

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER**

JOHN B. KUGLER,)	Case No. CV 2015-031
)	
Petitioner,)	ORDER GRANTING MOTION
)	FOR ENLARGEMENT OF TIME
vs.)	
)	ORDER DENYING MOTION TO
)	DISMISS
THE STATE OF IDAHO DEPARTMENT OF)	
WATER RESOURCES,)	ORDER AMENDING BRIEFING
)	DEADLINES AND ORAL
Respondent.)	ARGUMENT DATE
)	

On February 3, 2015, the Petitioner filed a *Petition for Judicial Review* in the above-captioned matter. On May 29, 2015, the Respondent filed a *Motion to Dismiss* the *Petition* on the grounds that the Petitioner did not timely file an opening brief. On June 8, 2015, the Petitioner filed a *Motion for Enlargement of Time* requesting an extension of time to submit his opening brief. On that same date, the Petitioner submitted an opening to brief to be filed should his *Motion* be granted. A hearing on the *Motions* was held before the Court on June 16, 2015. At the hearing, the Respondent indicated a willingness not to proceed with the *Motion to Dismiss* should the Court alter the briefing deadlines to allow it adequate time to respond to the Petitioner’s opening brief. Therefore, the Court granted the *Motion for Enlargement of Time* and amended the briefing deadlines and oral argument date as set forth below.

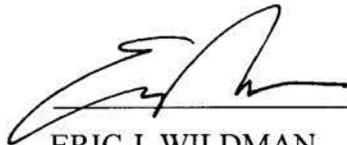
THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

1. The Petitioner’s *Motion for Enlargement of Time* **is hereby granted.**
2. The Respondent’s *Motion to Dismiss* **is hereby denied.**
3. The Respondent’s brief shall be filed **on or before July 14, 2015.**

4. Any reply brief shall be filed **on or before August 4, 2015**.
5. The hearing previously set in this matter for June 29, 2015, **is hereby vacated**.
6. Oral argument on the *Petition for Judicial Review* will be heard **August 6, 2015, at 1:30 p.m. (Mountain Time)** at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by dialing 1-720-279-0026 and entering 786692# when prompted. **However, no cell phones or speaker phones will be permitted as they interfere with our sound system making the proceeding difficult to accurately record.** Video teleconferencing (“VTC”) will also be available by appearing at either (1) the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., Conference Rm. B, Boise, Idaho, or (2) the Idaho Department of Water Resources, Eastern Regional Office, 900 N. Skyline Drive, Ste. A, Idaho Falls, Idaho.

IT IS SO ORDERED.

Dated June 17, 2015



ERIC J. WILDMAN
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR ENLARGEMENT /ORDER DENYING MOTION TO DISMISS / ORDER AMENDING DEADLINES AND DATE was mailed on June 17, 2015, with sufficient first-class postage to the following:

IDAHO DEPARTMENT OF WATER

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