

RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Energy and Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301
Deputy Attorney 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

Attorneys for Respondents

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

IDAHO GROUND WATER APPROPRIATORS,
INC.,

Petitioner,

vs.

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

Respondents.

Case No. CV01-23-07893

**STIPULATED MOTION AND
SUPPORTING POINTS FOR
EXTENSION OF TIME TO
LODGE THE 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

The parties, through their undersigned attorneys of record, in accordance with I.R.C.P. 84(f)(3), 84(o), and 2.5 and the Procedural Order issued by the Court in this matter on May 16, 2023, hereby stipulate and jointly move the Court for an extension of time to lodge the agency record and transcript with the agency and lodge the settled agency record and transcript with the Court.

For the following reasons, there is good cause to grant the stipulated request:

1. Pursuant to this Court's Procedural Order, the record and transcript in this matter is due to be lodged with the agency on or before May 30, 2023.

2. On May 15, 2023, Petitioner lodged a transcript and agency record request with the Department.

3. Due to staff workload and the transcript not yet being completed by the court reporter, the Department estimates it needs an additional two weeks to lodge the record and the transcript with the agency.

4. Pursuant to this Court's Procedural Order, the settled agency record and transcript in this matter is due to be lodged with the Court on or before June 27, 2023.

5. If the requested two-week extension is granted to lodge the record and transcript with the agency, then the settled agency record and transcript will be due to be lodged with the Court only 14 days later.

6. Pursuant to this Court's Procedural Order and I.R.C.P. 84(j)(1)(C), the parties are allowed 14 days from the date of mailing or delivery of the notice of lodging the record and transcript with the agency in which to file any objections to the record or transcript.

7. If the requested two-week extension is granted to lodge the agency record and transcript with the agency, then the Department estimates that it will need an additional two weeks to lodge the settled agency record with the Court. The Department estimates that two additional weeks will provide enough time to allow the Department to review and respond to any objections.

Accordingly, the parties in this matter respectfully request an order from the Court (1) extending the time to lodge the record and transcript with the agency to June 13, 2023, and (2) extending the time to lodge the settled agency record with the Court to July 11, 2023.

DATED this 30th day of May 2023.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



GARRICK L. BAXTER
Deputy Attorney General

Attorneys for Respondents

DATED this 30th day of May 2023.

RACINE OLSON, PLLP



THOMAS J. BUDGE
ELISHEVA M. PATTERSON

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of May 2023, I caused to be served a true and correct copy of the foregoing *Stipulated Motion and Supporting Points for Extension of Time to Lodge the Agency Record and Transcript*, via iCourt E-File and Serve, upon the following:

Thomas J. Budge
Elisheva M. Patterson
RACINE OLSON, PLLP
tj@racineolson.com
elisheva@racineolson.com

Sarah A. Klahn
Maximilian C. Bricker
SOMACH SIMMONS & DUNN, P.C.
sklahn@somachlaw.com
mbricker@somachlaw.com

John K. Simpson
Travis L. Thompson
MARTEN LAW LLP
jsimpson@martenlaw.com
tthompson@martenlaw.com

W.Kent Fletcher□
FLETCHER LAW OFFICE□
wkf@pmt.org

Skyler C. Johns□
Nathan M. Olsen□
Steven L. Taggart□
OLSEN TAGGART PLLC
icourt@olsentaggart.com

GARRICK L. BAXTER
Deputy Attorney General