

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

The IDAHO WATER RESOURCE BOARD,)
and the IDAHO DEPARTMENT OF FISH)
AND GAME,)

Petitioners,)

vs.)

KURT W. BIRD and JANET E. BIRD,)

Cross Petitioners,)

vs.)

THE IDAHO DEPARTMENT OF WATER)
RESOURCES,)

Respondent.)

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 74-16187 IN THE NAME OF)
KURT W. BIRD OR JANET E. BIRD)

Case No. CV01-20-9661

**ORDER GRANTING MOTION
TO RESCHEDULE ORAL
ARGUMENT DATE**

District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho	
FEB 16 2021	
By _____	Clerk
_____	Deputy Clerk

Oral argument was scheduled in this matter for February 18, 2021. On February 12, 2021, the Cross-Petitioners filed an *Unopposed Motion* to vacate that hearing and reset oral argument for March 18, 2021 at 1:30 p.m. (Mountain Time). Counsel for the Cross-Petitioners represents he has conferred with counsel for the other parties and that they support the *Unopposed Motion*. Therefore, the Court in an exercise of discretion will grant the *Unopposed Motion*.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

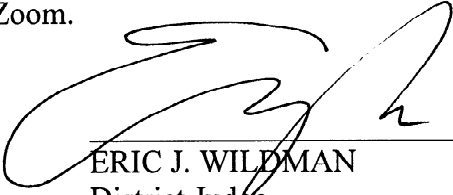
1. The Cross Petitioners' *Unopposed Motion to Reschedule Oral Argument Date* is hereby granted.

2. The hearing set for February 18, 2021, is hereby vacated.

3. Oral argument will be reset to **March 18, 2021, at 1:30 p.m. (Mountain Time)** at the Snake River Basin adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho.

Oral argument will be conducted via Zoom.

Dated: 2/14/2021.



ERIC J. WILDMAN
District Judge

HOW TO ACCESS YOUR HEARING USING ZOOM:

You are receiving an invitation for a Court Hearing that uses the remote Zoom meeting application. You may appear at this hearing using a telephone or online with a video or audio connection.

The details for your hearing are below:

Topic: Ada County Civil Case CV 01-20-9661

Oral argument set for 2/18 at 1:30 is vacated and reset

Time: Mar 18, 2021 01:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/92786853844?pwd=TVVmc2ZQeDhVdHU2NFp6dIVyNWlzQT09>

Meeting ID: 927 8685 3844

Passcode: 737176

One tap mobile

+12133388477,,92786853844#,,,,*737176# US (Los Angeles)

Dial by your location

+1 213 338 8477 US

Meeting ID: 927 8685 3844

Passcode: 737176

Find your local number: <https://zoom.us/u/acOzJVtv0z>

When joining via telephone, you will be prompted to enter the meeting ID and password. You may also be prompted to enter a participant ID or to instead press #. Press # because there is no participant ID's for this meeting.

1. How to join the meeting by telephone

- Dial the toll-free number listed above.
- When prompted, enter the meeting ID provided above, followed by #.
- When prompted, enter the meeting password provided above.
- More information on how to use a telephone when connecting to a Zoom meeting can be found here:
<https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

2. How to join the meeting online

- Click the link <https://www.zoom.us/join>
- Enter the meeting ID provided above. You may see a spinning wheel while the connection is made.

- Follow the instructions on the screen to either download and install the Zoom client, or to join the meeting via your web browser.
- When prompted, enter the meeting password provided above.
- Once the connection is made, you will be placed in a Waiting Room. A message will appear “Please wait, the meeting host will let you in soon.”
- When the court begins, you will be brought into the meeting from the Waiting Room.

3. Video (when joining online)

- Start your video by clicking **Start Video**, located in the lower left corner of the window.

4. Audio

- Your sound will be on mute upon entry.
- Remain muted unless you are asked to speak to the court. Please be sure you have no background noise while speaking. You may be muted or removed from the hearing if causing a disruption.
- To unmute yourself, click the **Unmute** button, located in the lower left corner of the window
- If joining only by telephone, press *6 to toggle between unmute/mute.

5. Courtroom standards

- Participants should dress and act as if they were physically in the courtroom.
- Do not talk over others.
- If joining online, you may raise your hand from the **Participants** tab at the bottom of the window if you would like to speak with the court or if you need to have a conversation with your counsel.

6. Assistance

- Additional resources on how to use Zoom to participate in a remote court hearing can be found at <http://isc.idaho.gov/isc-zoom>

If you have questions regarding this remote hearing or the steps above, please contact the Deputy Clerk of the SRBA Court at 208 736-3011.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO RESCHEDULE ORAL ARGUMENT DATE was mailed on February 16, 2021, with sufficient first-class postage to the following:

IDAHO DEPARTMENT OF FISH AND
IDAHO WATER RESOURCE BOARD
Represented by:
ANN Y VONDE
DEPUTY ATTORNEY GENERAL
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

IDAHO DEPARTMENT OF WATER
Represented by:
GARRICK L BAXTER
DEPUTY ATTORNEY GENERAL
STATE OF IDAHO - IDWR
PO BOX 83720
BOISE, ID 83720-0098
Phone: 208-287-4800

IDAHO DEPARTMENT OF FISH AND
IDAHO WATER RESOURCE BOARD
Represented by:
MICHAEL C ORR
DEPUTY ATTORNEY GENERAL
PO BOX 83720
BOISE, ID 83720-0010

KURT W & JANET E BIRD
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

TRAVIS L THOMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 63
TWIN FALLS, ID 83303-0063

MARIE CALLAWAY KELLNER
IDAHO CONSERVATION LEAGUE
PO BOX 844
BOISE, ID 83701

MATTHEW A NYKIEL
IDAHO CONSERVATION LEAGUE
PO BOX 844
BOISE, ID 83701

JAMES CEFALO
IDWR
900 N SKYLINE DR STE A
BOISE, ID 83402-1718

PURCELL RANCH PARTNERSHIP
KERRY PURCELL
98 PURCELL LAND
LEADORE, ID 83464

PENNY JANE OGDEN-EDWARDS
PO BOX 183
LEADORE, ID 83464

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

KERRY PURCELL
1774 LEE CREEK ROAD
LEADORE, ID 83464