

Randall C. Budge (ISB# 1949)
Thomas J. Budge (ISB# 7465)
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED
201 E. Center St. / P.O. Box 1391
Pocatello, Idaho 83204
(208) 232-6101 - phone
(208) 232-6109 - fax
rcb@racinelaw.net
tjb@racinelaw.net

Attorneys for Idaho Ground Water Appropriators, Inc.

**DISTRICT COURT OF THE STATE OF IDAHO
FIFTH JUDICIAL DISTRICT
GOODING COUNTY**

IDAHO GROUND WATER APPRO-
PRIATORS, INC.,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF
WATER RESOURCES,

Respondent,

RANGEN, INC., FREMONT MADI-
SON IRRIGATION DISTRICT, A&B
IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, AMERI-
CAN FALLS RESERVOIR DISTRICT
#2, MINIDOKA IRRIGATION DIS-
TRICT, NORTH SIDE CANAL
COMPANY, TWIN FALLS CANAL
COMPANY, AND THE CITY OF
POCATELLO,

Intervenors.

Case No. CV-2014-179

(Consolidated with Twin Falls
County Case No. CV-2014-1338)

**Joint Motion to Waive Page
Limit and Amend Briefing
Schedule**

Idaho Ground Water Appropriators, Inc. (IGWA), acting for and on behalf of its members, Rangen, Inc, City of Pocatello, Fremont-Madison Irrigation District, and the Surface Water Coalition, by and through their respective attorneys of record, hereby move the Court to 1) waive the page limit for opening briefs to be submitted in support of IGWA's and Rangen's petitions for judicial review, filed in the above-stated matter; and 2) amend the briefing schedule as set forth below.

A. Joint Motion to Waive Page Limit

The parties request a waiver of the page limit on their opening briefs because the issues on appeal are numerous and varied, and certain issues require substantial background explanation of highly technical matters involving hydrogeologic conditions and computer modeling, such that the standard 50 page limit will prevent the parties from fully developing relevant issues and arguments.

B. Joint Motion to Amend the Briefing Schedule

The parties further move the Court to amend the briefing schedule as outlined below:

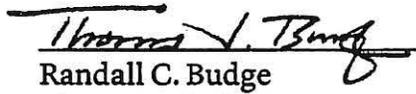
- 1) Opening Briefs Due: Friday July 11, 2014;
- 2) Response Briefs Due: Wednesday August 6, 2014;
- 3) Reply Briefs Due: August 21, 2014

Since the IDWR issued its *Final Order Regarding Rangen, Inc.'s, Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962*, on January 29, 2014, IGWA and Rangen have been engaged in litigation over three mitigation plans submitted by IGWA, two of which have already gone through multi-day hearings. This, combined with the voluminous agency record, numerous, technical issues on appeal, and other obligations of counsel for the parties, has imposed a substantial strain on the parties' ability to submit opening briefs by the present July 1 deadline.

The amended briefing schedule proposed above will allow the Court to retain the currently scheduled August 28, 2014 oral argument hearing date. Therefore, the parties respectfully ask that it be accepted by the court.

DATED June 18, 2014

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

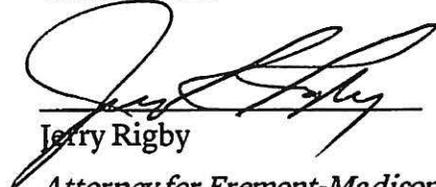
Attorneys for IGWA

BRODY LAW OFFICE, PLLC

Robyn M. Brody

Attorney for Rangen, Inc.

RIGBY ANDRUS & RIGBY,
CHARTERED



Jerry Rigby

*Attorney for Fremont-Madison
Irrigation District*

BARKER ROSHOLT & SIMPSON,
LLP

Travis Thompson
Paul Arrington

*Attorneys for A& B Irrigation Dis-
trict, Burley Irrigation District,
Milner Irrigation District, North
Side Canal Company, and Twin
Falls Canal Company*

WHITE & JANKOWSKI, LLP

Sarah Klahn
Mitra Pemberton

Attorney for City of Pocatello

FLETCHER LAW OFFICE

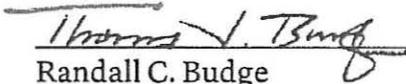
W. Kent Fletcher

*Attorney for American Falls Reser-
voir District No. 2 & Minidoka Ir-
rigation District*

The amended briefing schedule proposed above will allow the Court to retain the currently scheduled August 28, 2014 oral argument hearing date. Therefore, the parties respectfully ask that it be accepted by the court.

DATED June 18, 2014

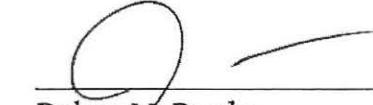
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

Attorneys for IGWA

BRODY LAW OFFICE, PLLC



Robyn M. Brody
Attorney for Rangen, Inc.

