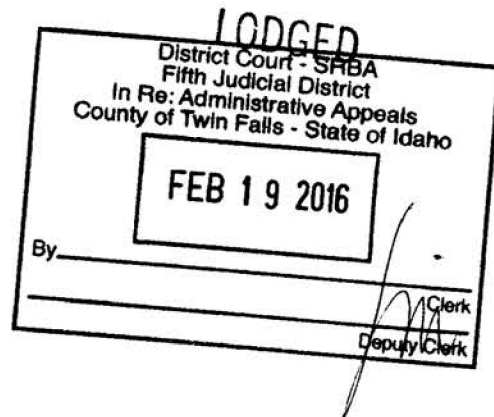


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Attorneys for the Ditch Companies

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

BALLENTYNE DITCH COMPANY; BOISE
 VALLEY IRRIGATION DITCH COMPANY;
 CANYON COUNTY WATER COMPANY;
 EUREKA WATER COMPANY; FARMERS' CO-
 OPERATIVE DITCH COMPANY; MIDDLETON
 MILL DITCH COMPANY; MIDDLETON
 IRRIGATION ASSOCIATION, INC.; NAMPA &
 MERIDIAN IRRIGATION DISTRICT; NEW DRY
 CREEK DITCH COMPANY; PIONEER DITCH
 COMPANY; PIONEER IRRIGATION DISTRICT;
 SETTLERS IRRIGATION DISTRICT; SOUTH
 BOISE WATER COMPANY; and THURMAN
 MILL DITCH COMPANY;

Petitioners,

vs.

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

Respondents.

**IN THE MATTER OF ACCOUNTING FOR
 DISTRIBUTION OF WATER TO THE FEDERAL
 ON-STREAM RESERVOIRS IN WATER
 DISTRICT 63**

Case No. CV-WA-2015-21376
 (Consolidated Ada County Case
 No. CV-WA-2015-21391)

**MEMORANDUM IN SUPPORT
 OF THE DITCH COMPANIES'
 MOTION FOR LEAVE TO FILE
 OVERLENGTH BRIEF**

**MEMORANDUM IN SUPPORT OF THE DITCH COMPANIES'
 MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF - 1**

The Petitioners, Ballentyne Ditch Company, Boise Valley Irrigation Ditch Company, Canyon County Water Company, Eureka Water Company, Farmers' Co-operative Ditch Company, Middleton Mill Ditch Company, Middleton Irrigation Association, Inc., Nampa & Meridian Irrigation District, New Dry Creek Ditch Company, Pioneer Ditch Company, Pioneer Irrigation District, Settlers Irrigation District, South Boise Water Company, and Thurman Mill Ditch Company (the "Ditch Companies") submit this Memorandum in Support of their Motion to File Overlength Brief requesting leave of the Court to exceed the 50-page limit set forth in Idaho Appellate Rule 34(b).

The Ditch Companies have petitioned this Court to review the Amended Final Order issued by Idaho Department of Water Resources Director Spackman in the above-captioned contested case held before the Department. The contested case was initiated by the Director in October 2013. It was thereafter stayed pending a decision of the Idaho Supreme Court in the Basin Wide Issue 17 case and was re-opened in September 2014. The parties then participated in discovery, filed pre-hearing motions, and participated in a five-day hearing in August and September 2015, at which 23 witnesses testified. The Director issued his 79-page, single-spaced Amended Final Order on October 20, 2015, from which this Petition arises.

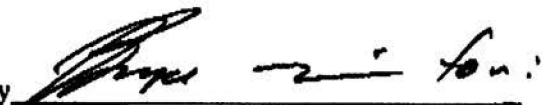
In their Petition for Judicial Review, the Ditch Companies identified 24 discreet issues for review by this Court. The opening brief the Ditch Companies' are preparing, and will submit in conformance with this Court's Scheduling Order, 50 pages will be insufficient to address all of the issues raised for review. Given the length of these proceedings, the number of witnesses who testified, and the complexity of the issues to be addressed, good cause exists to exceed the 50-page limit set forth in Idaho Appellate Rule 34(b).

For the reasons set forth above, the Ditch Companies request that this Court grant their Motion for Leave to File Overlength Brief.

DATED this 19th day of February, 2016.

SAWTOOTH LAW OFFICES, PLLC

By



Daniel V. Steenson
Attorneys for the Ditch Companies

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of February, 2016, I caused a true and correct copy of the foregoing **DITCH COMPANIES' MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF** to be served by the method indicated below, and addressed to the following:

Original to:

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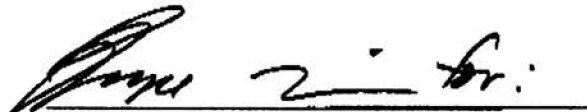
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