DISTRICT COURT - CFPRBA
Fifth Judicial District
County of Twin Falls-State of Idaho
NOV - 3 2026
By

RAÚL R. LABRADOR
Attorney General
State of Idaho

JOY M. VEGA
Chief, Energy and Natural Resources Division

LACEY RAMMELL-O'BRIEN
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 287-4812
Fax: (208) 287-6700
Idaho State Bar # 8201
Attorney for IDWR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re CFPRBA	)	**MOTION FOR CONTINUANCE OF HEARING ON UNCONTESTED WATER RIGHTS IN BASIN 97, PART 2 DIRECTOR'S REPORT**
Case No. 69576	)	
	)	

The Idaho Department of Water Resources ("IDWR"), through the Office of the Attorney General, and pursuant to Idaho Code §§ 42-1411 and 42-1412, the Clark Fork – Pend Oreille River Basins Adjudication ("CFPRBA") Administrative Order 1 ("AO1"), and Idaho Rule of Civil Procedure 2.2(b), files this *Motion for Continuance of the Hearing on Uncontested Water Rights in the Basin 97, Part 2 Director's Report.* The Hearing on Uncontested Water Rights is currently scheduled for December 15, 2026.

IDWR does not request a hearing on its motion.

Legal Standard

Idaho Code § 42-1411(6)(i) requires the Court to set a hearing to decree unobjected parts of the director's report "not [...] less than sixty (60) days following the expiration of the period for filing objections." Idaho Code § 42-1412(7) provides: "Following hearing, the district court shall enter a partial decree as to those portions of the director's report for which no objection has been filed. However, the district court may exclude unobjected claims from this list if the unobjected claim may be affected by the outcome of a contested matter."

AO1 12(a)(4) requires that a party wishing to change the date and time of a hearing to file a motion at least fourteen (14) days prior to the scheduled hearing.

Pursuant to Rule 2.2(b)(1)(A), "When an act may or must be done within a specified time, the court may, for good cause, extend the time with or without motion or notice if the Court acts, or if a request is made, before the original time or its extension expires."

Argument

The filing of this motion complies with AO1 12(a)(4) as it was filed more than fourteen (14) days prior to the December 15, 2026 hearing date.

IDWR avers that there is good cause for the continuance. The continuance complies with Idaho Code § 42-1411(6)(i) as the proposed continued hearing date will be more than sixty (60) days following the expiration of the period for filing objections, which ran on May 22, 2026.

Pursuant to AO1 11(d), IDWR has prepared a Case Management Report for the Special Master identifying contested subcases in the Basin 97, Part 2 Director's Report. The contested subcases have not yet been set for initial hearings.

Idaho Code § 42-1412(7) provides that "the district court may exclude unobjected claims ... if the unobjected claim may be affected by the outcome of a contested matter." If a recommendation needs to be pulled out from the list of uncontested recommendations as a result of the initial hearings, it is procedurally less complicated to do so before the recommendation proceeds to decree. If an uncontested water right is identified as an overlap to a contested water

right during the initial hearing, it will be more efficient to resolve that relationship prior to proceeding to decree.

There will be no prejudice to the claimants with uncontested subcases to continue the hearing, as the objection and response deadlines have already passed.

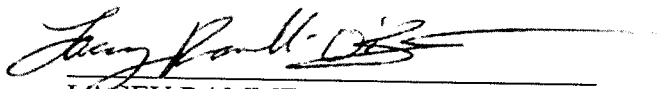
Historic practice has been to hold initial hearings before the uncontested hearing. IDWR requests that the Court continue the Hearing on Uncontested Water Rights for the Basin 97, Part 2 Director's Report to accommodate the scheduling of the initial hearings.

Conclusion

There is good cause for granting the continuance of the Hearing on Uncontested Water Rights in this matter. It is in the interest of judicial efficiency and economy to continue the December 15, 2026 uncontested hearing until after the initial hearings have been held for the Basin 97, Part 2 Director's Report before the Special Master.

Therefore, IDWR respectfully requests that the Court continue the Hearing on Uncontested Water Rights currently set for December 15, 2026, to the Court's monthly hearing calendar, no earlier than July 2027.

DATED this 29th day of October, 2026.



LACEY RAMMELL-O'BRIEN
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of October, 2026, I served a true and correct copy of this *Motion for Continuance of Hearing On Uncontested Water Rights in Basin 97, Part 2 Director's Report* on the following persons by the identified method:

Clerk of the District Court
Clark Fork-Pend Oreille River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

__ Overnight Mail
X Regular Mail
__ Hand-Delivered
__ Facsimile

IDWR Repository
P.O. Box 83720
Boise, ID 83720-0098

___ Overnight Mail
X Regular Mail
___ Hand-Delivered
___ E-Mail

Chief, Division of Energy and Natural Resources
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010

__ Overnight Mail
X Regular Mail
__ Hand-Delivered
__ Facsimile

U.S. Department of Justice
Environment and Natural Resources Division
PO Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611

__ Overnight Mail
X Regular Mail
___ Hand-Delivered
___ E-Mail

S Cooley