

Randall C. Budge (ISB # 1949)
Joshua Johnson (ISB # 7019)
Candice M. McHugh (ISB # 5908)
RACINE OLSON NYE BUDGE &
BAILEY, CHARTERED
PO Box 1391
Pocatello, ID 83204-1391
Telephone: (208) 232-6101
Facsimile: (208) 232-6109

Attorneys for North Snake and Magic Valley Ground Water Districts

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE MITIGATION
PLAN OF THE NORTH SNAKE AND MAGIC
VALLEY GROUND WATER DISTRICTS
IMPLEMENTED BY APPLICATIONS FOR
PERMIT NOS. 02-10405 AND 36-16645 AND
APPLICATION FOR TRANSFER NO. 74904
TO PROVIDE REPLACEMENT WATER FOR
CLEAR SPRINGS SNAKE RIVER FARM

(Water District Nos. 130 and 140)

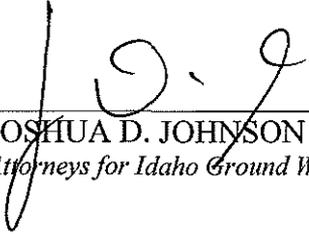
**GROUND WATER DISTRICTS'
MOTION TO COMPEL
DISCOVERY RESPONSES**

TO: CLEAR SPRINGS FOODS, INC.

COME NOW Magic Valley Ground Water District and North Snake Ground Water District (collectively "GWD"), by and through counsel, pursuant to IDAPA 37.01.01 Rules 520 - 528 of the Rules of Practice and Procedure of IDWR, and the *Scheduling Order* authorizing discovery dated September 25, 2008 and hereby move to compel Clear Springs to respond fully and fairly to the Ground Water Districts First Discovery Requests. This Motion is supported by the Memorandum in Support and Affidavit of Joshua D. Johnson submitted herewith.

DATED this 18th day of November, 2008.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



JOSHUA D. JOHNSON
Attorneys for Idaho Ground Water Appropriators

CERTIFICATE OF MAILING

I hereby certify that on this 18th day of November, 2008, the above and foregoing was sent to the following by U.S. Mail, proper postage prepaid and by e-mail for those with listed e-mail addresses:

| | |
|---|--|
| David R. Tuthill, Director Idaho Department of Water Resources 322 E. Front Street P.O. Box 83720 Boise, Idaho 83720-0098 dave.tuthill@idwr.idaho.gov | <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Hand Delivery |
| John K. Simpson Travis L. Thompson Paul L. Arrington BARKER ROSHOLT & SIMPSON LLP 1010 W. Jefferson, Suite 102 P.O. Box 2139 Boise, Idaho 83701 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail |
| Daniel V. Steenson Charles L. Honsinger S. Bryce Farris RINGERT CLARK P.O. Box 2773 Boise, Idaho 83701-2773 dvs@ringertclark.com clh@ringertclark.com | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail |
| Tracy Harr, President Clear Lake Country Club 403 Clear Lake Lane Buhl, Idaho 83316 | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Mail |
| Stephen P. Kaatz, V.P. Clear Lake Homeowners Assoc. 223 Clear Lake Lane Buhl, Idaho 83316 | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Mail |



 Joshua D. Johnson