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Attorneys for 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. 44746-2016

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

**STIPULATED AND JOINT
MOTION FOR EXTENSION OF
TIME FOR FILING RESPONDENTS'
BRIEFS**

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.

COME NOW the parties to this matter, through their attorneys, and pursuant to Rules 34(e) and 46 of the Idaho Appellate Rules, and hereby stipulate and jointly move this Court to extend the deadline for filing all Respondents' 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 Respondents' briefs in the companion appeals, Supreme Court Docket Nos. 44677-2016 and 44745-2016. Counsel did not oppose, but also asked that the Department broaden its request to apply to: 1) the Intervenor-Respondent, Suez Water Idaho, Inc.'s ("Suez") deadline for filing its joint cross-appellant's opening and response briefs in Supreme Court Docket Nos. 44677-2016 and 44745-2016; and 2) the briefing schedule in this appeal (Supreme Court Docket No.

44746-2016), so that there will be uniformity in the briefing schedules. Accordingly, the parties stipulate to extend the time for filing all Respondents' briefs in this appeal (Supreme Court Docket No. 44746-2016), and the Department's response brief and Suez's cross-appellant's opening and response briefs, in Supreme Court Docket Nos. 44677-2016 and 44745-2016, 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 44745-2016.

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

RESPECTFULLY SUBMITTED this 20th day of June 2017.

LAWRENCE G. WASDEN
Attorney General


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



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

DATED this 20th day of June 2017.

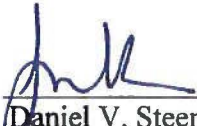
GIVENS PURSLEY LLP

By: 

Christopher H. Meyer
Michael P. Lawrence
Attorneys for Suez Water Idaho Inc.

DATED this 20th day of June 2017.

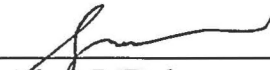
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S. Bryce Farris
Andrew J. Waldera
Attorneys for the Ditch Companies

DATED this 20th day of June 2017.

BARKER ROSHOLT & SIMPSON, LLC

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

DATED this 11th 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 20th 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
Boise, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
- ☒ Hand Delivery
- ☐ Overnight Mail
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