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Canal Company*

**IN THE SUPREME COURT
OF THE STATE OF IDAHO**

**JEFFREY and CHANA DUFFIN, husband
and wife;**

Petitioners-Appellants,

vs.

**IDAHO DEPARTMENT OF WATER
RESOURCES,**

Respondent-Respondent,

and

**A&B IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, TWIN FALLS CANAL
COMPANY, AMERICAN FALLS
RESERVOIR DISTRICT #2, and
MINIDOKA IRRIGATION DISTRICT,**

Intervenors-Respondents.

Supreme Court No. 48769-2021

**Bingham County Case No. CV06-20-
1467**

**AFFIDAVIT OF COUNSEL IN
SUPPORT OF INTERVENORS'
MOTION FOR EXTENSION OF
TIME FOR FILING OF BRIEF**

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

**TO: THE ABOVE NAMED PARTIES AND COUNSEL OF RECORD, AND THE
CLERK OF THE SUPREME COURT OF THE STATE OF IDAHO.**

I, Michael A. Short and W. Kent Fletcher, hereby declare under oath as follows:

1. I, Michael A. Short, am an attorney duly licensed to practice law in the State of Idaho, and work at the firm of Barker Rosholt & Simpson LLP, counsel of record for A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company.
2. I, W. Kent Fletcher, am an attorney duly licensed to practice law in the State of Idaho, and I am counsel of record for American Falls Reservoir District #2 and Minidoka Irrigation District.
3. A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company American Falls Reservoir District #2, and Minidoka Irrigation District are collectively known as the Surface Water Coalition, and together are the Intervenors in the above-captioned appeal.
4. Appellant's opening appellate brief in this appeal was due on August 10, 2021, and was filed on that date.
5. Intervenors' appellate brief in this appeal is due no later than September 7, 2021.
6. Intervenors have not requested an extension of time in this appeal.
7. Intervenors intend to submit a joint response representing all seven (7) intervening parties. Counsel for Intervenors are engaged in extensive briefing on another appeal, and given the number of parties involved in Intervenors' appellate brief, an extension of time is reasonable and necessary for us to prepare the Intervenors' brief.

8. Counsel for all parties to this matter—Appellant, Respondent, and all Intervenors—have discussed this extension of time, and all parties have consented to such an extension.
9. This Court has granted Respondent Idaho Department of Water Resource’s *Motion for Extension of Time for Filing Respondent’s and Intervenors’ Briefs*, submitted on August 23, 2021, but only as to the Respondent.
10. The Intervenors will, concurrently with this declaration, request such an extension of time by separate motion.
11. The proposed extension for the date of filing Intervenors’ appellate brief will be sufficient for Intervenors to prepare the Intervenors’ brief in this appeal.

DATED this 24th day of August, 2021.

BARKER ROSHOLT & SIMPSON LLP

FLETCHER LAW OFFICE

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John K. Simpson
Travis L. Thompson
Sarah W. Higer
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 /s/ W. Kent Fletcher
W. Kent Fletcher

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North Side Canal Company, Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24th day of August, 2021, I served true and correct copies of the foregoing upon the following by the method indicated:

Idaho Supreme Court	<input type="checkbox"/>	U. S. Mail
Clerk of the Court of Appeals	<input type="checkbox"/>	Hand Delivered
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Boise, ID 83720-0101	<input checked="" type="checkbox"/>	iCourt
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