

LAWRENCE G. WASDEN
ATTORNEY GENERAL

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

GARRICK L. BAXTER, ISB #6301
MARK CECCHINI-BEAVER, ISB #9297
Deputy Attorneys General
Idaho Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov
mark.cecchini-beaver@idwr.idaho.gov

Attorneys for Appellants-Cross Respondents

IN THE SUPREME COURT OF THE STATE OF IDAHO

SOUTH VALLEY GROUND WATER
DISTRICT and GALENA GROUND
WATER DISTRICT,

Petitioners-Respondents-Cross Appellants,

v.

THE IDAHO DEPARTMENT OF WATER
RESOURCES and GARY SPACKMAN, in his
capacity as Director of the Idaho Department of
Water Resources,

Respondents-Appellants-Cross Respondents,

and

SUN VALLEY COMPANY, CITY OF
BELLEVUE, BIG WOOD CANAL COMPANY,
BIG WOOD & LITTLE WOOD WATER USERS
ASSOCIATION, CITY OF POCA TELLO, CITY
OF KETCHUM, and CITY OF HAILEY

Intervenor-Respondents.

Supreme Court Docket No. 49632-2022

Blaine County District Court No.
CV07-21-00243

**AFFIDAVIT OF MARK CECCHINI-
BEAVER**

STATE OF IDAHO)
) ss.
County of Ada)

Mark Cecchini-Beaver, being first duly sworn, deposes and states as follows:

1. I am over the age of 18 and competent to testify to the matters contained herein.
2. I represent the Appellants-Cross Respondents, the Idaho Department of Water Resources and its Director, Gary Spackman (collectively, “the Department”). I am responsible for drafting the Department’s briefs in this appeal.
3. This affidavit is submitted in support of the Stipulated Joint Motion to Modify Briefing Schedule, filed concurrently herewith.
4. No extensions have been previously requested, granted, or denied in this appeal.
5. Currently, the Department’s opening brief is due on July 26, 2022.
6. A 10-day extension of the Department’s opening brief due date is necessary to accommodate previously scheduled out-of-state travel with my family. The trip is scheduled to last 10 days, beginning on July 16, 2022. The trip includes multi-leg air travel an extended family gathering that cannot be rescheduled. Should the 10-day extension be granted, the Department’s opening brief would be due on August 5, 2022.
7. I have conferred via email with counsel for the Respondents-Cross Appellants, South Valley Ground Water District and Galena Ground Water District (“Districts”), as well amicus curiae Idaho Ground Water Appropriators, Inc. (“IGWA”), regarding the briefing schedule for this appeal. The Department, the Districts, and IGWA stipulate to the following schedule:

- August 5, 2022 — the Department’s opening brief
- September 16, 2022 — the Districts’ (a) response to the Department’s opening brief and (b) cross-appeal opening brief; IGWA’s amicus brief; and brief of any Intervenor-Respondent that supported the Districts in the district court
- October 21, 2022 — the Department’s combined (a) reply brief and (b) cross-appeal response brief; and brief of any Intervenor-Respondent that supported the Department in the district court
- November 14, 2022 — the Districts’ cross-appeal reply brief

8. Considering the number and scope of issues in this appeal, the parties agree that the stipulated briefing schedule is necessary because it provides sufficient time for each side to brief the case without unnecessarily extending the default briefing schedule set by the Idaho Appellate Rules.

9. All parties to the stipulation agree on the proposed schedule and timely filed their briefs and other filings in the proceedings below, so there is reasonable assurance the briefs will be filed in accordance with the stipulated briefing schedule.

DATED this 24th day of June 2022.

MARK CECCHINI-BEAVER
Deputy Attorney General
Idaho Department of Water Resources

SUBSCRIBED AND SWORN to before me this 24th day of June 2022.



Notary Public for the State of Idaho
My commission expires: May 4, 2028

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of June 2022, I caused to be served a true and correct copy of the foregoing *Affidavit of Mark Cecchini-Beaver*, via iCourt E-File and Serve, upon the following:

Albert P. Barker
Travis L. Thompson
Michael A. Short
BARKER ROSHOLT & SIMPSON LLP
apb@idahowaters.com
tlt@idahowaters.com
mas@idahowaters.com

Chris M. Bromley
MCHUGH BROMLEY, PLLC
cbromley@mchughbromley.com

W. Kent Fletcher
FLETCHER LAW OFFICE
wkf@pmt.org

Jerry R. Rigby
Chase Hendricks
**RIGBY, ANDRUS
& RIGBY LAW, PLLC**
jrigby@rex-law.com
chendricks@rex-law.com

Matthew Johnson
Brian O'Bannon
WHITE PETERSON
icourt@whitepeterson.com

James R. Laski
Heather E. O'Leary
LAWSON LASKI CLARK, PLLC
heo@lawsonlaski.com
efiling@lawsonlaski.com

Candice McHugh
McHUGH BROMLEY, PLLC
cmchugh@mchughbromley.com

Joseph F. James
JAMES LAW OFFICE, PLLC
efile@jamesmvlaw.com

Sarah Klahn
SOMACH SIMMONS & DUNN
sklahn@somachlaw.com

Michael P. Lawrence
GIVENS PURSLEY, LLP
mpl@givenspursley.com

Thomas J. Budge
RACINE OLSON, PLLP
tj@racineolson.com



MARK CECCHINI-BEAVER
Deputy Attorney General
Idaho Department of Water Resources