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Attorney for Respondent

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

CITY OF HEYBURN,
Petitioner,
vs.
IDAHO DEPARTMENT OF WATER
RESOURCES,
Respondent.

Case No. Case No. CV01-25-19943

**STIPULATION AND JOINT MOTION
FOR AN ORDER EXTENDING TIME
TO LODGE THE AGENCY RECORD
AND TRANSCRIPT**

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 87938 IN THE
NAME OF THE CITY OF HEYBURN

The parties, through their undersigned counsel of record, jointly move this Court for an extension of time to lodge the agency record and transcript, pursuant to the Court’s November 3, 2025 *Procedural Order* and I.A.R. 46.

The motion is based upon, and the parties stipulate and agree to the following:

1. A transcript of the underlying administrative hearing was requested in this matter. *Pet. for Judicial Review* ¶ 20.

2. Pursuant to the *Procedural Order*, the agency record and transcript are due to be lodged with the agency on or before November 17, 2025. *Procedural Order* ¶¶ 5–6.

3. Preparation of the administrative hearing transcript has been requested and Veritext is not expected to deliver the transcript to the agency until November 24, 2025, which is after the Court’s deadline to lodge the transcript with the agency.

4. Due to the anticipated delivery date of the complete transcript, combined with conflicting holiday leave plans of key staff, the Department requires additional time to lodge the record and transcript with the agency. The parties reasonably expect that an 18-day extension to December 5, 2025, will provide enough time for the Department to be able to lodge the agency record and transcript with the agency.

5. Pursuant to I.R.C.P. 84(j)(1)(C) and the *Procedural Order*, the parties are allowed 14 days from the date of mailing of the notice of lodging with the agency in which to file any objections to the record or transcript.

6. Pursuant to the *Procedural Order*, the settled agency record and transcript are currently due to be lodged with the Court no later than December 15, 2025. *Procedural Order* ¶ 7.

7. If the requested extension to lodge the agency record and transcript with the agency is granted, then the Department will also need additional time to lodge the settled agency record and transcript with the Court. The parties reasonably expect that an 18-day extension to January 2, 2026, will provide enough time for any objections to be filed and for the Department to respond to them and file the settled agency record and transcript with the Court.

8. At this time, should the Court grant the requested lodging extensions, the parties still anticipate that all briefing will be complete before April 2, 2026, the date currently scheduled for oral argument on this matter.

Accordingly, the parties respectfully request an order from the Court: (1) extending the time to lodge the record and transcript with the agency to December 5, 2025; and (2) extending the time to lodge the settled agency record and transcript with the Court to January 2, 2026.

DATED this 14th day of November 2025.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



GARRICK L. BAXTER
Attorney for Respondent

DATED this 14th day of November 2025.

MCHUGH BROMLEY, PLLC

/s/ Chris M. Bromley

CHRIS M. BROMLEY
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November 2025, I caused to be served a true and correct copy of the foregoing *Stipulation and Joint Motion for an Order Extending Time to Lodge the Agency Record and Transcript* via iCourt E-File and Serve, upon the following:

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