

LAWRENCE G. WASDEN
Attorney General

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

GARRICK L. BAXTER #6301
MICHAEL C. ORR #6720
Deputy Attorneys General
PO Box 83720
Boise, Idaho 83720-0098
Telephone 208-287-4800
Facsimile 208-287-6700
garrick.baxter@idwr.idaho.gov
michael.orr@ag.idaho.gov

Attorneys for the Respondent

IN THE SUPREME COURT OF THE STATE OF IDAHO

JEFFREY AND CHANA DUFFIN, husband
and wife,

Appellants-Petitioners,

v.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Appellee-Respondent,

v.

A&B IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT NO. 2,
MINIDOKA IRRIGATION DISTRICT,
NORTH SIDE CANAL COMPANY, AND
TWIN FALLS CANAL COMPANY,

Intervenors.

Supreme Court No. 48769-2021

Bingham County District Court
Case No. CV06-20-1467

**AFFIDAVIT OF MICHAEL C. ORR
IN SUPPORT OF MOTION FOR
EXTENSION OF TIME FOR FILING OF
RESPONDENT'S AND INTERVENORS'
BRIEFS**

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 83160 IN THE NAME OF
JEFFREY AND CHANA DUFFIN

STATE OF IDAHO)
) ss.
County of Ada)

I, MICHAEL C. ORR, being first duly sworn upon oath, depose and say:

1. That I am a Deputy Attorney General in the Natural Resources Division of the Attorney General’s Office of the State of Idaho, and represent the Respondent in the above captioned matter.

2. That the Appellants’ opening appellate brief in this appeal was due on August 10, 2021, and was also filed on that date.

3. That the Respondent’s appellate brief in this appeal is due to be filed no later than September 7, 2021.

4. That the Respondent has not previously requested an extension of time in this appeal.

5. That the Deputy Attorney General who represented the Respondent in the district court in this matter, and who was also originally assigned to represent the Respondent in this appeal to the Idaho Supreme Court, recently accepted a position in a different division of the Attorney General’s Office; that as a result I was assigned to represent the Respondent in this appeal, but was out of the office on a previously-scheduled family vacation from August 10, 2021 until August 23, 2021; and that as a result of these circumstances an extension of fourteen (14) days of the time for filing of the Respondent’s brief in this appeal is reasonable and necessary for me to prepare the Respondent’s brief.

7. That the undersigned counsel contacted counsel for the other parties, via email, to propose an extension of time for filing the Respondent's appellate brief by fourteen (14) days, to September 21, 2021; and that all parties consented to such an extension, provided that the same extension and the same due date also apply to the Intervenors' appellate briefs in this matter. Accordingly, the Respondent requests an extension of time for the filing of the Respondent's and Intervenors' briefs in this appeal to September 21, 2021.

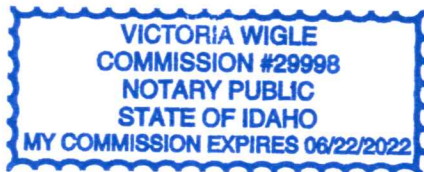
7. The Respondent will, by separate motion, request such an extension of the time for the filing of the Respondent's and Intervenors' briefs in this appeal.


8. The proposed extension of the date for filing of the Respondent's appellate brief provides sufficient time for me to prepare the Respondent's brief in this appeal.

DATED this 23rd day of August, 2021.


MICHAEL C. ORR

SUBSCRIBED AND SWORN to before me this 23rd day of August, 2021.




NOTARY PUBLIC FOR IDAHO
Residing at BOISE, Idaho
Commission Expires: 6/22/22

