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DEPARTMENT OF WATER RESOURCES

DISTRICT COURT
GOODING CO. IDAHO
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GOODING COUNTY CLERK

BY:  DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

NORTH SNAKE GROUND WATER)
DISTRICT and MAGIC VALLEY)
GROUND WATER DISTRICT,)

Petitioners,)

vs.)

GARY SPACKMAN., in his capacity as)
Interim Director of the Idaho Department)
of Water Resources, and THE)
DEPARTMENT OF WATER)
RESOURCES,)

Respondents.)

vs.)

CLEAR SPRINGS FOODS, INC.)

IN THE MATTER OF DISTRIBUTION)
OF WATER TO WATER RIGHTS NOS.)
36-0413A, 36-04013B, and 36-07148.)

(Clear Springs Delivery Call))

Case No. 2009-0000431)
ORDER SETTING STATUS)
CONFERENCE ON PETITION)
FOR CLARIFICATION)
ORDER STAYING)
PROCEEDINGS ON PETITION)
FOR JUDICIAL REVIEW)

On August 11, 2009, North Snake Ground Water District and Magic Valley
Ground Water District ("Ground Water Districts") filed a *Petition for Judicial Review*,
seeking judicial review of a final order issued by the Director of the Idaho Department of
Water Resources, and a *Motion for Stay*.

On August 24, 2009, this court issued its *Order Conditionally Granting Motion for Stay Upon Compliance with Proposed Alternative*.

On August 31, 2009, Clear Springs Foods, Inc. filed a *Petition for Clarification of the Court's Order Conditionally Granting Motion for Stay Upon Compliance with Proposed Alternative*. On Tuesday, September 29, 2009, a hearing was held on the *Petition for Clarification*, along with a scheduling conference on the *Petition for Judicial Review*.

At the hearing, the Ground Water Districts requested that the Court stay further proceedings on the *Petition for Judicial Review* as the issues involved in related Gooding County Case No. CV-08-444 currently pending before the Court may be dispositive. The request for stay was not opposed. The parties also agreed that the issues raised by Clear Springs in the *Petition for Clarification* may be answered after the late season recharge program is implemented.

Therefore, THE FOLLOWING IS HEREBY ORDERED:

1. Notice is hereby given that a status conference is set for the *Petition for Clarification* to be heard on Friday, November 6, 2009 at 8:30 a.m. (Mountain Time), at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

2. IT IS FURTHER HEREBY ORDERED that the proceedings on the *Petition for Judicial Review* are **stayed** pending further Order of the Court.

Dated Oct 6, 2009



JOHN M. MELANSON
District Judge

NOTICE OF ORDERS
I.R.C.P. 77(d)

I, Cynthia R. Eagle-Ervin, Deputy Clerk of Gooding County do hereby certify that on the 6th day of October, 2009, pursuant to Rule 77(d) I.R.C.P., I have filed this day and caused to be delivered a true and correct copy of the within and foregoing instrument: Order Setting Scheduling Conference and Order Staying Proceedings on Petition for Judicial Review to the parties listed below via US Mail postage prepaid:

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Chris Bromley
Idaho Department of Water Resources
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CLERK OF THE DISTRICT COURT

BY 
Deputy Clerk

Notice of Orders
Certificate of Mailing
IRCP 77(d)