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TRENT TRIPPLE, Clerk
By ERIC ROWELL
DEPUTY

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

CITY OF IDAHO FALLS, CITY OF POCATELLO, CITY OF BLISS, CITY OF BURLEY, CITY OF CAREY, CITY OF DECLO, CITY OF DIETRICH, CITY OF GOODING, CITY OF HAZELTON, CITY OF HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, and CITY OF WENDELL,	()()()()	Case No. CV01-23-13238 ORDER GRANTING UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE
Petitioners,)	
)	
vs.)	
)	
THE IDAHO DEPARTMENT OF WATER)	
RESOURCES, and GARY SPACKMAN in)	
his capacity as the Director of the Idaho)	
Department of Water Resources,)	
Domendents)	
Respondents,	í	
and	j)	
)	
IDAHO GROUND WATER)	
APPROPRIATORS INC.,	(
A&B IRRIGATION DISTRICT, BURLEY)	
IRRIGATION DISTRICT, MILNER		
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL)	
COMPANY, AMERICAN FALLS	Ś	
RESERVOIR DISTRICT #2, MINIDOKA	í	
IRRIGATION DISTRICT, BONNEVILLE-	j)	
JEFFERSON GROUND WATER DISTRICT,)	
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and BINGHAM GROUNDWATER DISTRICT,					
Intervenors.					
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					
RESERVOIRS DISTRICT NO. 2, BURLEY					
IRRIGATION DISTRICT, MILNER					
IRRIGATION DISTRICT, MINIDOKA					
IRRIGATION DISTRICT, NORTH SIDE					
CANAL COMPANY, AND TWIN FALLS					
CANAL COMPANY.					

On August 16, 2023, the Petitioners filed a Petition for Judicial Review in this matter. The Court subsequently entered a Procedural Order. Among other things, the Procedural Order sets forth the briefing schedule on judicial review. On September 28, 2023, the agency lodged the settled agency transcript and record with the Court. On October 19, 2023, the Petitioners filed a Motion to Augment Agency Record or Present Additional Evidence ("Motion to Augment"). A hearing on the Motion is presently set for November 9, 2023.

On October 30, 2023, the Petitioners filed an *Unopposed Motion to Modify Briefing Schedule*. The *Unopposed Motion* requests that the Court vacate the briefing schedule set forth in the *Procedural Order* pending the Court's decision on the *Motion to Augment*. Counsel for the Petitioners represents that he/she has conferred with counsel for all parties and that none of the other parties oppose the *Unopposed Motion*. The Court in an exercise of its discretion will grant the *Unopposed Motion* on the basis that it is unopposed.

THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

1. The briefing schedule on judicial review set forth in the *Procedural Order* is hereby vacated.

2. Counsel for the Petitioners shall forthwith coordinate with the Court and the parties to set alternate briefing dates and submit the same to the Court after the Court's decision on the *Motion to Augment* is issued.

Dated: Odober 31, 2023

ERIC J. WILDMAN
District Judge

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

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Date: 10/3/2023

Trent Tripple Clerk of the Court

By <u>Frie Rowell</u> Deputy Clerk

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