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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 MATHEW WEAVER in
his capacity as the Director of the Idaho
Department of Water Resources,

Respondents,

and

AMERICAN FALLS RESERVOIR
DISTRICT #2, MINIDOKA IRRIGATION
DISTRICT, A&B IRRIGATION DISTRICT,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT, NORTH
SIDE CANAL COMPANY, TWIN FALLS
CANAL COMPANY, 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

Case No. CV01-23-13173

**DECLARATION OF KAYLEEN R.
RICHTER IN SUPPORT OF
UNCONTESTED MOTION TO RESET
BRIEFING SCHEDULE**

HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, CITY OF WENDELL, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, 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 RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, AND TWIN FALLS CANAL COMPANY

I, Kayleen R. Richter, certify and declare under penalty of perjury pursuant to the laws of the State of Idaho, that the following is true and correct:

1. I am over the age of eighteen (18) years and competent to testify to the matters contained herein. I make this declaration pursuant to Idaho Code § 9-1406 and based on my own personal knowledge.

2. I am currently a deputy attorney general for the Office of the Attorney General representing the Idaho Department of Water Resources. My work address is 322 E. Front Street, Boise, ID 83702-7371. I have served in this capacity since August 2023.

3. Petitioner timely filed *Idaho Ground Water Appropriators, Inc.'s Opening Brief* on December 8, 2023.

4. Pursuant to the Court's November 17, 2023 *Order Granting Unopposed Motion; Order Vacating and Resetting Hearing*, Respondents'/Intervenors' response briefs are due January 12, 2024, and Petitioner's reply brief is due February 2, 2024.

5. In accordance with the Court's original briefing schedule set forth in its August 16, 2023 *Procedural Order*, Petitioner's opening brief was due on November 1, 2023, Respondents' brief was due 28 days after service of the opening brief, and any reply brief was due 21 days after service of Respondents' brief.

6. One request to vacate the briefing schedule was previously made and granted in this case; and a later request to reset the vacated briefing schedule was made and granted. The reset briefing schedule is set forth in the Court's November 17, 2023 *Order Granting Unopposed Motion; Order Vacating and Resetting Hearing*.

7. Due to the recent holidays, heavy staff workload, and the complexity of the issues involved in this matter, Respondents believe there is good cause to extend the remaining briefing deadlines.

8. The undersigned has conferred with counsel for Petitioner and Intervenors and they have all expressed agreement, via email, with extending the remaining briefing deadlines so that Respondents'/Intervenors' response briefs are due January 19, 2023 (a 7-day extension) and Petitioner's reply brief is due February 15, 2023 (a 13-day extension). A corresponding *Uncontested Motion to Reset Briefing Schedule* is filed contemporaneously herewith. The parties wish to keep the oral argument date presently set for February 22, 2024, at 10:00 a.m. (MT).

9. Respondents assure the Court that they will adhere to the proposed briefing schedule. The parties are known entities to the Court, having participated in prior judicial review proceedings before it. To the best of my knowledge, in recent history, all parties have complied with the Court's deadlines and have submitted timely briefs.

DATED and CERTIFIED this 11th day of January 2024.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read 'Kayleen Richter', written over a horizontal line.

KAYLEEN R. RICHTER
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of January 2024, I caused to be served a true and correct copy of the foregoing *Declaration of Kayleen R. Richter in Support of Uncontested Motion to Reset Briefing Schedule*, via iCourt E-File and Serve, upon the following:

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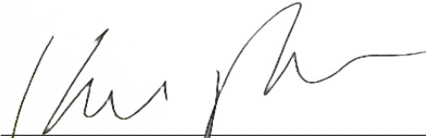
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