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*Attorneys for the Idaho Department of Water Resources*

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF**

**THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

BOISE RIVER OUTDOOR  
OPPORTUNITIES, LLC, an Idaho limited  
liability company,

Petitioner,

v.

THE IDAHO DEPARTMENT OF WATER  
RESOURCES,

Respondent,

and

CITY OF BOISE,

Intervenor.

Case No. CV01-24-04576


**MOTION TO DISMISS**

IN THE MATTER OF APPLICATION FOR  
PERMIT NO. S63-21092 IN THE NAME OF  
BOISE RIVER OUTDOOR  
OPPORTUNITIES

Respondent, the Idaho Department of Water Resources (the “Department”), an executive agency of the State of Idaho, by and through their attorneys of record, submit this *Motion to Dismiss*, pursuant to Idaho Rule of Civil Procedure 12(b)(1), and move this Court to dismiss the *Petition for Judicial Review* filed by Boise River Outdoor Opportunities, LLC in its entirety. This motion is supported by the *Department’s Brief in Support of Motion to Dismiss* submitted contemporaneously herewith.

DATED this 16th day of May 2024.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL



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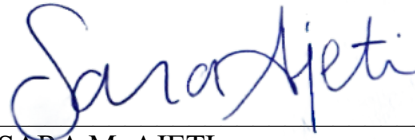
SARA M. AJETI  
Deputy Attorney General

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16th day of May 2024, I caused to be served a true and correct copy of the foregoing *Motion to Dismiss* via iCourt E-File and Serve, upon the following:

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