

District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho <div style="border: 1px solid black; padding: 5px; text-align: center;">FEB 23 2016</div> By _____ Clerk _____ Deputy Clerk
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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

RICHARD PARROTT)	Case No. CV-42-2015-4552
)	
Petitioner,)	ORDER GRANTING MOTION
)	TO EXTEND TIME
vs.)	
)	ORDER VACATING AND
)	RESETTING ORAL
THE IDAHO DEPARTMENT OF WATER)	ARGUMENT
RESOURCES and GARY SPACKMAN in)	
his capacity as Director of the Idaho)	
Department of Water Resources,)	
)	
Respondents,)	
)	
and)	
)	
CEDAR RIDGE DAIRY LLC,)	
)	
Intervenor.)	
_____)	

On January 14, 2016, the Court entered an *Order* directing that the Petitioner shall provide for the lodging of the agency transcript with the Idaho Department of Water Resources on or before February 25, 2016. The *Order* also set oral argument on the *Petition* filed in this matter for June 16, 2016. On February 22, 2016, the Petitioner filed a *Motion* requesting that the deadline for the lodging of the agency transcript with the agency be extended to March 25, 2016. Having reviewed the *Motion* and good cause appearing therefore, the Court will in an exercise of its discretion grant the *Motion*. The granting of the *Motion* will necessitate vacating and resetting the oral argument set for June 16, 2016.

THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

1. The *Motion to Extend Time* is hereby granted.

2. **Preparation of Transcript:** The Petitioner shall provide for the lodging of the agency transcript with the Idaho Department of Water Resources **on or before March 25, 2016**. Upon receipt of the transcript, the Department shall mail or deliver notice of lodging of transcript to all attorneys of record or parties appearing in person and to the district court. The parties shall have 14 days from the date of mailing of the notice to pick up a copy of the transcript and to object to the transcript. All fees for the preparation of the transcript shall be paid by the responsible party at or before the pick-up of the transcript. Any objection to the transcript shall be determined by the Department within 14 days of the receipt of the objection and the decision on the objection shall be included in the record on petition for review. Upon the failure of the party to object within 14 days, the transcript shall be deemed settled. The settled transcript shall be lodged with the district court no later than **April 22, 2016**.

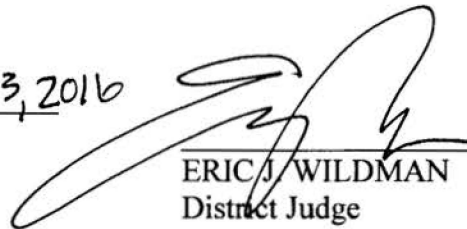
3. **Briefs:** The petitioner's brief shall be filed with the clerk of the court within 35 days after lodging of the agency transcript with the court. The respondents' brief, and the intervenor's brief shall be filed within 28 days after service of petitioner's brief. Any reply brief shall be filed within 21 days after service of respondents' brief. The organization and content of briefs shall be governed by I.A.R. 35 and 36. Pursuant to I.R.C.P. 84(p) only one (1) original signed brief may be filed with the court and copies shall be served on all parties.

4. **Oral Argument, Telephonic and Video Teleconferencing:** The oral argument previously set for June 16, 2016 is hereby vacated. Oral argument will be reset and heard on **July 18, 2016, at 1:30 p.m. (Mountain Time)** at the Snake River Basin adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by dialing 1-720-279-0026 and entering 786692# when prompted. **However, no cell phones or speaker phones will be permitted as they interfere with our sound system making the proceeding difficult to accurately record.** Video teleconferencing ("VTC") will also be available by appearing at either (1) the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., Conference Rm. B, Boise, Idaho, or (2) the Idaho Department of Water

Resources, Eastern Regional Office, 900 N. Skyline Drive, Ste. A, Idaho Falls, Idaho. Parties should refer to the *Administrative Order Adopting Procedures for the Implementation of the Idaho Supreme Court Administrative Order Dated December 9, 2009* regarding protocol for telephone and VTC participation. The form and order of argument shall be governed by I.A.R. 37.

IT IS SO ORDERED.

Dated February 23, 2016



ERIC J. WILDMAN
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO EXTEND TIME / ORDER VACATING AND RESETTING ORAL ARGUMENT was mailed on February 23, 2016, with sufficient first-class postage to the following:

IDWR AND GARY SPACKMAN IN HIS

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