

Albert P. Barker, ISB No. 2867  
Travis L. Thompson, ISB No. 6168  
Michael A. Short, ISB No. 10554  
**BARKER ROSHOLT & SIMPSON LLP**  
1010 W. Jefferson St., Ste. 102  
P.O. Box 2139  
Boise, Idaho 83701-2139  
Telephone: (208) 336-0700  
Facsimile: (208) 344-6034  
Email: [apb@idahowaters.com](mailto:apb@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)  
[mas@idahowaters.com](mailto:mas@idahowaters.com)

*Attorneys for Petitioner South Valley Ground Water District*

James R. Laski, ISB No. 5429  
Heather E. O'Leary, ISB No. 8693  
**LAWSON LASKI CLARK, PLLC**  
675 Sun Valley Road, Suite A  
Post Office Box 3310  
Ketchum, Idaho 83340  
Telephone 208.725.0055  
Facsimile 208.725.0076  
Email: [jrl@lawsonlaski.com](mailto:jrl@lawsonlaski.com)  
[heo@lawsonlaski.com](mailto:heo@lawsonlaski.com)  
[efiling@lawsonlaski.com](mailto:efiling@lawsonlaski.com)

*Attorneys for Petitioner Galena Ground Water District*

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE**

SOUTH VALLEY GROUND WATER  
DISTRICT and GALENA GROUND WATER  
DISTRICT,

Petitioners,

vs.

THE IDAHO DEPARTMENT OF WATER  
RESOURCES and GARY SPACKMAN in his

**CASE NO. CV07-2021-00243**

**PETITIONERS' UNOPPOSED  
MOTION & SUPPORTING POINTS  
FOR LEAVE TO FILE  
OVERLENGTH BRIEF**

official capacity as Director of the Idaho  
Department of Water Resources,

Respondents.

COME NOW, the Petitioners, SOUTH VALLEY GROUND WATER DISTRICT, on behalf of its members, by and through counsel of record, BARKER ROSHOLT & SIMPSON LLP and GALENA GROUND WATER DISTRICT, on behalf of its members, by and through counsel of record, LAWSON LASKI CLARK, PLLC (collectively “Petitioners”), pursuant to Idaho Rules of Civil Procedure 84(o) and 84(r), and hereby respectfully moves this court for leave to file an opening brief in excess of the fifty (50) page limitation imposed by Idaho Appellate Rule 34(b).

Petitioners’ counsel has endeavored to keep the brief within the rule’s prescribed page limit. However, as complex and numerous legal issues need to be fully addressed, and, along with a review of an extensive record and voluminous technical information, the legal analysis and citations have resulted in an overlength brief. Counsel expects that the final brief will be between 90-95 pages. Counsel for the Petitioners has contacted counsel for the Respondents and Intervenors and there is no opposition to this motion (only counsel for the Intervenor City of Ketchum has yet to respond at the time of filing this motion). Therefore, Petitioners respectfully requests that they be allowed to file a brief in excess of the appellate rule pages limit.

DATED this 22<sup>nd</sup> day of October, 2021.

BARKER ROSHOLT & SIMPSON LLP

/S/ ALBERT P. BARKER

Albert P. Barker

*Attorneys for South Valley Ground Water  
District*

LAWSON LASKI CLARK, PLLC

/S/ HEATHER E. O'LEARY

Heather E. O'Leary

*Attorneys for Galena Ground Water District*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of October, 2021, the foregoing was filed, served, and copied as shown below.

Michael C. Orr  
Garrick L. Baxter  
Meghan Carter  
IDAHO DEPARTMENT OF WATER RESOURCES  
PO Box 83720  
Boise, ID 83720-0098  
michael.orr@ag.idaho.gov  
garrick.baxter@idwr.idaho.gov  
meghan.carter@idwr.idaho.gov

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

James R. Laski  
Heather O’Leary  
LAWSON LASKI CLARK PLLC  
PO Box 3310  
Ketchum, ID 83340  
jrl@lawsonlaski.com  
heo@lawsonlaski.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Candice McHugh  
Chris Bromley  
MCHUGH BROMLEY, PLLC  
380 S. 4th St., Ste. 103  
Boise, ID 83702  
cmchugh@mchughbromley.com  
cbromley@mchughbromley.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

W. Kent Fletcher  
FLETCHER LAW OFFICE  
P.O. Box 248  
Burley, ID 83318  
wkf@pmt.org

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Sarah A. Klahn  
SOMACH SIMMONS & DUNN  
2033 11th St., #5  
Boulder, CO 80302  
sklahn@somachlaw.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Joseph F. James  
James Law Office, PLLC  
125 5th Ave. West  
Gooding, ID 83330  
efile@jamesmvlaw.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Jerry R. Rigby  
Chase Hendricks  
Rigby Thatcher  
P.O. Box 250  
Rexburg, ID 83440-0250  
jrigby@rex-law.com  
chendricks@rex-law.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Michael Lawrence  
GIVENS PURSLEY  
P.O. Box 2720  
Boise, ID 83701-2720  
mpl@givenspursley.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

Brian O'Bannon  
Matthew Johnson  
WHITE PETERSON  
5700 E Franklin Rd. Ste. 200  
Nampa, ID 83687  
icourt@whitepeterson.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 iCourt

/s/ TRAVIS L. THOMPSON  
Travis L. Thompson