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Attorneys for Respondents

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

IDAHO GROUND WATER APPROPRIATORS, INC.,

Petitioner,

v.

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

Respondents.

Case No. CV27-22-00945

**MOTION AND
SUPPORTING POINTS
FOR EXTENSION OF
TIME TO LODGE
AGENCY RECORD
AND TRANSCRIPT**

IN THE MATTER OF THE DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS HELD BY
AND FOR THE BENEFIT OF A&B IRRIGATION
DISTRICT, AMERICAN FALLS RESERVOIR
DISTRICT #2, BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE CANAL
COMPANY, AND TWIN FALLS CANAL COMPANY

IN THE MATTER OF IGWA'S SETTLEMENT
AGREEMENT MITIGATION PLAN

Respondents, the Idaho Department of Water Resources and its Director, Gary Spackman (collectively, “Department”), request an extension of time to lodge the agency record and transcript with the agency and district court in this matter. This motion is under this Court’s October 26, 2022 *Procedural Order*, I.A.R. 46, and I.R.C.P. 84(o) and (r). For the following reasons, there is good cause to grant the Department’s request.

1. The Court’s *Procedural Order* directs that the agency record and transcript in this matter are to be lodged with the agency on or before November 9, 2022.

2. Due to staff workload, the Department requires additional time to lodge the record with the agency.

3. The Department has not yet received the completed transcript in this matter. Based upon the transcriber’s estimated date of completion, the Department will not receive the completed transcript before November 9, 2022.

4. The Department reasonably expects that it will be able to lodge the agency record and transcript with the agency on or before November 23, 2022.

5. In accordance with the *Procedural Order* and I.R.C.P. 84(j), the Department reasonably expects that it will be able to lodge the agency record and transcript with the district court on or before December 21, 2022.

Accordingly, the Department respectfully request an order from the Court: (1) extending the time to lodge the agency record and transcript with the agency to November 23, 2022; and (2) extending the time to lodge the agency record and transcript with the district court to December 21, 2022.

DATED this 7th day of November 2022.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

GARRICK L. BAXTER
Acting Chief of Natural Resources Division

A handwritten signature in blue ink, appearing to read 'MCB', with a long horizontal flourish extending to the right.

MARK CECCHINI-BEAVER
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November 2022, I caused to be served a true and correct copy of the foregoing *Motion and Supporting Points for Extension of Time to Lodge Agency Record and Transcript* via iCourt E-File and Serve, upon the following:

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