

Albert P. Barker, ISB No. 2867
Travis L. Thompson, ISB No. 6168
Michael A. Short, ISB No. 10554
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034
Email: apb@idahowaters.com
tlt@idahowaters.com
mas@idahowaters.com

Attorneys for Petitioner South Valley Ground Water District

James R. Laski, ISB No. 5429
Heather E. O'Leary, ISB No. 8693
LAWSON LASKI CLARK, PLLC
675 Sun Valley Road, Suite A
Post Office Box 3310
Ketchum, Idaho 83340
Telephone 208.725.0055
Facsimile 208.725.0076
Email: jrl@lawsonlaski.com
heo@lawsonlaski.com
efiling@lawsonlaski.com

Attorneys for Petitioner Galena Ground Water District

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

SOUTH VALLEY GROUND WATER
DISTRICT and GALENA GROUND WATER
DISTRICT,

Petitioners,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES and GARY SPACKMAN in his

CASE NO. CV07-2021-00243

**PETITIONERS' UNOPPOSED
MOTION & SUPPORTING POINTS
FOR LEAVE TO FILE
OVERLENGTH BRIEF**

official capacity as Director of the Idaho
Department of Water Resources,

Respondents.

COME NOW, the Petitioners, SOUTH VALLEY GROUND WATER DISTRICT, on behalf of its members, by and through counsel of record, BARKER ROSHOLT & SIMPSON LLP and GALENA GROUND WATER DISTRICT, on behalf of its members, by and through counsel of record, LAWSON LASKI CLARK, PLLC (collectively “Petitioners”), pursuant to Idaho Rules of Civil Procedure 84(o) and 84(r), and hereby respectfully moves this court for leave to file an opening brief in excess of the fifty (50) page limitation imposed by Idaho Appellate Rule 34(b).

Petitioners’ counsel has endeavored to keep the brief within the rule’s prescribed page limit. However, as complex and numerous legal issues need to be fully addressed, and, along with a review of an extensive record and voluminous technical information, the legal analysis and citations have resulted in an overlength brief. Counsel expects that the final brief will be between 90-95 pages. Counsel for the Petitioners has contacted counsel for the Respondents and Intervenors and there is no opposition to this motion (only counsel for the Intervenor City of Ketchum has yet to respond at the time of filing this motion). Therefore, Petitioners respectfully requests that they be allowed to file a brief in excess of the appellate rule pages limit.

DATED this 22nd day of October, 2021.

BARKER ROSHOLT & SIMPSON LLP

/S/ ALBERT P. BARKER

Albert P. Barker

*Attorneys for South Valley Ground Water
District*

LAWSON LASKI CLARK, PLLC

/S/ HEATHER E. O'LEARY

Heather E. O'Leary

Attorneys for Galena Ground Water District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 2021, the foregoing was filed, served, and copied as shown below.

Michael C. Orr
Garrick L. Baxter
Meghan Carter
IDAHO DEPARTMENT OF WATER RESOURCES
PO Box 83720
Boise, ID 83720-0098
michael.orr@ag.idaho.gov
garrick.baxter@idwr.idaho.gov
meghan.carter@idwr.idaho.gov

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

James R. Laski
Heather O’Leary
LAWSON LASKI CLARK PLLC
PO Box 3310
Ketchum, ID 83340
jrl@lawsonlaski.com
heo@lawsonlaski.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Candice McHugh
Chris Bromley
MCHUGH BROMLEY, PLLC
380 S. 4th St., Ste. 103
Boise, ID 83702
cmchugh@mchughbromley.com
cbromley@mchughbromley.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

W. Kent Fletcher
FLETCHER LAW OFFICE
P.O. Box 248
Burley, ID 83318
wkf@pmt.org

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Sarah A. Klahn
SOMACH SIMMONS & DUNN
2033 11th St., #5
Boulder, CO 80302
sklahn@somachlaw.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Joseph F. James
James Law Office, PLLC
125 5th Ave. West
Gooding, ID 83330
efile@jamesmvlaw.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Jerry R. Rigby
Chase Hendricks
Rigby Thatcher
P.O. Box 250
Rexburg, ID 83440-0250
jrigby@rex-law.com
chendricks@rex-law.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Michael Lawrence
GIVENS PURSLEY
P.O. Box 2720
Boise, ID 83701-2720
mpl@givenspursley.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

Brian O'Bannon
Matthew Johnson
WHITE PETERSON
5700 E Franklin Rd. Ste. 200
Nampa, ID 83687
icourt@whitepeterson.com

U.S. Mail, Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile
 iCourt

/s/ TRAVIS L. THOMPSON
Travis L. Thompson