

LAWRENCE G. WASDEN
Attorney General

DARRELL G. EARLY
Deputy Attorney General
Chief, Natural Resources Division

GARRICK L. BAXTER, ISB #6301
EMMI L. BLADES, ISB #8682
ANDREA L. COURTNEY, ISB #7705
MICHAEL C. ORR, ISB # 6720
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov
emmi.blades@idwr.idaho.gov
andrea.courtney@idwr.idaho.gov
michael.orr@ag.idaho.gov

Attorneys for Respondents

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 BEFORE THE
IDAHO DEPARTMENT OF WATER
RESOURCES.

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;

Supreme Court Docket No. 44745-2017

Ada County District Court No.
CVWA-2015-21376 (Consolidated Ada
County No. CVWA-2015-21391)

**JOINT MOTION TO RESET ORAL
ARGUMENT**

SOUTH BOISE WATER COMPANY; and
THURMAN MILL DITCH COMPANY,

Petitioners,

vs.

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

Petitioners-Appellants-Cross Respondents,

vs.

THE 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-Cross Appellant.

The parties to the above-captioned appeal hereby jointly move this Court, pursuant to Rules 32(c) and 48 of the Idaho Appellate Rules and Rule 16(a)(3) of the Idaho Rules of Civil Procedure, to reset the oral argument in this matter. The parties have been earnestly attempting to negotiate a global settlement that will resolve the appeals and cross appeals pending before this Court in Idaho Supreme Court docket nos. 44677-2016, 44745-2017, and 44746-2017, as well as matters currently pending and currently stayed before the Snake River Basin Adjudication district court. The parties have reached a tentative global settlement agreement that does resolve all matters. However, the settlement agreement cannot be finalized before oral argument in this case, which is currently set for argument on June 20, 2018. Additional time is

needed to allow the irrigation entities to take the tentative settlement agreement back to their respective boards for approval. Because settlement is only tentative at this point, the parties request that this Court reset oral argument to next available oral argument date after July of 2018.¹

DATED this 14th day of June, 2018.

LAWRENCE G. WASDEN
Attorney General

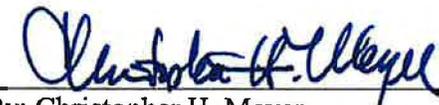
DARRELL G. EARLY
Deputy Attorney General
Chief, Natural Resources Division



Deputy Attorney General
*Attorneys for Idaho Department of
Water Resources*

DATED this 14th day of June, 2018.

GIVENS PURSLEY LLP



By: Christopher H. Meyer
Attorneys for Suez Water Idaho, Inc.

¹ If this Court grants this request and if the settlement is signed by the parties to the appeals and cross appeals in docket nos. 44677-2016, 44745-2017, and 44746-2017, the parties to these appeals will be filing with this Court another request to reset oral argument in this proceeding. The settlement agreement calls for the dismissal of the appeals and cross appeals pending before this Court in Idaho Supreme Court docket nos. 44677-2016, 44745-2017, and 44746-2017 after the 2019 legislative session and after issuance of partial decrees by the SRBA district court. These steps may not be complete until late 2019.

DATED this ____ day of June, 2018.

BARKER ROSHOLT & SIMPSON LLP

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

DATED this 14th day of June, 2018.

SAWTOOTH LAW OFFICES, PLLC



By: Daniel V. Steenson
Attorneys for Ditch Companies

DATED this ____ day of June, 2018.

CHARLES MCDEVITT, ATTORNEY AT LAW

By: Charles McDevitt
Attorney for New York Irrigation District

DATED this 14th day of June, 2018.

BARKER ROSHOLT & SIMPSON LLP



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

DATED this ____ day of June, 2018.

SAWTOOTH LAW OFFICES, PLLC

By: Daniel V. Steenson
Attorneys for Ditch Companies

DATED this ____ day of June, 2018.

CHARLES MCDEVITT, ATTORNEY AT LAW



By: Charles McDevitt
Attorney for New York Irrigation District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of June 2018, I caused to be served a true and correct copy of the foregoing document by the method(s) indicated:

Original to:

Clerk of the Court
IDAHO SUPREME COURT
451 W. State Street
Boise, ID 83303-2707

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Daniel V. Steenson
S. Bryce Farris
Andrew Waldera
SAWTOOTH LAW OFFICES, PLLC
P.O. Box 7985
Boise, ID 83707
dan@sawtoothlaw.com
bryce@sawtoothlaw.com
andy@sawtoothlaw.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Albert P. Barker
Shelley M. Davis
BARKER ROSHOLT & SIMPSON, LLP
P.O. Box 2139
Boise, ID 83701-2139
apb@idahowaters.com
smd@idahowaters.com

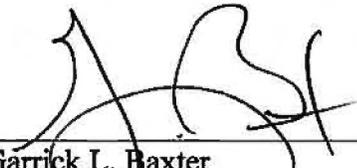
- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Charles F. McDevitt
P.O. Box 1543
Boise, ID 83701
chas@mcdevitt.org

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Christopher H. Meyer
Michael P. Lawrence
GIVENS PURSLEY, LLP
P.O. Box 2720
Boise, ID 83701-2720
chrismeyer@givenspursley.com
mpl@givenspursley.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email



Garrick L. Baxter
Deputy Attorney General