

Robert L. Harris (ISB #7018)

rharris@holdenlegal.com

Luke H. Marchant (ISB # 7944)

lmarchant@holdenlegal.com

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

1000 Riverwalk Dr., Ste. 200

P.O. Box 50130

Idaho Falls, Idaho 83405

Telephone: (208) 523-0620

Facsimile: (208) 523-9518

Attorneys for Kurt W. Bird & Janet E. Bird

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

The IDAHO WATER RESOURCE BOARD,
and the IDAHO DEPARTMENT OF FISH
AND GAME,

Petitioners,

v.

KURT W. BIRD and JANET E. BIRD,

Cross Petitioners.

v.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV01-20-09661

**SECOND UNOPPOSED
MOTION TO RESCHEDULE
ORAL ARGUMENT DATE**

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 74-16187 IN THE NAME OF
KURT W. BIRD OR JANET E. BIRD

COMES NOW, Cross Petitioners, Kurt W. Bird and Janet E. Bird (the “Birds”), by and through their undersigned attorneys of record, and moves the Court for an *Order Granting Second Unopposed Motion to Reschedule Oral Argument Date*, by vacating the currently scheduled oral argument date set for February 18, 2021, at 1:30 p.m. and rescheduling the oral argument date to March 18, 2021, at 1:30 p.m. Counsel for the Birds has verified with the Court’s staff attorney that this date and time is available.

Counsel for the Birds has conferred with counsel for the parties who will participate in the oral argument in the matter, and all have indicated their support for this motion.

Dated this 12th day of February 2021.



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of February 2021, I served a true and correct copy of the foregoing *SECOND UNOPPOSED MOTION TO RESCHEDULE ORAL ARGUMENT DATE* to be filed with the Court and served on the persons listed below by the methods indicated below:

Garrick Baxter
Sean Costello
IDAHO ATTORNEY GENERAL'S OFFICE
P.O. Box 83720
322 E. Front Street, Ste. 648
Boise, Idaho 83720-0098
Facsimile: (208) 287-4800
Email: garrick.baxter@idwr.idaho.gov
sean.costello@idwr.idaho.gov

- Mail
- Hand Delivery
- Facsimile
- Courthouse Box
- Email

Michael C. Orr
Deputy Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010
Email: michael.orr@ag.idaho.gov

- Mail
- Hand Delivery
- Facsimile
- Courthouse Box
- Email

Ann Y. Vonde
Deputy Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010
Email: ann.vonde@ag.idaho.gov

- Mail
- Hand Delivery
- Facsimile
- Courthouse Box
- Email

Travis L. Thompson
BARKER ROSHOLT & SIMPSON LLP
163 Second Ave West
P.O. Box 63
Twin Falls, ID 83303-0063
Email: tl@idahowaters.com

- Mail
- Hand Delivery
- Facsimile
- Courthouse Box
- Email

Marie Callaway Kellner
Matthew A. Nykiel
IDAHO CONSERVATION LEAGUE
P.O. Box 884
Boise, ID 83701
Email: mkellner@idahoconservaiton.org
mnykiel@idahoconservation.org

- Mail
- Hand Delivery
- Facsimile
- Courthouse Box
- Email

PURCELL RANCH PARTNERSHIP
Kerry Purcell
98 Purcell Land
Leadore, ID 83464

- Mail
- Hand Delivery
- Facsimile
- Email

Kerry Purcell
1774 Lee Creek Road
Leadore, ID 83464

- Mail
- Hand Delivery
- Facsimile
- Email

Penny Jane Ogden-Edwards
2330 S. 350 W.
Perry, UT 84302

- Mail
- Hand Delivery
- Facsimile
- Email



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

\\Law\data\WPDATA\RLH\20546-000 Bird, Janet & Kurt\001 Appeal\Unopposed Motion to Reschedule Oral Argument Date.docx