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Attorneys for Intervenor City of Boise

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

BOISE RIVER OUTDOOR  
OPPORTUNITIES, LLC, an Idaho limited  
liability company,

Petitioner

v.

THE IDAHO DEPARTMENT OF WATER  
RESOURCES,

Respondent.

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IN THE MATTER OF APPLICATION FOR  
PERMIT NO. S63-21092 IN THE NAME OF  
BOISE RIVER OUTDOOR  
OPPORTUNITIES

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Case No. CV01-24-04576

**MOTION TO DISMISS**

Intervenor, the city of Boise City by and through its counsel of record, hereby respectfully moves this Court to dismiss the above captioned *Petition for Judicial Review* pursuant to Idaho Rule of Civil Procedure 12(b)(1). This motion is supported by the Intervenor's *Memorandum In Support of Motion to Dismiss* filed contemporaneously herewith.

DATED this 21<sup>st</sup> day of May, 2024.

OFFICE OF THE CITY ATTORNEY

*/s/ Darrell G. Early*  
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DARRELL G. EARLY  
Deputy City Attorney  
Attorney for City of Boise

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 21<sup>st</sup> day of May 2024, I electronically filed the foregoing with the Clerk of Court using the iCourt system which sent a Notice of Electronic Filing to the following persons:

Charles Thomas Arkoosh  
Jeremy Christopher Rausch  
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*/s/ Darrell G. Early*  
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DARRELL G. EARLY  
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