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TRENT TRIPPLE, Clerk
By ERIC ROWELL
DEPUTY

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

IDAHO GROUNDWATER APPROPRIATORS, INC., Petitioner, vs.) Case No. CV01-23-13173)) ORDER GRANTING) UNOPPOSED MOTION TO) MODIFY BRIEFING) SCHEDULE)
THE IDAHO DEPARTMENT OF WATER RESOURCES, and GARY SPACKMAN 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 HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, AND))
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)		
RESERVOIRS DISTRICT NO. 2, BURLEY)		
IRRIGATION DISTRICT, MILNER	,		
IRRIGATION DISTRICT, MINIDOKA	,		
IRRIGATION DISTRICT, NORTH SIDE			
CANAL COMPANY, AND TWIN FALLS			
CANAL COMPANY.			

On August 16, 2023, the Petitioner filed a Petition for Judicial Review in this matter. The Court subsequently entered a Procedural Order. Among other things, the Procedural Order sets forth the briefing schedule on judicial review. On September 27, 2023, the agency lodged the settled agency transcript and record with the Court. On October 16, 2023, the Petitioner filed a Motion to Augment Agency Record or Present Additional Evidence ("Motion to Augment"). A hearing on the Motion is presently set for November 9, 2023.

On October 27, 2023, the Petitioner filed an *Unopposed Motion to Modify Briefing Schedule*. The *Unopposed Motion* requests that the Court vacate the briefing schedule set forth in the *Procedural Order* pending the Court's decision on the *Motion to Augment*. Counsel for the Petitioners represents that he/she has conferred with counsel for all parties and that none of the other parties oppose the *Unopposed Motion*. The Court in an exercise of its discretion will grant the *Unopposed Motion* on the basis that it is unopposed.

THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

- 1. The briefing schedule on judicial review set forth in the *Procedural Order* is hereby vacated.
- 2. Counsel for the Petitioner shall forthwith coordinate with the Court and the parties to set alternate briefing dates and submit the same to the Court after the Court's decision on the *Motion to Augment* is issued.

Dated Otober 3, 2013

ERICA WILLMAN

District Judge

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

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Trent Tripple
Clerk of the Court

By Sin Rowll

Deputy Clerk

