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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)

**NOTICE OF FILING HYPERLINKED
ELECTRONIC BRIEF AND NOTICE OF
ERRATA**

Petitioners

vs.

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

Petitioners/Appellants-Cross
Respondents

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

TO: THE CLERK OF THE IDAHO SUPREME COURT AND ALL COUNSEL OF RECORD

Pursuant to this Court's Order granting the parties' *Motion for Leave to File Hyperlinked Electronic Briefs* in this matter, Petitioner/Appellants-Cross Respondents, Boise Project Board of Control and New York Irrigation District, by and through their counsel of record, hereby submit their hyperlinked electronic *Boise Project Board of Control's Reply Brief* in PDF format on a DVD. Copies of the DVD are being mailed with this notice to the parties.

Several citation errors in the *Boise Project Board of Control's Reply Brief* were discovered in the course of creating the hyperlinked copy of the brief, therefore the Boise Project Board of Control hereby submits this *Notice of Errata* correcting the following errors listed below. The errors were not corrected within the hyperlinked copy of the brief, however the erroneous citations are hyperlinked to the correct portions of the record, as identified below:

- Page 4: in the fourth line, the citation to "AR, Ex. 2060, p. 36" should be "AR, Ex. 2060";
- Page 4: in the second line of the second full paragraph, the citation to "AR, Ex. 3028" should be "AR, Ex. 2038";
- Page 5: in the second line of the first full paragraph, the citation to "AR, Ex. 3028" should be "AR, Ex. 2038";

- Page 5: in the second line of the first paragraph, the citation to “AR, Ex. 2001” should be “AR, Ex. 3026”;
- Page 6: on the sixth line of the first full paragraph, the citation “AR, Ex. 2104, p. 22” should be “AR, Ex. 2104, p. 29”;
- Page 8: in the third line of the second full paragraph, the citation to “Tr. 8/28/2015, p. 282, l. 23-p. 283, l. 5” should be “AR, Tr. 8/27/2015, p. 282, l. 23-p. 283, l. 5”;
- Page 8: in the third line of the second full paragraph, the citation to “p. 462, ll. 3-8” should be “AR, Tr. 8/28/2015, p. 462, ll. 3-8”;
- Page 9: in the last paragraph, the citation to “p. 1388, ll. 7-11” should be “AR, Tr. 9/10/2015, p. 1388, ll. 7-11”;
- Page 10: in the third line of the second paragraph, the citation to “p. 961, ll. 3-24” and “p. 271, l. 21-p. 972, l. 17” should be “AR, Tr. 8/31/2015, p. 961, ll. 3-24; p. 271, l. 21-p. 972, l. 17”;
- Page 16: after the block quote, the citation to “R, 1183-84” should be “AR, 1183-84”;
- Page 19: in the last paragraph, the citation to “R, 1263” should be “AR, 1263”;
- Page 20: on the last two lines, the citation to “*Id.*, Tr., 8/27/2015, p. 459, l. 12-p. 460, l. 7” should be “*Id.*, AR, Tr. 8/28/2015, p. 459, l. 12-p. 460, l. 7”;
- Page 21: in the second line of the first paragraph, the citation to “AR, Ex. 2049-88, p. 1098” should be “AR, Ex. 2049”;
- Page 23: in the fifth line of the first full paragraph, the citation to “AR, Ex. 1306” should be “AR, 1306”;
- Page 29: in the fifth line of the second full paragraph, the citation to “AR, Tr. p. 211 ll. 3-8” should be “AR, Tr. 8/27/2015, p. 211, ll. 3-8”;
- Page 35: in the fifth line of the second full paragraph, the quote “[m]uch of the evidence sought to be introduced by the Irrigation Entities is likely irrelevant to this proceeding.” should be “[m]uch of the information sought to be introduced by the Irrigation Entities is likely irrelevant to this proceeding.”;
- Page 39: in the second paragraph, the citation to “AR, Tr. 9/11/2015, p. 1588, l. 25-1589, l. 10” should be “AR, Tr. 9/10/2015, p. 1588, l. 25-p. 1589, l. 10.”

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DATED this 22nd day of September, 2017.

BARKER ROSHOLT & SIMPSON LLP

MCDEVITT & MILLER, PLLC



By: Albert P. Barker

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By: Charles McDevitt

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of September, 2017, I caused a true and correct copy of the foregoing **NOTICE OF FILING HYPERLINKED ELECTRONIC BRIEF AND NOTICE OF ERRATA** to be served by the method indicated below, and addressed to the following:

Original to:

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