

**LAWRENCE G. WASDEN**  
ATTORNEY GENERAL

**GARRICK L. BAXTER**  
Acting Chief of Natural Resources Division

**GARRICK L. BAXTER, ISB No. 6301**  
**MARK CECCHINI-BEAVER, ISB No. 9297**  
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](mailto:garrick.baxter@idwr.idaho.gov)  
[mark.cecchini-beaver@idwr.idaho.gov](mailto:mark.cecchini-beaver@idwr.idaho.gov)

Attorneys for Respondents

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

IDAHO GROUND WATER APPROPRIATORS, INC.,

Petitioner,

v.

THE IDAHO DEPARTMENT OF WATER  
RESOURCES, and GARY SPACKMAN in his capacity as  
the Director of the Idaho Department of Water Resources,

Respondents.

**Case No. CV27-22-00945**

**MOTION AND  
SUPPORTING POINTS  
FOR EXTENSION OF  
TIME TO LODGE  
AGENCY RECORD  
AND TRANSCRIPT**

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

IN THE MATTER OF IGWA'S SETTLEMENT  
AGREEMENT MITIGATION PLAN

Respondents, the Idaho Department of Water Resources and its Director, Gary Spackman (collectively, “Department”), request an extension of time to lodge the agency record and transcript with the agency and district court in this matter. This motion is under this Court’s October 26, 2022 *Procedural Order*, I.A.R. 46, and I.R.C.P. 84(o) and (r). For the following reasons, there is good cause to grant the Department’s request.

1. The Court’s *Procedural Order* directs that the agency record and transcript in this matter are to be lodged with the agency on or before November 9, 2022.

2. Due to staff workload, the Department requires additional time to lodge the record with the agency.

3. The Department has not yet received the completed transcript in this matter. Based upon the transcriber’s estimated date of completion, the Department will not receive the completed transcript before November 9, 2022.

4. The Department reasonably expects that it will be able to lodge the agency record and transcript with the agency on or before November 23, 2022.

5. In accordance with the *Procedural Order* and I.R.C.P. 84(j), the Department reasonably expects that it will be able to lodge the agency record and transcript with the district court on or before December 21, 2022.

Accordingly, the Department respectfully request an order from the Court: (1) extending the time to lodge the agency record and transcript with the agency to November 23, 2022; and (2) extending the time to lodge the agency record and transcript with the district court to December 21, 2022.

DATED this 7th day of November 2022.

LAWRENCE G. WASDEN  
ATTORNEY GENERAL

GARRICK L. BAXTER  
Acting Chief of Natural Resources Division

A handwritten signature in blue ink, appearing to read 'MCB', with a long horizontal flourish extending to the right.

---

MARK CECCHINI-BEAVER  
Deputy Attorney General

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November 2022, I caused to be served a true and correct copy of the foregoing *Motion and Supporting Points for Extension of Time to Lodge Agency Record and Transcript* via iCourt E-File and Serve, upon the following:

Thomas J. Budge  
Elisheva M. Patterson  
**RACINE OLSON, PLLP**  
P.O. Box 1391  
Pocatello, ID 83204  
[tj@racineolson.com](mailto:tj@racineolson.com)  
[elisheva@racineolson.com](mailto:elisheva@racineolson.com)

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- iCourt E-File and Serve

*Attorneys for Idaho Ground Water Appropriators, Inc. (IGWA)*

John K. Simpson  
Travis L. Thompson  
Michael A. Short  
**BARKER ROSHOLT & SIMPSON  
LLP**  
P.O. Box 63  
Twin Falls, ID 83303  
[jks@idahowaters.com](mailto:jks@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)  
[mas@idahowaters.com](mailto:mas@idahowaters.com)

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- iCourt E-File and Serve

W. Kent Fletcher  
**FLETCHER LAW OFFICE**  
P.O. Box 248  
Burley, ID 83318  
[wkf@pmt.org](mailto:wkf@pmt.org)

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- iCourt E-File and Serve

*Attorneys for Surface Water Coalition*

Candice McHugh  
Chris M. Bromley  
**MCHUGH BROMLEY, PLLC**  
380 S. 4th St., Ste. 103  
Boise, ID 83702  
[cmchugh@mchughbromley.com](mailto:cmchugh@mchughbromley.com)  
[cbromley@mchughbromley.com](mailto:cbromley@mchughbromley.com)

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- iCourt E-File and Serve

*Attorneys for Coalition of Cities*

Sarah A. Klahn  
**SOMACH SIMMONS & DUNN**  
1155 Canyon Blvd., Suite 110  
Boulder, CO 80302  
[sklahn@somachlaw.com](mailto:sklahn@somachlaw.com)

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- iCourt E-File and Serve

*Attorney for City of Pocatello*



MARK CECCHINI-BEAVER  
Deputy Attorney General  
Idaho Department of Water Resources