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ISB No. 3962

Attorney for Petitioners

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE**

**MOJANET and DEBORAH BROADIE,  
HARRY and BEVERLY CRAWFORD,  
NOTCH BUTTE FARMS LLC, MAGEE  
FAMILY TRUST, NELSON MACKAY  
RANCH LLC, BYRON PEHRSON, LANA  
PEHRSON, TERRI PEHRSON, LOY  
PEHRSON, PEGGY and RANDY PEHRSON,  
JENNIE and ORVILLE SMITH, WIGHT  
ENTERPRISES LLC, BELL SMITH LLC,  
JOHN AND PATRICK POWERS, LAST  
RANCH LLC, and JOHN LEZAMIZ  
FAMILY LIMITED PARTNERSHIP,**

Petitioners,

vs.

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

Respondents.

Case No. CV-2016-092

**STIPULATED MOTION FOR  
MODIFIED HEARING DATE AND  
BRIEFING SCHEDULE**

District Court - SFBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho	
FEB 21 2017	
By _____	Clerk
Deputy Clerk	

COME NOW, Petitioners, Nelson Mackay Ranch, LLC, et al. ("Nelson"), and

Respondents, the Idaho Department of Water Resources and Gary Spackman in his capacity as

Director of the Idaho Department of Water Resources (collectively, "IDWR"), by and through their counsel of record, and hereby move the Court, pursuant to Idaho Rule of Civil Procedure 84(o), for an order modifying the hearing date and briefing schedule.

Nelson and IDWR have been engaged in productive settlement discussions and believe additional time may allow for resolution of this matter without judicial intervention. Nelson and IDWR stipulate that the hearing date should be moved from April 20, 2017, to May 25, 2017, and the briefing schedule should be modified as follows:

- Petitioners' Brief due March 27, 2017
- Respondents' Brief due April 24, 2017
- Petitioners' Reply Brief due May 15, 2017

Nelson and IDWR respectfully request that the Court issue an order consistent with the foregoing.

DATED this 21<sup>st</sup> day of February 2017.

NELSON MACKAY RANCH, LLC et al.

By:   
FRITZ X. HAEMMERLE  
*Attorney for Nelson Mackay Ranch, LLC et al.*

DATED this 17<sup>th</sup> day of February 2017.

LAWRENCE G. WASDEN  
Attorney General

CLIVE J. STRONG  
Chief, Natural Resources Division

By:   
GARRICK L. BAXTER  
*Attorney for the Idaho Department of Water  
Resources and Gary Spackman, Director of  
Idaho Department of Water Resources*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21 day of February 2017, I caused a true and correct copy of the foregoing document to be filed with the Court and served on the following parties by the indicated methods:

*Original to:*  
SRBA DISTRICT COURT  
253 3<sup>RD</sup> AVENUE NORTH  
PO BOX 2707  
TWIN FALLS ID 83303-2707  
Facsimile: (208) 736-2121

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

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- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
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- Email

  
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