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| District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho | |
| JUN 29 2017 | |
| By _____ | Clerk |
| | Deputy Clerk |

Attorneys for the Associations

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

BLACK HAWK HOMEOWNERS
 ASSOCIATION, INC. an Idaho nonprofit
 membership corporation; IRON RIM RANCH
 HOME OWNERS ASSOCIATION, INC., an
 Idaho nonprofit membership corporation,

Petitioners,

v.

THE IDAHO DEPARTMENT OF WATER
 RESOURCES,

Respondent.

IN THE MATTER OF APPLICATIONS FOR
 PERMIT NO. 25-14428

In the name of Black Haw HOA and Iron Rim
 Ranch HOA.

Case No. CV-2017-1141

**MOTION FOR EXTENSION OF
 TIME IN WHICH TO FILE
 PETITIONERS' REPLY BRIEF AND
 TO CONTINUE ORAL ARGUMENT**

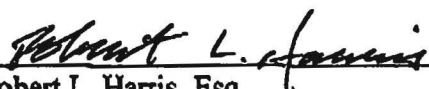
Petitioners, Black Hawk Homeowners Association, Inc. and Iron Rim Ranch Home Owners Association, Inc. (together, the "Associations"), by and through their counsel of record, Holden, Kidwell, Hahn & Crapo, P.L.L.C., move this court for an Order, pursuant to Idaho Rule of Civil Procedure 84(r) and Idaho Appellate Rule 34(e), for an extension of time in which to file

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Petitioners' Reply Brief, currently due July 6, 2017. This extension will also require a continuance of the oral argument for this matter, currently scheduled for 1:30 p.m. on July 13, 2017.

The basis for this motion is set forth in the *Memorandum in Support of Motion for Extension of Time in which to File Petitioners' Reply Brief and to Continue Oral Argument* and supported by the *Affidavit of Robert L. Harris in Support of the Motion for Extension and Continuance*, both filed contemporaneously herewith. In short, the Associations are in the process of serious negotiation for purchase of a water right, which will likely lead to a settlement of this matter. Accordingly, the Associations seek an extension of fifty-seven (57) days, with the due date of the reply brief to be August 24, 2017. This additional time is also based upon prior emails between counsel in response to the State of Idaho's motion for extension of time, as the months of July and August were generally unavailable for all counsel (including counsel for the Associations) because of previously-scheduled matters and summer activities.¹ Accordingly, the Associations would seek to re-schedule oral argument for this matter for September 7, 2017, or thereafter as convenient for Court and counsel.

Dated this 29th day of June, 2017.

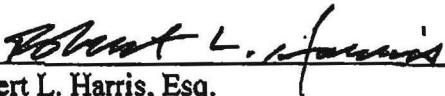

Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
Attorneys for the Associations

¹ It was partly because of the difficulty in finding other dates that would work for everyone that counsel for the Associations preliminarily agreed to keep the July 13, 2017 oral argument date. However, as explained in documents filed contemporaneously herewith, counsel for the Associations will not be able to complete the reply brief by July 6, 2017.

CERTIFICATE OF UNCONTESTED MOTION

The undersigned does hereby certify that he has contacted opposing counsel for the State of Idaho and is authorized to represent that such opposing counsel has no objection to this motion. Counsel for the Coalition are unavailable and do not have access to email until next week, but both counsel for the Coalition were previously not opposed to the State of Idaho's prior motion for extension of time.

Dated this 29th day of June, 2017.


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
Attorneys for the Associations

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the following described pleading or document on the attorneys and/or individuals listed below, by the method indicated, a true and correct copy thereof on this 29th day of June, 2017.

Document Served: MOTION FOR EXTENSION OF TIME IN WHICH TO FILE PETITIONERS' REPLY BRIEF AND TO CONTINUE ORAL ARGUMENT

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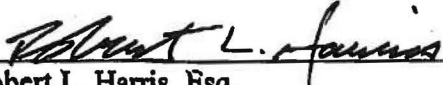
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