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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

**IDWR'S MOTION FOR LEAVE TO
FILE OVERLENGTH BRIEF**

Appellants-Cross Respondents, the Idaho Department of Water Resources and Gary Spackman (collectively, “the Department”) request the Court’s consent to file a single combined brief in reply for the Department’s appeal and in response to the cross-appeal that exceeds the 50-page limit in Idaho Appellate Rule 34(b).

The undersigned has worked to meet the 50-page limit. However, the Department’s combined brief addresses arguments presented in not only the Respondents-Cross Appellants’ overlength combined opening/response brief, but also the briefs from Intervenor-Respondents Sun Valley Company and the City of Hailey, and amici IGWA and the Municipal Providers.¹ Considering the complex issues presented on appeal and cross-appeal and the extensive administrative record, the Department reasonably requires more than 50 pages to respond/reply to over 100 pages of opposing argument.

The undersigned expects the Department’s combined brief will be up to 60 pages of primary content. Even so, a combined brief of this length would be shorter and better integrated than two separate briefs of up to 50 pages each. *See* I.A.R. 34(c). Like Respondents-Cross Appellants, the Department believes an overlength combined brief is both reasonable and efficient in this case. Therefore, the Department respectfully requests this Court’s consent to file a combined reply/response brief up to 60 pages in length.

DATED this 24th day of October 2022.



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

¹ As of this writing, the Municipal Providers’ Motion for Leave to File Amicus Brief is pending before the Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of October 2022, I caused to be served a true and correct copy of the foregoing *IDWR's Motion for Leave to File Overlength Brief*, via iCourt E-File and Serve, upon the following:

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