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*Attorneys for Respondents*

**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.

BOISE PROJECT BOARD OF CONTROL,

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

**RESPONDENTS' MEMORANDUM IN  
SUPPORT OF MOTION TO FILE  
OVERLENGTH BRIEF**

and NEW YORK IRRIGATION DISTRICT,

Petitioners,

vs.

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

Respondents,

and

SUEZ WATER IDAHO, INC.,

Intervenor.

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

Respondents, the Idaho Department of Water Resources (“Department”) and Gary Spackman in his capacity as Director of the Department, submit this memorandum in support of their request to file a brief in excess of the 50-page limit established by Idaho Appellate Rule 34(b). On February 19, 2016, this Court granted Petitioners’ respective motions to file overlength briefs, which resulted in nearly 200 pages of opening briefing. Considering the multitude of legal and factual issues raised, good cause exists for a response brief in excess of the 50-page limit. Therefore, Respondents request the Court grant their *Motion to File Overlength Brief*.


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DATED this 23<sup>rd</sup> day of March 2016.

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of March 2016, I caused to be served a true and correct copy of the foregoing document by the methods indicated:

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