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Attorneys for Respondents

IN THE SUPREME COURT OF THE STATE OF IDAHO

CLEAR SPRINGS FOODS, INC.,)
)
 Petitioner,)
)
 vs.)
)
 BLUE LAKES TROUT FARM, INC.,)
)
 Cross-Petitioner,)
)
 vs.)
)
 IDAHO GROUND WATER APPROPRIATORS,)
 INC., NORTH SNAKE GROUND WATER)
 DISTRICT, and MAGIC VALLEY GROUND)
 WATER DISTRICT,)
)
 Cross-Petitioner,)
)
 vs.)
)

Supreme Court No.: 37308-2010

**IDWR RESPONDENTS’
MOTION TO CLARIFY
JUNE 18, 2010 ORDER
GRANTING EXTENSION
OF TIME**

IDAHO DAIRYMEN’S ASSOCIATION, INC.)
))
Cross-Petitioner,)
))
vs.)
))
RANGEN, INC.,)
))
Cross-Petitioner,)
))
vs.)
))
Gary Spackman, in his official capacity as)
Interim Director of the Idaho Department of Water)
Resources; and the IDAHO DEPARTMENT OF)
WATER RESOURCES,)
))
Respondents.)
))

IN THE MATTER OF DISTRIBUTION OF)
WATER TO WATER RIGHT NOS. 36-02356A,)
36-07210, and 36-07427)
))
(Blue Lakes Delivery Call))
))
IN THE MATTER OF DISTRIBUTION OF)
WATER TO WATER RIGHT NOS. 36-04013A)
36-04013B, and 36-07148)
))
(Clear Springs Delivery Call))

)

COME NOW Respondents, the Idaho Department of Water Resources and the Director of the Idaho Department of Water Resources (“IDWR Respondents”), by and through their attorneys of record, and hereby move this Court to clarify its June 18, 2010 *Order Granting Extension of Time* (“Order”).

On June 16, 2010, counsel for Blue Lakes Trout Farm, Inc. and Clear Springs Foods, Inc. filed *Cross-Appellants/Respondents Joint Motion for Extension of Time for Filing Briefs* (“Joint

Motion”). The Joint Motion sought an extension of time for filing responsive and cross-appellant briefing until July 16, 2010. The Joint Motion accurately stated that IDWR Respondents would stipulate to the extension. In communication with opposing counsel, however, IDWR Respondents understood that the proposed date would apply to all respondent briefing. IDWR Respondents have similar commitments during the week of July 6, 2010.

On June 18, 2010, the Court issued its Order granting Respondent/Cross-Appellants’ Joint Motion. The Order stated that the Respondent/Cross-Appellant brief “shall be filed in this office on or before 7-16-10.” The Order went on to state, however, that “All other Respondents must file their briefs on or before 7-06-10.”

Based on IDWR Respondents’ understanding of the conversations resulting in the Joint Motion, IDWR Respondents request clarification of the Court’s Order regarding the filing deadline for its brief. IDWR Respondents’ respectfully request that its brief be filed with the Court no later than July 16, 2010.

RESPECTFULLY submitted this 21st day of June, 2010.

LAWRENCE G. WASDEN
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CLIVE J. STRONG
Deputy Attorney General
CHIEF, NATURAL RESOURCES DIVISION



CHRIS M. BROMLEY
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am a duly licensed attorney in the state of Idaho, employed by the Attorney General of the state of Idaho and residing in Boise, Idaho; and that I served a true and correct copy of the following described document on the persons listed below by mailing in the United States mail, first class, with the correct postage affixed thereto on this 21st day of June, 2010.

Document Served: **IDWR Respondents' Motion to Clarify June 18, 2010 Order Granting Extension of Time**

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