENT OF WATER RESOURCES

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IN THE SUPREME COURT OF THE STATE OF IDAHO

IN THE MATTER OF ACCOUNTING FOR
DISTRIBUTION OF WATER TO THE
FEDERAL ON-STREAM RESERVOIRS IN
WATER DISTRICT 63

Supreme Court Docket No. 44745

BALLENTYNE DITCH COMPANY; BOISE
VALLEY IRRIGATION DITCH COMPANY;
CANYON COUNTY WATER COMPANY;
EUREKA WATER COMPANY; FARMERS'
CO-OPERATIVE DITCH COMPANY;
MIDDLETON MILL DITCH COMPANY;
MIDDLETON IRRIGATION ASSOCIATION,
INC.; NAMPA & MERIDIAN IRRIGATION
DISTRICT; NEW DRY CREEK DITCH
COMPANY; PIONEER DITCH COMPANY;
PIONEER IRRIGATION DISTRICT;
SETTLERS IRRIGATION DISTRICT; SOUTH
BOISE WATER COMPANY; and THURMAN
MILL DITCH COMPANY;

**BOISE PROJECT BOARD OF
CONTROL'S MOTION FOR LEAVE
TO FILE OVERLENGTH BRIEF**

Petitioners-Appellants,

vs.

BOISE PROJECT BOARD OF CONTROL, and
NEW YORK IRRIGATION DISTRICT,

Petitioners,

vs.

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

Respondents,

and

SUEZ WATER IDAHO, INC.,

Intervenor-Respondent/
Respondent-Cross Appellant.

COME NOW Boise Project Board of Control and New York Irrigation District (together the "Boise Project"), by and through their attorneys of record, Barker Rosholt Simpson, LLP and Charles F. McDevitt, and pursuant to Rule 32 of the Idaho Appellate Rules, hereby move the Court for leave to file an opening brief in excess of the 50 page limit set forth in Idaho Appellate Rule 34(b). The Boise Project estimates the brief will be approximately 60 pages, but said brief will not exceed 70 pages.

CERTIFICATE OF UNCONTESTED MOTION

The counsel for the Boise Project does hereby certify that they have contacted opposing counsel for all involved parties and are authorized to represent that opposing counsel have no objection to this motion.

DATED this 26th day of April, 2017.

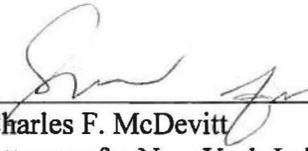
BARKER ROSHOLT & SIMPSON LLP

By  _____

Albert P. Barker
Shelley M. Davis
Attorneys for Boise Project Board of
Control, Petitioner-Appellant

DATED this 26th day of April, 2017.

CHAS. F. MCDEVITT LAW OFFICE

By 

Charles F. McDevitt
Attorney for New York Irrigation
District, Petitioner-Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2017, I caused a true and correct copy of the foregoing *Boise Project Board of Control's Motion for Leave to File Overlength Brief* to be served by the method indicated below, and addressed to the following:

Original to:

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