

Sarah A. Klahn (ISB# 7928)  
Maximilian C. Bricker (ISB #12283)  
SOMACH SIMMONS & DUNN, P.C.  
1155 Canyon St., Suite 110  
Boulder, CO 80302  
[sklahn@somachlaw.com](mailto:sklahn@somachlaw.com)  
[mbricker@somachlaw.com](mailto:mbricker@somachlaw.com)  
*Attorneys for City of Pocatello*

Candice M. McHugh (ISB# 5908)  
Chris M. Bromley (ISB # 6530)  
MCHUGH BROMLEY, PLLC  
380 S. 4<sup>th</sup> St., Ste. 103  
Boise, ID 83702  
[cbromley@mchughbromley.com](mailto:cbromley@mchughbromley.com)  
[cmchugh@mchughbromley.com](mailto:cmchugh@mchughbromley.com)  
*Attorneys for the Cities of Bliss, Burley,  
Carey, Declo, Dietrich, Gooding, Hazelton,  
Heyburn, Jerome, Paul, Richfield, Rupert,  
Shoshone, and Wendell*

Robert L. Harris (ISB# 7018)  
HOLDEN KIDWELL HAHN & CRAPO,  
PLLC  
PO Box 50130  
Idaho Falls, ID 83405  
[rharris@holdenlegal.com](mailto:rharris@holdenlegal.com)  
[efiling@holdenlegal.com](mailto:efiling@holdenlegal.com)  
*Attorneys for City of Idaho Falls*

**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

Petitioners,

vs.

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

Respondents,

and

**Case No. CV01-23-13238**

**UNOPPOSED MOTION TO  
SET BRIEFING SCHEDULE  
AND EXTEND TIME FOR  
ORAL ARGUMENT**

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 RESERVOIR DISTRICT #2, MINIDOKA IRRIGATION DISTRICT, 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

COME NOW the Cities of Idaho Falls, Pocatello, Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone and Wendell (“Petitioners”), by and through their respective counsel of record, and respectfully submit this *Unopposed Motion to Set Briefing Schedule and Extend Time for Oral Argument* (“Motion”) pursuant to I.A.R.34(d), paragraph 10 of the Court’s *Procedural Order* dated August 17, 2023, and the November 9, 2023 hearing held in this case and related Case No. CV01-23-13173, and as grounds therefor state as follows:

1. Counsel for Petitioners have conferred with counsel for all parties in this case, who have indicated their support for this *Motion*.

2. Pursuant to the Court’s November 9, 2023 granting of Petitioners’ *Motion to Augment the Record*, this *Motion* proposes the following briefing schedule, and a new date for oral argument, in this case:

Action	Proposed Date
Petitioners’ opening brief due	December 22, 2023
Respondents’ and Intervenors’ response brief due	January 26, 2024
Petitioners’ reply brief due	February 15, 2024
Oral argument	February 22, 2024

3. In addition, to accommodate winter travel, the parties request that the proposed February 22, 2024 oral argument commence at 10:00 a.m., with Petitioners’ arguments in Case No. CV01-23-13238 being heard first, and arguments in Case No. CV01-23-13173 commencing thereafter. Petitioners have confirmed this time with the Court, and request that the Court notice a hearing with this new time.
4. A declaration of counsel in support of this *Motion* is filed herewith.

WHEREFORE, Petitioners respectfully request the Court grant this *Unopposed Motion to Set Briefing Schedule and Extend Time for Oral Argument*.

DATED this 13th day of November 2023.


**MCHUGH BROMLEY, PLLC**

By: /s/ Candice M. McHugh  
Candice M. McHugh (ISB #5908)  
Chris M. Bromley (ISB #6530)  
*Attorneys for the Cities of Bliss, Burley,  
Carey, Declo, Dietrich, Gooding,  
Hazelton, Heyburn, Jerome, Paul,  
Richfield, Rupert, Shoshone, and Wendell*

**HOLDEN KIDWELL HAHN & CRAPO,  
PLLC**

By: /s/ Robert L. Harris  
Robert L. Harris (ISB #7018)  
*Attorneys for City of Idaho Falls*

**SOMACH SIMMONS & DUNN, P.C.**

By:   
Sarah A. Klahn (ISB #7928)  
Maximilian C. Bricker (ISB #12283)  
*Attorneys for City of Pocatello*

## CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of November, 2023, I served the foregoing document on the persons below via iCourt and email:

Clerk of the Court Jerome County District Court	iCourt
Director Mat Weaver Garrick Baxter Sarah Tschohl Idaho Department of Water Resources	<a href="mailto:mat.weaver@idwr.idaho.gov">mat.weaver@idwr.idaho.gov</a> <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:sarah.tschohl@idwr.idaho.gov">sarah.tschohl@idwr.idaho.gov</a>
John K. Simpson Travis L. Thompson MARTEN LAW LLP	<a href="mailto:tthompson@martenlaw.com">tthompson@martenlaw.com</a> <a href="mailto:jsimpson@martenlaw.com">jsimpson@martenlaw.com</a> <a href="mailto:jnielsen@martenlaw.com">jnielsen@martenlaw.com</a>
W. Kent Fletcher FLETCHER LAW OFFICE	<a href="mailto:wkf@pmt.org">wkf@pmt.org</a>
Kathleen Marion Carr U.S. Dept. Interior	<a href="mailto:kathleenmarion.carr@sol.doi.gov">kathleenmarion.carr@sol.doi.gov</a>
David W. Gehlert Natural Resources Section Environment and Natural Resources Division U.S. Department of Justice	<a href="mailto:david.gehlert@usdoj.gov">david.gehlert@usdoj.gov</a>
Matt Howard U.S. Bureau of Reclamation	<a href="mailto:mhoward@usbr.gov">mhoward@usbr.gov</a>
Robert E. Williams WILLIAMS, MESERVY & LOTHSPREICH, LLP	<a href="mailto:rewilliams@wmlattys.com">rewilliams@wmlattys.com</a>
Randall D. Fife City Attorney City of Idaho Falls	<a href="mailto:rfife@idahofallsidaho.gov">rfife@idahofallsidaho.gov</a>
Corey Skinner IDWR-Southern Region	<a href="mailto:corey.skinner@idwr.idaho.gov">corey.skinner@idwr.idaho.gov</a>
Tony Olenichak IDWR-Eastern Region	<a href="mailto:Tony.Olenichak@idwr.idaho.gov">Tony.Olenichak@idwr.idaho.gov</a>

Thomas J. Budge Elisheva M. Patterson RACINE OLSON, PLLP	<a href="mailto:tj@racineolson.com">tj@racineolson.com</a> <a href="mailto:elisheva@racineolson.com">elisheva@racineolson.com</a>
Skyler C. Johns Nathan M. Olsen Steven L. Taggart OLSEN TAGGART PLLC	<a href="mailto:sjohns@olsentaggart.com">sjohns@olsentaggart.com</a> <a href="mailto:nolsen@olsentaggart.com">nolsen@olsentaggart.com</a> <a href="mailto:staggart@olsentaggart.com">staggart@olsentaggart.com</a>
Dylan Anderson Dylan Anderson Law	<a href="mailto:dylan@dylanandersonlaw.com">dylan@dylanandersonlaw.com</a>
<i>COURTESY COPY TO:</i> William A. Parsons PARSONS SMITH & STONE	<a href="mailto:wparsons@pmt.org">wparsons@pmt.org</a>




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Maximilian C. Bricker (ISB #12283)