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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**

BYRON PEHRSON, LOY PEHRSON,
AND RANDY PEHRSON,

Petitioners,

vs.

THE IDAHO DEPARTMENT OF
WATER RESOURCES, and MATHEW
WEAVER in his capacity as the Director of
the Idaho Department of Water Resources,

Respondents.

Case No. CV01-25-13914

**MOTION AND SUPPORTING
POINTS FOR EXTENSION OF TIME
TO LODGE AGENCY RECORD**

IN THE MATTER OF WATER RIGHT
NOS. 34-182 AND 34-381A (MOSS
FARMS, INC.)

IN THE MATTER OF USE OF
NATURAL FLOW FROM THE BIG
LOST RIVER AND STORAGE
RELEASES FROM MACKAY
RESERVOIR

Respondent, the Idaho Department of Water Resources (“Department”), by and through its attorneys of record, moves the Court, pursuant to its July 31, 2025 *Procedural Order* and I.A.R. 46, for an extension of time to lodge the agency record.

The Department’s motion is based upon the following:

1. Pursuant to the *Procedural Order*, the agency record in this matter is due to be lodged with the agency on or before August 14, 2025.

2. Due to staff workload, the Department requires additional time to lodge the record with the agency.

3. The Department reasonably expects that it will be able to lodge the agency record with the agency on or before August 22, 2025, necessitating an eight-day extension.

4. Pursuant to the *Procedural Order* and I.R.C.P. 84(j)(1)(C), the parties are allowed 14 days from the date of mailing of the notice of lodging the record with the agency in which to file any objections to the record.

5. If the requested eight-day extension to lodge the record with the agency is granted, then the Department estimates that it will need an additional eight days to lodge the settled agency record with the Court. The Department estimates that eight additional days will provide enough time to allow the Department to review and respond to any timely-filed objections.

6. In this matter, agency hearing transcripts are not requested by the Petitioners. *Am. Pet. for Jud. Rev.* ¶ 20.

7. At this time, the Department does not believe that the date for oral argument, December 18, 2025, needs to be rescheduled.

Accordingly, the Department requests an order from the Court extending the time to lodge the agency record with the agency to August 22, 2025, and extending the time to lodge the settled record with the Court to September 19, 2025, consistent with the foregoing.

Dated the 8th day of August 2025.



GARRICK L. BAXTER
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August 2025, I caused to be served a true and correct copy of the foregoing *Motion and Supporting Points for Extension of Time to Lodge Agency Record* via iCourt E-File and Serve, upon the following:

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A handwritten signature in blue ink, appearing to read 'G. Baxter', is written over a horizontal line.

GARRICK L. BAXTER
Deputy Attorney General