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No. 37723-2010

DEPARTMENT OF
WATER RESOURCES

IN THE SUPREME COURT OF THE STATE OF IDAHO

IN RE: SRBA, CASE NO. 39576, SUBCASE NO. 29-271 ET AL.
CITY OF POCA TELLO,
Appellant,

vs.

STATE OF IDAHO,
Respondent.

— ◆ —
**AFFIDAVIT OF SHASTA KILMINSTER-HADLEY
IN SUPPORT OF MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO FILE RESPONDENT'S BRIEF**
— ◆ —

On appeal from the Snake River Basin Adjudication,
District Court of the Fifth Judicial District of the State of Idaho,
In and for the County of Twin Falls,
Honorable Eric J. Wildman, Presiding
— ◆ —

Counsel for Respondent, State of Idaho

LAWRENCE G. WASDEN, Attorney General

CLIVE J. STRONG, ISB #2207
Deputy Attorney General
Chief, Natural Resources Division

SHASTA KILMINSTER-HADLEY, ISB #7889
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Counsel of Record

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

SHASTA KILMINSTER-HADLEY, being first duly sworn upon oath, deposes and says:

1. I am an attorney in the Natural Resources Division, Office of the Idaho Attorney General.
2. The State of Idaho's brief as Respondent in this appeal is currently due for filing on July 11, 2011. By the attached motion, the State of Idaho is requesting a 14-day extension of time, to and including July 25, 2011, in which to file its brief.
3. No previous extension of time has been sought by the Respondent.
4. Undersigned counsel has been assigned primary responsibility for handling this appeal on behalf of the State of Idaho. Counsel is also responsible for representing the State of Idaho in numerous other matters before the SRBA District Court and the Idaho Department of Water Resources. These matters have required counsel to conduct extensive briefing and attend numerous hearings over the past two months on behalf of the State of Idaho. Due to commitments in those and other matters, and due to the extensive nature of the briefing and the record in this case, the requested extension of time is necessary in order for counsel to adequately represent the State of Idaho's interests in this proceeding.
5. I have spoken with the attorney for the Appellant who has agreed to the requested extension of time.
6. The State of Idaho will have no objection should the Appellant seek a comparable extension of time to file its reply brief.

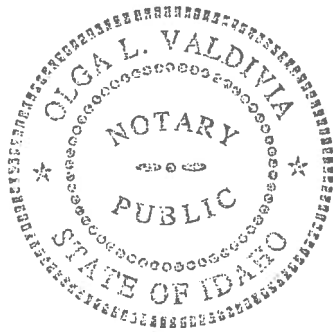
8. I do not know of any facts that would necessitate any further requests for extensions of time. I will exercise due diligence to ensure that no further requests are required.

DATED this 8th day of July, 2011.



SHASTA KILMINSTER-HADLEY
Deputy Attorney General

SUBSCRIBED AND SWORN to before me this 8th day of July, 2011.



Notary Public in and for the State of Idaho
Residing at: Boise, ID
My commission expires: 2/8/2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of July, 2011, I caused a true and correct copy of the foregoing to be served on the following parties by the indicated methods:

Josephine P. Beeman Jane M. Newby Beeman & Associates, P.C. 409 West Jefferson Street Boise, ID 83702	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☐ E-mail:
US Department of Justice Environment & Nat'l Resources 550 West Fort Street, MSC 033 Boise, ID 83724	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☐ E-mail:
Christopher H. Meyer John M. Marshall Givens Pursley LLP P.O. Box 2720 Boise, ID 83701-2720	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☐ E-mail:
Director of IDWR PO Box 83720 Boise, ID 83720-0098	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☐ E-mail:


SHASTA KILMINSTER-HADLEY