

DEC 29 2016

CHRISTOPHER D. RICH, Clerk
By RIC NELSON
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

SUN VALLEY COMPANY,

Petitioner,

vs.

IDAHO DEPARTMENT OF WATER
RESOURCES ,

Respondent.

Case No. CV0116-23173

ORDER GOVERNING
JUDICIAL REVIEW

Petition for Judicial Review having been filed herein, and it appearing that the issues presented on appeal are questions of law and fact; and it further appearing that a record/transcript is necessary to process this appeal:

It is ORDERED:

1) That upon completion of the record the agency shall mail or deliver a notice of lodging of transcript and record to all attorneys of record or parties appearing in person and to the district court.

2) That the notice shall inform the parties before the agency that they may pick up a copy of the transcript and record at the agency and that the parties have fourteen (14) days from the date of the mailing of the notice in which to file with the agency any objections, and the notice will further advise the petitioner to pay the balance of the fees for preparation before the transcript and record will be delivered to the petitioner.

3) That the Agency shall transmit the settled transcript and record to the district court within forty-two (42) days of the service of the petition for judicial review.

4) That the Agency, upon filing with the Court the record, shall send notice of such filing to all parties;

5) That the Petitioner's brief shall be filed and served on March 13, 2017.

6) That the Respondent's brief shall be filed and served on April 10, 2017.

7) That Petitioner's reply brief, if any, shall be filed and served on May 1, 2017

8) Oral Argument will be heard at the Ada County Courthouse on May 25, 2017 at 1:30pm.

9) Upon completion of the oral argument, and after the Court's Memorandum Decision and Order is issued, the parties will have forty-two (42) days to appeal to the Supreme Court. If no appeal is filed, the agency record shall be returned to the agency. The agency shall be responsible for picking up the record/transcript from the Court within two (2) weeks of being notified that it is ready to be released. If the record/transcript is not picked up within that time, it shall be destroyed.

Dated this 29th day of December 2016.



GERALD F. SCHROEDER
Sr. District Judge

CERTIFICATE OF MAILING

I hereby certify that on this 29th day of December 2016, I mailed (served) a true and correct copy of the within instrument to:

Scott Campbell
Matthew McGee
Moffatt, Thomas, Barrett, Rock &
Fields, Chartered
Email: mjm@moffatt.com
sam@moffatt.com

GARY SPACKMAN
DIRECTOR
IDAHO DEPARTMENT OF WATER WORKS
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

CHRISTOPHER D. RICH
Clerk of the District Court

By: 

Deputy Court Clerk