

C. Tom Arkoosh, ISB No. 2253
Jeremy C. Rausch, ISB No. 11787
ARKOOSH LAW OFFICES
913 W. River St., Ste. 450
P.O. Box 2900
Boise, ID 83701
Telephone: (208) 343-5105
Facsimile: (208) 343-5456
Email: tom.arkoosh@arkoosh.com
jeremy.rausch@arkoosh.com
Copy to: monica.lehman@arkoosh.com

Attorneys for Petitioner

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

BOISE RIVER OUTDOOR
OPPORTUNITIES, LLC, an Idaho limited
liability company,

Petitioner,

v.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent,

and

CITY OF BOISE,

Intervenor.

Case No. CV01-24-04576

**NON-OPPOSITION TO THE
IDAHO DEPARTMENT OF
WATER RESOURCES' MOTION
TO CORRECT CAPTION**

IN THE MATTER OF APPLICATION FOR
PERMIT NO. S63-21092 IN THE NAME OF
BOISE RIVER OUTDOOR
OPPORTUNITIES

COMES NOW the Petitioner, BOISE RIVER OUTDOOR OPPORTUNITIES, LLC,
through its agent ADAM BASS ("Adam"), by and through its attorney of record, C. Tom Arkoosh

and Jeremy C. Rausch of Arkoosh Law Offices, and hereby submits this Non-Opposition to the Idaho Department of Water Resources’ (“IDWR” or “Respondent”) *Motion to Correct Caption* filed, May 16, 2024.

BACKGROUND

Respondent IDWR has moved this Court pursuant to Idaho Rule of Civil Procedure 84(r) and Idaho Appellate Rule 6, seeking an order to correct the caption in the above-captioned matter. The current caption refers to an “Application for Permit No. S63-21092 in the name of Boise River Outdoor Opportunities.” However, the Permit was issued to the City of Boise. Respondent requests that the caption be amended to correctly refer to the Application for Permit No. S63-21092 in the name of the City of Boise.

ARGUMENT

Petitioner BROO does not oppose the Respondent’s motion to correct the caption. It is acknowledged that Permit No. S63-21092 was indeed issued to the City of Boise, and correcting the caption to reflect this accurately is appropriate for the proper identification of the parties involved in the matter.

CONCLUSION

For the foregoing reasons, Petitioner BROO respectfully submits this Non-Opposition to Respondent IDWR’s Motion to Correct Caption.

DATED this 30th day of May 2024.

ARKOOSH LAW OFFICES

/s/ Jeremy C. Rausch
Jeremy C. Rausch
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of May 2024, I served a true and correct copy of the foregoing document(s) upon the following person(s), in the manner indicated:

Jayme B. Sullivan
Boise City Attorney
Darrell G. Early
Deputy City Attorney
CITY OF BOISE
OFFICE OF THE CITY ATTORNEY
P.O. Box 500
Boise, ID 83701-0500

- U.S. Mail, Postage Prepaid
- Overnight Courier
- Hand Delivered
- Via Facsimile: (208) 287-6700
- E-service:
BoiseCityAttorney@cityofboise.org

Attorneys for Intervenor City of Boise

Garrick L. Baxter
Meghan M. Carter
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

- U.S. Mail, Postage Prepaid
- Overnight Courier
- Hand Delivered
- Via Facsimile: (208) 287-6700
- E-service:
garrick.baxter@idwr.idaho.gov
meghan.carter@idwr.idaho.gov

Attorneys for the Idaho Department of Water Resources

Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

- U.S. Mail, Postage Prepaid
- Overnight Courier
- Hand Delivered
- Via Facsimile: (208) 629-2157
- Email: file@idwr.idaho.gov

/s/ Jeremy C. Rausch
Jeremy C. Rausch