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**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
MODIFY PROCEDURAL
ORDER BRIEFING
SCHEDULE**

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 Modify Procedural Order Briefing Schedule* pursuant to I.A.R.34(d) and paragraph 10 of the Court’s *Procedural Order* dated August 17, 2023, and as grounds therefor, state as follows:

1. Counsel for Petitioners have conferred with counsel for all parties in this case, who have indicated either their support for or non-opposition to this motion.
2. Petitioners request that the Court modify the following deadlines described in paragraph 9 of the *Procedural Order*:

Action	Original Deadline	Proposed Deadline
Petitioners' opening brief filed	Nov. 2, 2023	Nov. 9, 2023
Respondents' (and cross-petitioner's) brief filed	Nov. 30, 2023	Dec. 14, 2023
Petitioners' reply brief filed	Dec. 21, 2023	Jan. 4, 2024

3. There is good cause to extend the briefing deadlines in this case, as counsel for both Petitioners and Respondents have professional conflicts with the original deadlines and the proposed deadlines will not prejudice any party.
4. This is the first request for an extension of time.
5. The modified briefing schedule will not necessitate a change in the Oral Argument date currently set for January 11, 2024.

WHEREFORE, Petitioners respectfully request the Court grant this *Unopposed Motion to Modify Procedural Order Briefing Schedule*.

DATED this 26th day of October 2023.

MCHUGH BROMLEY, PLLC

**HOLDEN KIDWELL HAHN & CRAPO,
PLLC**

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By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of October, 2023, I served the foregoing document on the persons below via iCourt and email:

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