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**IN THE SUPREME COURT OF THE STATE OF IDAHO**

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

Supreme Court Docket No. 44745-2017

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;

CASE NO. CV-WA-2015-21376  
(consolidated with Ada County  
CV-WA-2015-21391)

**MOTION FOR EXTENSION OF TIME  
FOR FILING REPLY BRIEF**

Petitioners-Respondents,

vs.

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

Petitioners-Respondents,

vs.

IDAHO DEPARTMENT OF WATER  
RESOURCES; and GARY SPACKMAN, in his



capacity as the Director of the Idaho  
Department of Water Resources,  
Respondents-Appellants,  
and  
SUEZ WATER IDAHO, INC.,  
Intervenor-Respondent

COME NOW, the Petitioners, the Boise Project Board of Control (“Boise Project”), by and through its counsel of record Barker Rosholt & Simpson LLP, and the New York Irrigation District (“NYID”), by and through its counsel, Charles McDevitt of McDevitt & Miller, PLLC, and pursuant to Idaho Appellate Rules 34(e) and 46, move this Court for an extension of time for filing their reply brief to the Idaho Department of Water Resources and Suez Water Idaho, Inc.’s response briefs to September 8, 2017.

Dated this 15<sup>th</sup> day of August, 2017.

**BARKER ROSHOLT & SIMPSON LLP**



By: Albert P. Barker  
*Attorneys for Boise Project Board of Control*

**MCDEVITT & MILLER, PLLC**



By: Charles McDevitt  
*Attorneys for New York Irrigation District*

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15<sup>th</sup> day of August, 2017, I caused a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME FOR FILING REPLY BRIEF** to be served by the method indicated below, and addressed to the following:

#### Original to:

Idaho Supreme Court  
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Boise, ID 83720  
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- U.S. Mail, Postage Prepaid
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- Electronic Mail or CM/ECF

#### Copies to:

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