

Randall C. Budge (ISB# 1949)
Thomas J. Budge (ISB# 7465)
RACINE OLSON NYE BUDGE & BAILEY, CHARTERED
201 E Center St. / P.O. Box 1391
Pocatello, Idaho 83204
(208) 232-6101 – phone
(208) 323-6109 – fax
rcb@racinelaw.net
tjb@racinelaw.net

Attorneys for IGWA

**DISTRICT COURT OF THE STATE OF IDAHO
FIFTH JUDICIAL DISTRICT
GOODING COUNTY**

IDAHO GROUND WATER APPROPRIATORS, Inc.

Petitioner,

vs.

CITY OF POCATELLO,

Petitioner,

vs.

TWIN FALLS CANAL COMPANY, NORTH SIDE CANAL COMPANY, A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, and MINIDOKA IRRIGATION DISTRICT,

Petitioners,

vs.

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

Respondents.

Consolidated Case No. CV-2010-382

Gooding County Cases:

CV-2010-382

CV-2010-383

CV-2010-384

CV-2010-387

CV-2010-388

Twin Falls County Cases:

CV-2010-3403

CV-2010-5520

CV-2010-5946

**IGWA's Motion to
Continue Hearing**

IN THE MATTER OF THE DISTRIBUTION
OF WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF A&B
IRRIGATION DISTRICT, AMERICAN FALLS
RESERVOIR DISTRICT #2, BURLEY IRRI-
GATION DISTRICT, MILNER IRRIGATION
DISTRICT, MINIDOKA IRRIGATION DIS-
TRICT, NORTH SIDE CANAL COMPANY,
AND TWIN FALLS CANAL COMPANY.

Idaho Ground Water Appropriators, Inc. (IGWA), acting for and on behalf of its members, hereby moves the Court to continue the hearing set October 30, 2014.

This Court entered its *Memorandum Decision and Order on Petitions for Judicial Review* on September 26, 2014. On October 10, 2014, the Surface Water Coalition filed a *Joint Petition for Rehearing*, and the Respondents filed a *Motion to Alter and Amend Judgment*. On October 17, IGWA filed *IGWA's Petition for Rehearing*. Each of these filings effectively ask the Court to reconsider its September 26 decision.

Under I.R.C.P. 84(t)(2)(b) and 84(r) and I.A.R. 42, IGWA's brief in support of its petition for rehearing is due October 31, 2014. IGWA's counsel does not anticipate being able to file the brief early due to other commitments. Therefore, in the interest of judicial economy, IGWA asks that the hearing set for October 30, 2014, be continued and re-set to enable the *Joint Petition for Rehearing*, the *Motion to Alter and Amend Judgment*, and *IGWA's Petition for Rehearing* to be heard simultaneously.

RESPECTFULLY SUBMITTED this 17th day of October, 2014.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

CERTIFICATE OF SERVICE

I certify that on this 17th day of October, 2014, a true and correct copy of the foregoing document was served on the following persons in the manner indicated:


 Thomas J. Budge

Clerk of the Court SRBA Deputy Clerk 253 3 rd Ave. North P.O. Box 2707 Twin Falls, ID 83303-2707	<input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Facsimile: 208-736-2121 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email
Deputy Attorney General Garrick L. Baxter IDAHO DEPT. OF WATER RESOURCES P.O. Box 83720 Boise, Idaho 83720-0098 Fax: 208-287-6700 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, Idaho 83318-0248 wkf@pmt.org	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
John K. Simpson Travis L. Thompson Paul L. Arrington BARKER, ROSHOLT & SIMPSON 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email

<p>Sarah Klahn Mitra Pemberton WHITE JANKOWSKI, LLP 511 16th Street, Suite 500 Denver, Colorado 80202 sarahk@white-jankowski.com mitrap@white-jankowksi.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>A. Dean Tranmer CITY OF POCATELLO P.O. Box 4169 Pocatello, Idaho 83205 dtranmer@pocatello.us</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>