

District Court - SRBA
Fifth Judicial District
In Re: Administrative Appeals
County of Twin Falls - State of Idaho

MAR 29 2017

By _____ Clerk
 _____ Deputy Clerk

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Attorneys for Respondent

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM**

TANNER LANE RANCH, LLLP, an Idaho
limited liability limited partnership,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV-2017-458

**MOTION FOR EXTENSION OF TIME
TO LODGE THE AGENCY RECORD
AND TRANSCRIPT WITH THE
AGENCY**

**IN THE MATTER OF PERMIT NO 27-7549
IN THE NAME OF TANNER LANE
RANCH, LLLP**

COMES NOW Respondent, the Idaho Department of Water Resources ("IDWR"), by and through its undersigned attorney of record, and moves the Court pursuant to I.A.R. 24(f) & 46 and

I.R.C.P. 84(f)(3) & (g)(1)(C) for an extension of time to lodge the agency record and transcript with the agency.

This motion is based upon the following:

1. Pursuant to I.R.C.P. 84(j) and this Court's March 16, 2017, *Procedural Order Governing Judicial Review of Final Order of Director of Idaho Department of Water Resources*, the agency record and transcript in this matter are due to be settled and lodged with the agency no later than March 30, 2017.

2. IDWR has commenced preparation of the record. However, the transcript for the hearing held before the agency in the underlying matter was not requested prior to the Petitioner's filing of the *Notice of Appeal and Petition for Judicial Review of Final Agency Action*. The Petitioner has now requested preparation of the hearing transcript. The transcriber has provided an estimated completion date for the hearing transcript of April 7, 2017.

3. IDWR reasonably expects that it will be able to lodge the agency record and transcript with the agency on or before April 10, 2017.

4. Pursuant to I.R.C.P. 84(j)(3), parties shall have fourteen (14) days from the date of mailing of the notice of lodging of record and transcript to file objections with the agency. IDWR will determine any objection within fourteen (14) days of receipt thereof and include the agency's decision on the objection in the record on petition for review.

5. IDWR reasonably expects that it will be able to lodge the settled record and transcript with the Court pursuant to I.R.C.P. 84(k) on or before May 8, 2017.

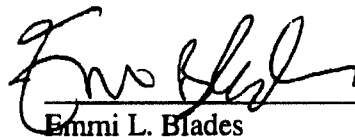
6. Counsel for IDWR has contacted counsel for the Petitioner regarding this motion. Counsel does not oppose this motion.

IDWR respectfully requests the Court issue an order extending the time to lodge the agency record and transcript with the agency consistent with the foregoing.

DATED this 29th day of March 2017.

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Chief, Natural Resources Division



Emmi L. Blades
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March 2017, I caused a true and correct copy of the foregoing document to be filed with the Court and served on the following parties by the indicated methods:

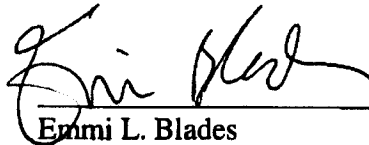
Original to:

SRBA District Court
253 3rd Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707
Facsimile: (208) 736-2121

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Facsimile
- E-mail

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