RIGBY ANDRUS & RIGBY,
CHARTERED

Jerry Rigby
*Attorney for Fremont-Madison
Irrigation District*

BARKER ROSHOLT & SIMPSON,
LLP

Travis Thompson
Paul Arrington

*Attorneys for A&B Irrigation Dis-
trict, Burley Irrigation District,
Milner Irrigation District, North
Side Canal Company, and Twin
Falls Canal Company*

WHITE & JANKOWSKI, LLP

Sarah Klahn
Mitra Pemberton
Attorney for City of Pocatello

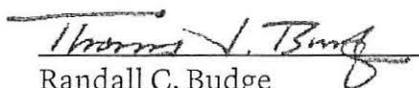
FLETCHER LAW OFFICE

W. Kent Fletcher
*Attorney for American Falls Reser-
voir District No. 2 & Minidoka Ir-
rigation District*

The amended briefing schedule proposed above will allow the Court to retain the currently scheduled August 28, 2014 oral argument hearing date. Therefore, the parties respectfully ask that it be accepted by the court.

DATED June 18, 2014

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

Attorneys for IGWA

BRODY LAW OFFICE, PLLC

Robyn M. Brody

Attorney for Rangen, Inc.

RIGBY ANDRUS & RIGBY,
CHARTERED

Jerry Rigby

*Attorney for Fremont-Madison
Irrigation District*

BARKER ROSHOLT & SIMPSON,
LLP

Travis Thompson
Paul Arrington

*Attorneys for A&B Irrigation Dis-
trict, Burley Irrigation District,
Milner Irrigation District, North
Side Canal Company, and Twin
Falls Canal Company*

WHITE & JANKOWSKI, LLP



Sarah Klahn
Mitra Pemberton

Attorney for City of Pocatello

FLETCHER LAW OFFICE

W. Kent Fletcher

*Attorney for American Falls Reser-
voir District No. 2 & Minidoka Ir-
rigation District*

The amended briefing schedule proposed above will allow the Court to retain the currently scheduled August 28, 2014 oral argument hearing date. Therefore, the parties respectfully ask that it be accepted by the court.

DATED June 18, 2014

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

Attorneys for IGWA

BRODY LAW OFFICE, PLLC

Robyn M. Brody

Attorney for Rangen, Inc.

RIGBY ANDRUS & RIGBY,
CHARTERED

Jerry Rigby

*Attorney for Fremont-Madison
Irrigation District*

BARKER ROSHOLT & SIMPSON,
LLP



Travis Thompson
Paul Arrington

*Attorneys for A& B Irrigation Dis-
trict, Burley Irrigation District,
Milner Irrigation District, North
Side Canal Company, and Twin
Falls Canal Company*

WHITE & JANKOWSKI, LLP

Sarah Klahn
Mitra Pemberton

Attorney for City of Pocatello

FLETCHER LAW OFFICE



W. Kent Fletcher

*Attorney for American Falls Reser-
voir District No. 2 & Minidoka Ir-
rigation District*

CERTIFICATE OF MAILING

I certify that on this 19th day of June, 2014, the foregoing document was served on the following persons in the manner indicated.



 Signature of person serving document

Clerk of the Court SRBA DEPUTY CLERK 253 3 rd Ave. North PO Box 2707 Twin Falls, ID 83303-2707	<input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Facsimile - 208-736-2121 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email
Deputy Attorney General Garrick L. Baxter IDAHO DEPT. OF WATER RESOURCES P.O. Box 83720 Boise, Idaho 83720-0098 Fax: 208-287-6700 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input checked="" type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Robyn M. Brody BRODY LAW OFFICE, PLLC P.O. Box 554 Rupert, ID 83350 robynbrody@hotmail.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Fritz X. Haemmerle HAEMMERLE & HAEMMERLE, PLLC P.O. Box 1800 Hailey, ID 83333 fxh@haemlaw.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
J. Justin May MAY, BROWNING & MAY, PLLC 1419 West Washington Boise, ID 83702 jmay@maybrowning.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email

<p>Sarah Klahn Mitra Pemberton WHITE JANKOWSKI, LLP 511 16th St., Suite 500 Denver, Colorado 80202 sarahk@white-jankowski.com mitrap@white-jankowski.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>Dean Tranmer CITY OF POCATELLO P.O. Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>John K. Simpson Travis L. Thompson Paul L. Arrington BARKER ROSHOLT & SIMPSON 195 River Vista Place, Suite 204 Twin Falls, ID 83301-3029 tlt@idahowaters.com jks@idahowaters.com pla@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 wkf@pmt.org</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>Jerry Rigby RIGBY ANDRUS & RIGBY 25 N. 2nd East Rexburg, ID 83440 jrigby@rex-law.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>