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*Attorneys for Petitioner*

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

**NON-OPPOSITION TO THE  
IDAHO DEPARTMENT OF  
WATER RESOURCES' MOTION  
TO CORRECT CAPTION**

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

COMES NOW the Petitioner, BOISE RIVER OUTDOOR OPPORTUNITIES, LLC,  
through its agent ADAM BASS ("Adam"), by and through its attorney of record, C. Tom Arkoosh

and Jeremy C. Rausch of Arkoosh Law Offices, and hereby submits this Non-Opposition to the Idaho Department of Water Resources' ("IDWR" or "Respondent") *Motion to Correct Caption* filed, May 16, 2024.

### **BACKGROUND**

Respondent IDWR has moved this Court pursuant to Idaho Rule of Civil Procedure 84(r) and Idaho Appellate Rule 6, seeking an order to correct the caption in the above-captioned matter. The current caption refers to an "Application for Permit No. S63-21092 in the name of Boise River Outdoor Opportunities." However, the Permit was issued to the City of Boise. Respondent requests that the caption be amended to correctly refer to the Application for Permit No. S63-21092 in the name of the City of Boise.

### **ARGUMENT**

Petitioner BROO does not oppose the Respondent's motion to correct the caption. It is acknowledged that Permit No. S63-21092 was indeed issued to the City of Boise, and correcting the caption to reflect this accurately is appropriate for the proper identification of the parties involved in the matter.

### **CONCLUSION**

For the foregoing reasons, Petitioner BROO respectfully submits this Non-Opposition to Respondent IDWR's Motion to Correct Caption.

DATED this 30<sup>th</sup> day of May 2024.

ARKOOSH LAW OFFICES

/s/ Jeremy C. Rausch  
Jeremy C. Rausch  
Attorney for Petitioner

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 30<sup>th</sup> day of May 2024, I served a true and correct copy of the foregoing document(s) upon the following person(s), in the manner indicated:

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