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Attorneys for Plaintiff

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI**

THE IDAHO DEPARTMENT OF
WATER RESOURCES,

Plaintiff,

vs.

FLOYD JAMES WHITTAKER and
JORDAN WHITTAKER, as individuals;
WHITTAKER TWO DOT RANCH, LLC,
an Idaho limited liability company; and
WHITTAKER TWO DOT LAND, LLC,
an Idaho limited liability company,

Defendants.

Case No. CV30-22-0169

**PLAINTIFF AND DEFENDANTS'
JOINT MOTION TO
VACATE TRIAL SETTING**

COMES NOW the above-entitled parties, by and through their counsel of record,
and move the Court, pursuant to Rule 16 of the Idaho Rules of Civil Procedure, to enter an


Order vacating the existing September 13, 2023 trial setting, and respectfully request that this matter be reset for trial for a future date at the Court and counsels' convenience.


This Motion is based upon the fact that the parties are actively engaging in meaningful settlement discussions and need additional time to determine if the proposed settlement terms are possible to resolve the claims before the court and other additional issues relating to the subject water drainage.

Both the parties are informed of this motion and approve and support vacating the current trial setting.

DATED this 25th day of August 2023.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



LACEY RAMMELL-O'BRIEN
Deputy Attorney General
Attorney for Plaintiff


ROBERT L. HARRIS
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
Attorney for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of August 2023, I caused to be served a true and correct copy of the foregoing *Plaintiff and Defendants' Joint Motion to Vacate Trial Setting* via iCourt E-File and Serve, upon the following:

Robert L. Harris
Luke H. Marchant
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
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LACEY RAMMELL-O'BRIEN
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