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Attorneys for Respondents

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON**

EDEN'S GATE LLC,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF
WATER RESOURCES and GARY
SPACKMAN in his official capacity as
Director of the Idaho Department of Water
Resources,

Respondents,

and

FARMERS CO-OPERATIVE DITCH
COMPANY,

Intervenor.

Case No. CV14-21-10116

**STIPULATION, JOINT MOTION,
AND SUPPORTING POINTS TO
VACATE AND RESET ORAL
ARGUMENT**

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 63-34832 THROUGH
63-34838 AND 63-34840 THROUGH 63-
34846 ALL IN THE NAME OF EDEN'S
GATE LLC

COME NOW, the parties, by and through their undersigned attorneys of record, in accordance with the *Procedural Order* issued by the Court in this matter on November 17, 2021, and pursuant to I.R.C.P. Rule 84(o), and hereby jointly move the Court for an order resetting oral argument in the above-captioned matter to May 9, 2022, at 1:30 p.m. (Mountain Time).

The *Procedural Order* originally set the deadline to lodge the transcript and agency record with the Idaho Department of Water Resources for December 1, 2021. Proc. Order at ¶¶ 5, 6. The *Procedural Order* also set oral argument for April 7, 2022, at 1:30 p.m. (Mountain Time). *Id.* at ¶ 12. The date for oral argument was based on the Department lodging the transcript and agency record with the agency by December 1, 2021.

Subsequently, the Department requested, and the Court granted, an extension of time to lodge the transcript and agency record with the Department. The transcript and agency record were lodged with the Department on January 6, 2022. Notice Lodging Tr. & R. with Agency at 2. Because the deadline to lodge the transcript and agency record was moved, we now need to move the oral argument date. The parties respectfully request that this court vacate the April 7, 2022 oral argument date and reset oral argument for Monday, May 9, 2022, at 1:30 p.m. (Mountain Time).

DATED this 11th day of March 2022.

/s/ Michael C. Orr
MICHAEL C. ORR
Deputy Attorney General
Idaho Department of Water Resources

Attorney for Respondents

DATED this 12th day of March 2022.

/s/ Albert P. Barker
ALBERT P. BARKER
MICHAEL A. SHORT
Barker Rosholt & Simpson LLP

Attorneys for Petitioner

DATED this 11th day of March 2022.



BRYCE FARRIS
Sawtooth Law Offices, PLLC

Attorney for Intervenor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of March 2022, I caused to be served a true and correct copy of the foregoing *Stipulation, Joint Motion, and Supporting Points to Vacate and Reset Oral Argument* by iCourt E-file and Serve to:

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/s/ Michael C. Orr

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