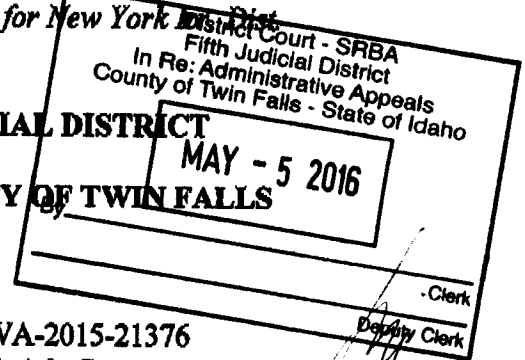


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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**BOISE PROJECT BOARD OF CONTROL,  
and NEW YORK IRRIGATION DISTRICT,**

Petitioners,

vs.

**THE IDAHO DEPARTMENT OF WATER  
RESOURCES, AND DIRECTOR GARY  
SPACKMAN**

Respondents.

CASE NO. CV-WA-2015-21376  
(consolidated with Ada County  
CV-WA-2015-21391)

**SECOND MOTION FOR LEAVE TO  
FILE OVERLENGTH BRIEF**

**IN THE MATTER OF ACCOUNTING FOR  
THE DISTRIBUTION OF WATER TO THE  
FEDERAL ON-STREAM RESERVOIRS IN  
WATER DISTRICT 63**

COME NOW, the Petitioners, the Boise Project Board of Control ("Boise Project"), by and through its counsel of record Barker Rosholt & Simpson, LLP, and the New York Irrigation District ("NYID"), by and through its counsel, Charles McDevitt of McDevitt & Miller, PLLC, and pursuant to Idaho Rule of Civil Procedure 84(o) hereby move the Court, for the reasons set forth in the accompanying Memorandum in support of this motion, for leave to file a brief in

excess of the 50 page limit set forth at Idaho Appellate Rule 34(b). The Boise Project and NYID estimate the final brief to be between 55 and 60 pages.

Dated this 5<sup>th</sup> day of May, 2016.

**BARKER ROSHOLT & SIMPSON LLP**

**MCDEVITT & MILLER, PLLC**



By: Shelley M. Davis  
*Attorneys for Boise Project Board of Control*



By: Charles McDevitt  
*Attorneys for New York Irrigation District*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5<sup>th</sup> day of May, 2016, I caused to be served a true and correct copy of the foregoing **SECOND MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF** the method indicated below, and addressed to each of the following:

Original Filed with the Clerk of the SRBA Court, via Facsimile.

Copies to Parties:

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