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Hamilton and Sally Hamilton

RECEIVED

MAY 04 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 47-17664
IN THE NAME OF:
ROBERT & JANA LINDERMAN

MOTION TO ACCEPT LATE-FILED BRIEF

COME NOW the Protestants, Mike and Sally Hamilton, by and through their counsel, Patrick Brown, and move the hearing officer to accept the filing of Protestants' Brief in Opposition to the Application which accompanies this motion. The hearing officer has scheduled that briefing be filed by April 28, 2021.

The grounds for this motion are that Mr. Brown, not his clients, have been unable to complete and file the brief due to his workload on other cases, including but not limited to two days of unanticipated TRO hearings in another case starting on Monday April 26, 2021.

Counsel does not believe allowing late filing will prejudice any of the parties to the case and will promote the efficient and nonduplicative resolution of issues in the case. If the brief is not accepted at this point in time, it is likely that it will be filed pursuant to a potential motion to reconsider or objection to any recommended decision. It is most efficient to

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accept and consider the points at this stage of the proceedings so that the hearing officer may take them into consideration in recommending a decision on the Application.

Argument is not requested on this motion.

Dated this 4th of May, 2021.



Patrick D. Brown

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of May, 2021, (s)he served a true and correct copy of the within and foregoing document upon the following named person(s) by the method indicated below:

Justin May Nathan Fowler Angstman Johnson 199 S. Capitol Blvd. Ste. 200 Boise, ID 83702	☐ U.S. Mail ☐ Facsimile ☐ Hand Delivery ☒ E-mail
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