

or not a permanent solution could be agreed upon without the need for a hearing on the plan. SWID agree to implement the actions identified in the plan . . .

Clear Springs' stipulation to the SWID mitigation plan for 2010 does not constitute a waiver of any position Clear Springs has taken or may take in the future that the Director has failed and is failing to acknowledge the full extent of injury to Clear springs' water rights, and that the Director has failed or is failing to administer junior ground water diversions that cause injury to Clear Springs' water rights as required by Idaho law.

In the Request for Relief portion of the motion, Southwest/Goose Creek and Clear Springs request the following:

SWID and Clear Springs hereby stipulate to implementation of the mitigation plan for 2010 in lieu of curtailment. SWID and Clear Springs further move the Director to stay proceedings on the mitigation plan until further notified by the parties.

The interim Director accepts the provisions of the stipulation between the parties.

ORDER

IT IS HEREBY ORDERED that Southwest Irrigation District and Goose Creek Irrigation District shall implement the provisions of their October 20, 2009 mitigation plan during 2010 in lieu of curtailment.

IT IS FURTHER ORDERED that failure to implement the full plan as described in the October 20, 2009 mitigation plan may result in curtailment of water rights within the district boundaries of Southwest Irrigation District and Goose Creek Irrigation District.

Dated this 7th day of May, 2010.



GARY SPACKMAN
Interim Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 2010, the above and foregoing, was served by the method indicated below, and addressed to the following:

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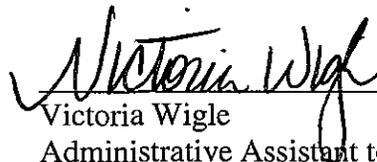
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