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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

**STIPULATED JOINT MOTION TO
MODIFY BRIEFING SCHEDULE**

Appellants-Cross Respondents, the Idaho Department of Water Resources and Gary Spackman (collectively, “the Department”), and Respondents-Cross Appellants, South Valley Ground Water District and Galena Ground Water District (“Districts”), and amicus curiae Idaho Ground Water Appropriators, Inc. (“IGWA”) have conferred on and stipulated to a modified briefing schedule for this appeal. Pursuant to I.A.R. 34(d) and 46, the Department, the Districts, and IGWA request an order setting the briefing schedule consistent with the stipulation. This motion is supported by the Affidavit of Mark Cecchini-Beaver, filed concurrently herewith. The stipulated briefing schedule is:

- 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

The current due date for Appellants-Cross Respondents’ opening brief is July 26, 2022. As explained in the supporting affidavit, the parties to the stipulation agree to a 10-day extension for the opening brief to accommodate Appellants-Cross Respondents’ counsel’s previously scheduled travel during July. In addition, the number and scope of issues presented in this appeal are such that the parties to the stipulation agree it is necessary to extend other briefing deadlines. The stipulated schedule provides sufficient time for each side to brief the case without unnecessarily extending the default briefing schedule set by the Idaho Appellate Rules.

As of this writing, no other party to the district court proceedings has indicated whether they will participate in this appeal. However, the parties to the stipulation agree any Intervenor-Respondent in the proceedings before the district court may file a response brief on appeal. The stipulated schedule therefore includes the opportunity for the Intervenor-Respondents to file a brief consistent with their positions before the district court.

There is good cause to accept the parties' stipulation and grant this motion. The Department, the Districts, and IGWA respectfully request this Court grant the motion and modify the briefing schedule as indicated above.

DATED this 24th day of June 2022.



MARK CECCHINI-BEAVER
*Attorney for Appellants-Cross Respondents the
Idaho Department of Water Resources and
Gary Spackman*



ALBERT P. BARKER
*Attorney for Respondent-Cross Appellant South
Valley Ground Water District*

HEATHER E. O'LEARY
*Attorney for Respondent-Cross Appellant
Galena Ground Water District*

THOMAS J. BUDGE
*Attorney for Amicus Curiae Idaho Ground
Water Appropriators, Inc.*

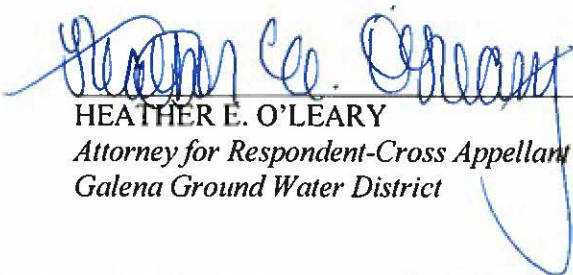
As of this writing, no other party to the district court proceedings has indicated whether they will participate in this appeal. However, the parties to the stipulation agree any Intervenor-Respondent in the proceedings before the district court may file a response brief on appeal. The stipulated schedule therefore includes the opportunity for the Intervenor-Respondents to file a brief consistent with their positions before the district court.

There is good cause to accept the parties' stipulation and grant this motion. The Department, the Districts, and IGWA respectfully request this Court grant the motion and modify the briefing schedule as indicated above.

DATED this 24th day of June 2022.

MARK CECCHINI-BEAVER
*Attorney for Appellants-Cross Respondents the
Idaho Department of Water Resources and
Gary Spackman*

ALBERT P. BARKER
*Attorney for Respondent-Cross Appellant South
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HEATHER E. O'LEARY
*Attorney for Respondent-Cross Appellant
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THOMAS J. BUDGE
*Attorney for Amicus Curiae Idaho Ground
Water Appropriators, Inc.*

As of this writing, no other party to the district court proceedings has indicated whether they will participate in this appeal. However, the parties to the stipulation agree any Intervenor-Respondent in the proceedings before the district court may file a response brief on appeal. The stipulated schedule therefore includes the opportunity for the Intervenor-Respondents to file a brief consistent with their positions before the district court.


There is good cause to accept the parties' stipulation and grant this motion. The Department, the Districts, and IGWA respectfully request this Court grant the motion and modify the briefing schedule as indicated above.

DATED this 23rd day of June 2022.

MARK CECCHINI-BEAVER
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HEATHER E. O'LEARY
*Attorney for Respondent-Cross Appellant
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THOMAS J. BUDGE
*Attorney for Amicus Curiae Idaho Ground
Water Appropriators, Inc.*

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 *Stipulated Joint Motion to Modify Briefing Schedule*, via iCourt E-File and Serve, upon the following:

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