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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**

BIG WILLOW RANCH LLC,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF
WATER RESOURCES,

Respondent.

Case No. CV01-24-09674

**SECOND MOTION AND
SUPPORTING POINTS FOR AN
ORDER EXTENDING TIME TO
LODGE AGENCY RECORD**

IN THE MATTER OF A.L. CATTLE,
INC.'S WATER RIGHT NOS. 65-1985,
65-3124X, AND 65-10537

Respondent, the Idaho Department of Water Resources (the “Department”), by and through its attorneys of record, moves this Court pursuant to its June 10, 2024 *Procedural Order*, I.A.R. 46, I.R.C.P. 84(r), and I.A.R. 32(d) for an extension of time to lodge the agency record.

The Department’s motion is based upon the following:

1. Pursuant to this Court’s June 27, 2024 *Order Granting Motion for Extension*, the agency record in this matter is due to be lodged with the agency on or before July 19, 2024, and the settled agency record is due to be lodged with the Court on or before August 16, 2024.
2. Due to staff illness and 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 July 29, 2024.
4. If the requested 10-day extension is granted to lodge the record with the agency, then, in accordance with the *Procedural Order* and I.R.C.P. 84(j)(1)(C), the settled agency record deadline will need to be rescheduled to allow time to file a response to any record objections. The Department estimates that 10 additional days will provide enough time to allow the Department to review and respond to any objections and settle the record.
5. If the deadline to lodge the settled agency record is moved ten days to August 26, 2024, and the parties use the full time allowed to file their briefs, Petitioner’s reply brief would be due November 18, 2024.

6. Pursuant to this Court's June 27, 2024 *Order Granting Motion for Extension*, oral argument is set to be heard on November 21, 2024. The Department is not requesting that oral argument be vacated and reset.

Accordingly, the Department respectfully requests an order from the Court extending the time to lodge the record with the agency to July 29, 2024, and extending the time to lodge the settled agency record with the Court to August 26, 2024.

CERTIFICATE OF UNCONTESTED MOTION

The undersigned does hereby certify that he has contacted counsel for Big Willow Ramch, LLC and is authorized to represent that opposing counsel has no objection to this motion.

DATED and CERTIFIED this 18th day of July 2024.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



GARRICK L. BAXTER
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July 2024, I caused to be served a true and correct copy of the foregoing *Second Motion and Supporting Points for an Order Extending Time to Lodge Agency Record* via iCourt E-File and Serve, upon the following:

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GARRICK L. BAXTER
Deputy Attorney General