

RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Energy and Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301
KAYLEEN R. RICHTER, ISB No. 11258

Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov
kayleen.richter@idwr.idaho.gov

Attorneys for Respondents

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

IDAHO GROUND WATER
APPROPRIATORS, INC.,

Petitioner,

vs.

IDAHO DEPARTMENT OF WATER
RESOURCES, and MATHEW WEAVER in
his capacity as the Director of the Idaho
Department of Water Resources,

Respondents,

and

AMERICAN FALLS RESERVOIR
DISTRICT #2, MINIDOKA IRRIGATION
DISTRICT, A&B IRRIGATION DISTRICT,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT, NORTH
SIDE CANAL COMPANY, TWIN FALLS
CANAL COMPANY, CITY OF
POCATELLO, CITY OF BLISS, CITY OF
BURLEY, CITY OF CAREY, CITY OF
DECLO, CITY OF DIETRICH, CITY OF
GOODING, CITY OF HAZELTON, CITY OF

Case No. CV01-23-13173

**JOINT MOTION TO MODIFY BRIEFING
SCHEDULE AND VACATE AND RESET
ORAL ARGUMENT**

HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, CITY OF WENDELL, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, and BINGHAM GROUNDWATER DISTRICT,

Intervenors.

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

COME NOW, the parties, by and through their undersigned attorneys of record, and move the Court, pursuant to the Court's *Procedural Order* dated August 16, 2023, and I.A.R. 34(d) and 46, to modify the remaining briefing deadline set forth in the Court's January 16, 2024 *Order Granting Uncontested Motion to Modify Briefing Schedule* and vacate and reset oral argument in this matter. In accordance with I.A.R. 34(d) and 46, this joint motion is supported by the *Declaration of Kayleen R. Richter in Support of Joint Motion to Modify Briefing Schedule and Vacate and Reset Oral Argument* filed contemporaneously herewith.

The parties respectfully request that the remaining briefing deadline—Petitioner's Reply—be reset to March 1, 2024. Additionally, the parties ask that oral argument be vacated and reset to April 4, 2024, at a time of day that is convenient for the Court.

DATED this 23rd day of January 2024.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



KAYLEEN R. RICHTER
Deputy Attorney General

Attorney for IDWR and Mathew Weaver

DATED this 23rd day of January 2024.

DYLAN ANDERSON LAW

/s/ Dylan Anderson

DYLAN ANDERSON

Attorney for BGWD

DATED this 23rd day of January 2024.

FLETCHER LAW OFFICE

/s/ W. Kent Fletcher

W. KENT FLETCHER

*Attorney for AFRD#2 and Minidoka
Irr. Dist.*

DATED this 23rd day of January 2024.

RACINE OLSON, PLLP

/s/ Elisheva M. Patterson

THOMAS J. BUDGE
ELISHEVA M. PATTERSON

Attorneys for IGWA

DATED this 23rd day of January 2024.

OLSEN TAGGART PLLC

/s/ Skyler C. Johns

SKYLER C. JOHNS
NATHAN M. OLSEN
STEVEN L. TAGGART

Attorneys for BJGWD

DATED this 23rd day of January 2024.

MARTEN LAW LLP

/s/ Travis L. Thompson

JOHN K. SIMPSON
TRAVIS L. THOMPSON

*Attorneys for A&B Irr. Dist., Burley Irr. Dist.,
Milner Irr. Dist., North Side Canal Co., and
Twin Falls Canal Co.*

DATED this 23rd day of January 2024.

MCHUGH BROMLEY, PLLC

/s/ Candice M. McHugh

CANDICE M. MCHUGH
CHRIS M. BROMLEY

Attorneys for Coalition of Cities

DATED this 23rd day of January 2024.

SOMACH SIMMONS & DUNN, P.C.

/s/ Maximilian C. Bricker

SARAH A. KLAHN
MAXIMILIAN C. BRICKER

Attorneys for City of Pocatello

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January 2024, I caused to be served a true and correct copy of the foregoing *Joint Motion to Modify Briefing Schedule and Vacate and Reset Oral Argument*, via iCourt E-File and Serve, upon the following:

Thomas J. Budge
Elisheva M. Patterson
RACINE OLSON, PLLP
tj@racineolson.com
elisheva@racineolson.com

Dylan Anderson
DYLAN ANDERSON LAW
dylan@dylanandersonlaw.com

Skyler C. Johns
Nathan M. Olsen
Steven L. Taggart
OLSEN TAGGART PLLC
johns@olsentaggart.com
nolsen@olsentaggart.com
staggart@olsentaggart.com

Candice M. McHugh
Chris M. Bromley
MCHUGH BROMLEY, PLLC
cbromley@mchughbromley.com
cmchugh@mchughbromley.com

W. Kent Fletcher
FLETCHER LAW OFFICE
wkf@pmt.org

John K. Simpson
Travis L. Thompson
MARTEN LAW LLP
jsimpson@martenlaw.com
tthompson@martenlaw.com

Sarah A. Klahn
Maximilian C. Bricker
SOMACH SIMMONS & DUNN, P.C.
sklahn@somachlaw.com
mbricker@somachlaw.com



KAYLEEN R. RICHTER
Deputy Attorney General

