Electronically Filed 9/27/2021 5:14 PM Third Judicial District, Canyon County Chris Yamamoto, Clerk of the Court By: Marah Meyer, Deputy Clerk

LAWRENCE G. WASDEN ATTORNEY GENERAL

DARRELL G. EARLY

Chief of Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301 SEAN COSTELLO, ISB No. 8743 MEGHAN M. CARTER, ISB No. 8863

Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098

Telephone: (208) 287-4800 Facsimile: (208) 287-6700 garrick.baxter@idwr.idaho.gov sean.costello@idwr.idaho.gov meghan.carter@idwr.idaho.gov

Attorneys for Respondents

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

RIVERSIDE IRRIGATION DISTRICT,

Petitioner,

v.

THE IDAHO DEPARTMENT OF WATER RESOURCES and GARY SPACKMAN in his official capacity as Director of the Idaho Department of Water Resources,

Respondents,

and

CITY OF POCATELLO, PIONEER IRRIGATION DISTRICT, ASSOCIATION OF IDAHO CITIES, CITY OF BOISE, CITY OF JEROME,

Case No. CV14-21-05008

AFFIDAVIT OF MEGHAN M.
CARTER IN SUPPORT OF
STIPULATION FOR EXTENSION OF
TIME TO FILE BRIEFS AND TO
VACATE AND RESET ORAL
ARGUMENT

AFFIDAVIT OF MEGHAN M. CARTER IN SUPPORT OF STIPULATION FOR EXTENSION OF TIME TO FILE BRIEFS AND TO VACATE AND RESET ORAL ARGUMENT – Page 1

CITY OF POST FALLS, CITY OF RUPERT, CITY OF NAMPA, CITY OF MERIDIAN, CITY OF CALDWELL, & CITY OF IDAHO FALLS,

Intervenors.

IN THE MATTER OF REUSE PERMIT NO. M-225-01, IN THE NAME OF THE CITY OF NAMPA

TO: THE DISTRICT COURT AND THE PARTIES OF RECORD

STATE OF IDAHO)
) ss
COUNTY OF ADA)

I, MEGHAN M. CARTER, being first duly sworn upon oath, depose and say:

- That I am a deputy attorney general and represent the Respondents, the Idaho
 Department of Water Resources and Gary Spackman, in the above-captioned matter.
- 2. That the Respondents' brief is due September 28, 2021.
- 3. That no party has requested, or been granted, any other extensions in this matter.
- 4. That, due to scheduling conflicts, counsel for Respondents' will not be able to complete their response brief by the due date.
- 5. That I believe an extension of six (6) days, to and including October 4, 2021, is a reasonable and necessary extension.
- 6. That I have communicated this request to counsel for the Petitioner and Intervenors and that counsel does not oppose the requested extension of time.
- 7. That counsel for the Petitioner and Intervenors have agreed that by extending the

AFFIDAVIT OF MEGHAN M. CARTER IN SUPPORT OF STIPULATION FOR EXTENSION OF TIME TO FILE BRIEFS AND TO VACATE AND RESET ORAL ARGUMENT – Page 2

deadline for filing the response briefs (Respondents' brief and Intervenors' briefs) to October 4, 2021, that Petitioner's reply brief deadline should be extended until twenty-one (21) days after service of Respondents' brief, in accordance with Idaho Appellate Rule 34(c).

8. That all parties have agreed that by extending the time for filing briefs, the October 21, 2021, oral argument date should be vacated and reset to November 10, 2021, at 9 a.m. via Zoom.

Dated this 27th day of September 2021.

MEGHAN M. CARTER Deputy Attorney General

Idaho Department of Water Resources

Attorney for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this <u>27th</u> day of September 2021, I caused to be served a true and correct copy of the foregoing, via iCourt E-File and Serve, upon the following:

Albert P. Barker, ISB No. 2867 Sarah W. Higer, ISB No. 8012 BARKER ROSHOLT & SIMPSON LLP 1010 W. Jefferson St., Ste. 102 P.O. Box 2139 Boise, ID 83701-2139 Telephone: (208) 336-0700 Facsimile: (208) 344-60 apb@idahowaters.com swh@idahowaters.com Attorneys for Petitioner Riverside Irrigation Diagrams.	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☑ iCourt E-File and Serve
Andrew Waldera, ISB No. 6608 SAWTOOTH LAW OFFICES, PLLC 1101 W. River Street, Ste. 110 Boise, ID 83702 Telephone: (208) 629-7447 Facsimile: (208) 629-7559 andy@sawtoothlaw.com Attorney for Intervenor Pioneer Irrigation Dist	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☑ iCourt E-File and Serve
Chris M. Bromley, ISB No. 6530 MCHUGH BROMLEY, PLCC 380 S. 4 th Street, Ste. 103 Boise, ID 83702 Telephone: (208) 287-0991 Facsimile: (208) 287-0864 CBromley@mchughbromley.com Attorney for Intervenors the Cities of Boise, Jen	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☑ iCourt E-File and Serve

AFFIDAVIT OF MEGHAN M. CARTER IN SUPPORT OF STIPULATION FOR EXTENSION OF TIME TO FILE BRIEFS AND TO VACATE AND RESET ORAL ARGUMENT – Page $4\,$

Candice McHugh, ISB No. 5809 McHUGH BROMLEY, PLLC 380 S. 4th St., Ste. 103 Boise, ID 83702 Telephone: (208) 287-0991 Facsimile: (208) 287-0864 cmchugh@mchughbromley.com Attorney for Intervenor the Association of Idaha	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☐ iCourt E-File and Serve
Thorney for the venor the Association of Taune	Cities
Sarah Klahn, ISB No. 7928 SOMACH SIMMONS & DUNN 2033 11th St., Suite 5 Boulder, CO 80302 Telephone: (303) 449-2834 sklahn@somachlaw.com	 U.S. Mail, postage prepaid Hand Delivery Overnight Mail Facsimile iCourt E-File and Serve
Attorney for Intervenor the City of Pocatello	
Christopher H. Meyer, ISB No. 4461 Charlie S. Baser, ISB No. 10884 GIVENS PURSLEY, LLP P.O. Box 2720 Boise, ID 83701-2720 Telephone: (208) 3881200 Facsimile: (208) 388-1300 chrismeyer@givenspursley.com charliebaser@givenspursley.com Attorneys for Intervenor the City of Nampa	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☑ iCourt E-File and Serve
Robert Harris, ISB No. 7018 HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C. P.O. Box 50130 Idaho Falls, ID 83405 Telephone: (208) 523-0620 Facsimile: (208) 523-9518 rharris@holdenlegal.com Attorney for Intervenor the City of Idaho Falls	 ☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☑ iCourt E-File and Serve

AFFIDAVIT OF MEGHAN M. CARTER IN SUPPORT OF STIPULATION FOR EXTENSION OF TIME TO FILE BRIEFS AND TO VACATE AND RESET ORAL ARGUMENT – Page 5

Charles Honsinger, ISB No. 5240	U.S. Mail, postage prepaid	
HONSINGER LAW, PLLC	☐ Hand Delivery	
P.O. Box 517	Overnight Mail	
Boise, ID 83701	☐ Facsimile	
Telephone: (208) 863-6106	iCourt E-File and Serve	
Facsimile: (208) 908-6085		
honsingerlaw@gmail.com		
Attorney for Intervenors the Cities of Meridian and Caldwell		

MEGHAYM. CARTER Deputy Attorney General

Idaho Department of Water Resources