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**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.

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

Case No. CV01-24-04576

MOTION TO DISMISS

Intervenor, the city of Boise City by and through its counsel of record, hereby respectfully moves this Court to dismiss the above captioned *Petition for Judicial Review* pursuant to Idaho Rule of Civil Procedure 12(b)(1). This motion is supported by the Intervenor's *Memorandum In Support of Motion to Dismiss* filed contemporaneously herewith.

DATED this 21st day of May, 2024.

OFFICE OF THE CITY ATTORNEY

/s/ Darrell G. Early

DARRELL G. EARLY
Deputy City Attorney
Attorney for City of Boise

CERTIFICATE OF SERVICE

I hereby certify that I have on this 21st day of May 2024, I electronically filed the foregoing with the Clerk of Court using the iCourt system which sent a Notice of Electronic Filing to the following persons:

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/s/ Darrell G. Early

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