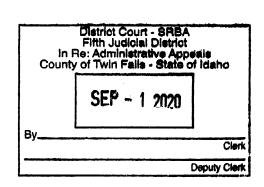
## LAWRENCE G. WASDEN ATTORNEY GENERAL

DARRELL G. EARLY

Deputy Attorney General Chief, Natural Resources Division

### GARRICK BAXTER #6301 SEAN COSTELLO #8743

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



### Attorneys for Respondent

# IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

BASIN 33 WATER USERS, a coalition of water right holders, and the UPPER VALLEY WATER USERS, a coalition of water right holders,

Petitioners.

VS.

SURFACE WATER COALITION, a coalition of water right holders,

Cross Petitioner,

VS.

THE IDAHO DEPARTMENT OF WATER RESOURCES,

Respondent,

Case No. CV01-20-08069

UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE

and

CITIES OF BLISS, BURLEY, CAREY, DECLO, DIETRICH, GOODING, HAZELTON, HEYBURN, JEROME, PAUL, RICHFIELD, RUPERT, SHOSHONE, AND WENDELL; SOUTH VALLEY GROUND WATER DISTRICT; IDAHO GROUND WATER APPROPRIATORS, INC.; IDAHO POWER COMPANY; CLEAR SPRINGS FOODS, LLC; CITY OF POCATELLO, AND SNAKE RIVER STORAGE,

Intervenors.

IN THE MATTER OF DESIGNATING THE EASTERN SNAKE PLAIN AQUIFER GROUND WATER MANAGEMENTAREA

COMES NOW Respondent, the Idaho Department of Water Resources ("IDWR"), by and through its undersigned attorney of record, and moves the Court for an Order Granting Unopposed Motion to Modify Briefing Schedule, adopting the following briefing schedule:

- September 10: Respondent/Intervenors file response briefs; Cross Petitioner files combined response brief and opening brief on cross appeal
- 2. October 1: Petitioner files reply brief
- 3. October 6: Petitioner-Respondents/Respondent/Intervenors file response briefs on cross appeal
- 4. October 13: Cross Petitioner files reply brief on cross appeal

Counsel for IDWR has conferred with counsel for all parties in the matter, who have all indicated either their support for or non-opposition to this motion.

### **UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE - 2**

RESPECTFULLY SUBMITTED this 15 day of September, 2020.

LAWRENCE G. WASDEN Attorney General

DARRELL G. EARLY Chief, Natural Resources Division

GARRICK BAXTER
Deputy Attorney General

Idaho Department of Water Resources

#### CERTIFICATE OF SERVICE

day of September 2020, I caused a true and I HEREBY CERTIFY that on this correct copy of the foregoing UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE to be filed with the Court and served on the following parties by the indicated methods. Original to: U.S. Mail, postage prepaid SRBA DISTRICT COURT Hand Delivery 253 3RD AVENUE NORTH **Facsimile** PO BOX 2707 ⊠ Email TWIN FALLS ID 83303-2707 Facsimile: (208) 736-2121 Copies to: U.S. Mail, postage prepaid ROBERT L HARRIS Hand Delivery D ANDREW RAWLINGS Facsimile HOLDEN KIDWELL ⊠ Email PO BOX 50130 **IDAHO FALLS ID 83405** rharris@holdenlegal.com U.S. Mail, postage prepaid JERRY R RIGBY Hand Delivery RIGBY ANDRUS & RIGBY LAW PLLC Facsimile 25 NORTH SECOND EAST ⊠ Email **PO BOX 250 REXBURG IDAHO 83440** irigby@rex-law.com U.S. Mail, postage prepaid CHRIS M BROMLEY Hand Delivery CANDICE MCHUGH Facsimile MCHUGH BROMLEY PLLC ⊠ Email 380 S 4TH STREET STE 103 **BOISE ID 83702** cbromley@mchughbromley.com cmchugh@mchughbromley.com U.S. Mail, postage prepaid RANDALL C BUDGE Hand Delivery THOMAS J BUDGE Facsimile RACINE OLSON NYE BUDGE & ⊠ Email **BAILEY CHTD** PO BOX 1391

POCATELLO ID 83204-1391

rcb@racinelaw.net; tjb@racinelaw.net

ROBERT E WILLIAMS WILLIAMS MERSERVY & LOTHSPEICH LLP 153 EAST MAIN STREET PO BOX 168 JEROME IDAHO 83338 rewilliams@wmlattys.com	<ul> <li>∠ U.S. Mail, postage prepaid</li> <li>Hand Delivery</li> <li>Facsimile</li> <li>Email</li> </ul>
SARAH A KLAHN SOMACH SIMMONS & DUNN 2033 11 <sup>TH</sup> STREET STE 5 BOULDER CO 80302 sklahn@somachlaw.com; dthompson@somachlaw.com	<ul> <li>∠ U.S. Mail, postage prepaid</li> <li>☐ Hand Delivery</li> <li>☐ Facsimile</li> <li>∠ Email</li> </ul>
KIRK BYBEE CITY OF POCATELLO PO BOX 4169 POCATELLO ID 83201 kibybee@pocatello.us	U.S. Mail, postage prepaid Hand Delivery Facsimile Email
TRAVIS L THOMPSON BARKER ROSHOLT & SIMPSON LLP 163 SOUTH AVENUE WEST PO BOX 63 TWIN FALLS ID 83303-0063 tlt@idahowaters.com; jf@idahowaters.com	U.S. Mail, postage prepaid Hand Delivery Facsimile Email
W KENT FLETCHER FLETCHER LAW OFFICE PO BOX 248 BURLEY ID 83318 wkf@pmt.org	U.S. Mail, postage prepaid Hand Delivery Facsimile Email
ALBERT P. BARKER JOHN K SIMPSON BARKER ROSHOLT & SIMPSON LLP 1010 W JEFFERSON SUITE 102 PO BOX 2139 BOISE IDAHO 83701-2139 apb@idahowaters.com; jks@idahowaters.com	<ul> <li>∠ U.S. Mail, postage prepaid</li> <li>Hand Delivery</li> <li>Facsimile</li> <li>∠ Email</li> </ul>

nsemanko@parsonsbehle.com

**BOISE 1D 83702** 

MICHAEL C CREAMER GIVENS PURSLEY LLP 601 WEST BANNOCK STREET P O BOX 2720 BOISE ID 83701-2720 mcc@givenspursley.com	U.S. Mail, postage prepaid Hand Delivery Facsimile Email
JOSEPH F JAMES 125 5 <sup>TH</sup> AVE WEST GOODING ID 83330 joe@jamesmvlaw.com  DYLAN B LAWRENCE J WILL VARIN VARIN WARDWELL LLC 242 N 8 <sup>TH</sup> STREET STE 220 PO BOX 1676 BOISE IDAHO 83701-1676 dylanlawrence@varinwardwell.com willvarin@varinwardwell.com	U.S. Mail, postage prepaid Hand Delivery Facsimile Email  U.S. Mail, postage prepaid Hand Delivery Facsimile Email
NORMAN M SEMANKO PARSONS BEHLE & LATIMER 800 WEST MAIN STREET STE 1300	U.S. Mail, postage prepaid Hand Delivery Facsimile