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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. 44745-2016

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

MOTION FOR RECONSIDERATION

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.

COME NOW 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 hereby move the Court to reconsider its April 24, 2017, Order granting the *Motion for Leave to File Hyperlinked Electronic Briefs* ("Motion"). This *Motion for Reconsideration* is made pursuant to Idaho Appellate Rule 48 and Idaho Rule of Civil Procedure 11.2(b)(1). *See Cook v. Arias*, No. 41745, 2015 WL 4133726, at *5 (Idaho Feb. 6, 2015) (explaining Idaho Appellate Rule 42 applies to opinions, not interlocutory orders, and considering Plaintiff's petition for rehearing "as a motion for reconsideration and addressing it pursuant to Idaho Appellate Rule 48.").

The Court's April 24, 2017, Order only appears to allow the "Respondent" to file Linked Briefs. However, the parties' intent in filing the Motion was to obtain leave for all parties to the above-captioned matter to file Linked Briefs within two weeks of filing their hard copy briefs.

Based upon and consistent with the foregoing, the Department respectfully requests the Court reconsider and amend the language of the Order as follows:

A MOTION FOR LEAVE TO FILE HYPERLINKED ELECTRONIC BRIEFS AND MEMORANDUM IN SUPPORT having been filed in this matter on April 20, 2017, requesting this Court for leave to file hyperlinked electronic copies of the parties' briefs ("Linked Briefs") pursuant to Idaho Appellate Rule 48 and Idaho Rule of Civil Procedure 84(o); therefore, good cause appearing,

IT IS HEREBY ORDERED that the MOTION FOR LEAVE TO FILE HYPERLINKED ELECTRONIC BRIEFS be, and hereby is, GRANTED.

IT FURTHER IS ORDERED that parties who want to file a Linked Brief must do so on or before two weeks subsequent to the filing of their hard copy briefs.

RESPECTFULLY SUBMITTED this 28th day of April 2017.

LAWRENCE G. WASDEN
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Deputy Attorney General
Chief, Natural Resources Division



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Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of April 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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- ☒ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
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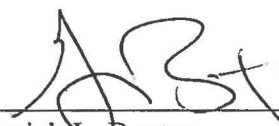
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