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*Attorneys for Appellants*

**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.

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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. 44746-2017

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

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

SOUTH BOISE WATER COMPANY; and  
THURMAN MILL DITCH COMPANY,

Petitioners-Respondents,

vs.

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

Petitioners-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-Appellants,

and

SUEZ WATER IDAHO, INC.,

Intervenor-Respondent.

Appellants, the Idaho Department of Water Resources and Gary Spackman in his capacity as Director of the Idaho Department of Water Resources (collectively, “Department”), by and through their attorneys of record 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 Boise Project Board of Control’s, Ditch Companies’<sup>1</sup>, and Suez Water Idaho, Inc.’s response briefs to September 8, 2017.

This motion is based upon the affidavit of counsel for the Department filed herewith.

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<sup>1</sup> The “Ditch Companies” are: 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.

RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of August 2017.

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Attorney General

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



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GARRICK L. BAXTER  
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Idaho Department of Water Resources

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of August 2017, 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

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