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*Attorneys for the IDWR and Gary Spackman*

**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)

**STIPULATED AND JOINT MOTION  
FOR EXTENSION OF TIME FOR  
FILING CROSS-APPELLANT'S AND  
RESPONDENTS' BRIEFS**

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 parties to this matter, through their attorneys of record, and pursuant to Rules 34(e) and 46 of the Idaho Appellate Rules, and hereby move this Court for an extension of time for filing the response briefs and cross-appellant opening briefs in this appeal to July 14, 2017.

Counsel for the Department contacted counsel for the other parties to inquire of an extension of time for filing its response brief in this appeal and in the companion appeal, Supreme Court Docket No. 44677-2016. Counsel did not oppose, but also asked that the Department broaden its request to apply to: 1) Intervenor-Respondent-Cross Appellant, Suez Water Idaho, Inc.'s ("Suez") deadline for filing its joint cross-appellant's opening and response briefs; and 2) the response


briefing schedule in the companion appeal, Supreme Court Docket No. 44746-2016, thereby providing uniformity in the briefing schedules. Accordingly, the parties stipulate to extend the time for the filing for the Department's response brief and Suez's cross-appellant's opening and response brief in this appeal to July 14, 2017. Consistent with the above, the parties will, by separate motions, request an extension of time for the filing of briefs in Supreme Court Docket Nos. 44677-2016 and 44746-2016.

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

RESPECTFULLY SUBMITTED this 20<sup>TH</sup> day of June 2017.


LAWRENCE G. WASDEN  
Attorney General

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

  
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GARRICK L. BAXTER  
Deputy Attorney General  
Idaho Department of Water Resources


DATED this 20<sup>th</sup> day of June 2017.

GIVENS PURSLEY LLP

By:   
\_\_\_\_\_  
Christopher H. Meyer  
Michael P. Lawrence  
*Attorneys for Suez Water Idaho Inc.*

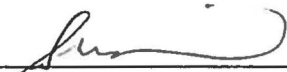
DATED this 20<sup>th</sup> day of June 2017.

SAWTOOTH LAW OFFICES, PLLC

By:  \_\_\_\_\_  
Daniel V. Steenson  
S. Bryce Farris  
Andrew J. Waldera  
*Attorneys for the Ditch Companies*


DATED this 20<sup>th</sup> day of June 2017.

BARKER ROSHOLT & SIMPSON, LLC

By:   
Albert P. Barker  
Shelley M. Davis  
*Attorneys for Boise Project Board of Control*

DATED this 20<sup>th</sup> day of June 2017.

CHAS F. MCDEVITT LAW OFFICE

By:   
Charles F. McDevitt  
*Attorney for New York Irrigation District*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20<sup>TH</sup> day of June 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  
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