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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)

**AFFIDAVIT IN SUPPORT OF MOTION
FOR EXTENSION OF TIME FOR
FILING RESPONDENTS' 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

STATE OF IDAHO)
) ss.
County of Ada)

I, GARRICK L. BAXTER, being first duly sworn upon oath, depose and say:

1. That I am a deputy attorney general and represent the Respondents, the Idaho Department of Water Resources (“Department”) and Gary Spackman, in his capacity as Director of the Department, in the above-captioned matter.
2. That the Respondents’ brief is due April 5, 2016.
3. That Respondents have not previously requested an extension of time in this matter.

4. That, due to other urgent intervening matters related to water rights administration and oral argument before the Idaho Supreme Court scheduled for Monday, April 4, 2016, involving the Respondents, counsel will not be able to complete the Respondents' brief by the due date.

5. That I believe an extension of three (3) days, to and including April 8, 2016, is a reasonable and necessary extension.

6. That I have communicated this request to counsel for the Petitioners and Intervenor and that counsel do not oppose the requested extension of time.

7. That by extending the deadline for filing the response briefs (Respondents' brief and Intervenor's brief) to April 8, 2016, the reply brief deadline will be extended to April 29, 2016.

8. That the Respondents do not request alteration of the May 10, 2016, oral argument date.

9. I am reasonably assured that the Respondents' brief will be timely filed on or before April 8, 2016, should this request be granted.

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DATED this 1st day of April 2016.

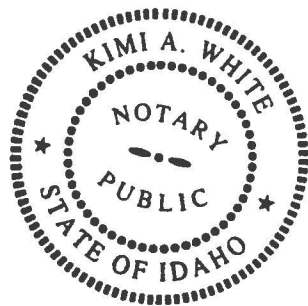
LAWRENCE G. WASDEN
Attorney General

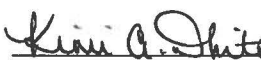
STEVEN W. STRACK
Deputy Attorney General
Acting Chief, Natural Resources Division



GARRICK L. BAXTER
Deputy Attorney General
Idaho Department of Water Resources

SUBSCRIBED AND SWORN TO before me this 1st day of April 2016.





NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
Commission Expires: 04/01/22

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April 2016, I caused to be served a true and correct copy of the foregoing document by the methods indicated:

Original to:

Clerk of the Court
SRBA DISTRICT COURT
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
Facsimile: (208) 736-2121

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- ☐ Hand Delivery
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