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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT
GOODING CO. IDAHO
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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,)

Case No. 2009-0000431

Petitioners,)

**ORDER GRANTING MOTION
TO WITHDRAW NOTICE OF
APPEAL AND PETITION FOR
JUDICIAL REVIEW**

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))
-----)

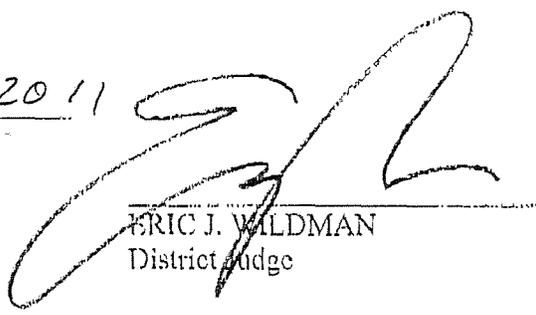
On August 11, 2009, Petitioners North Snake Ground Water District and Magic Valley Ground Water District filed a *Notice of Appeal and Petition for Judicial Review* ("*Petition for Judicial Review*") in the above-captioned action seeking judicial review of a final order of the Director of the Idaho Department of Water Resources. On November 7, 2011, Petitioners filed a *Motion to Dismiss and Notice of Withdrawal of Notice of Appeal*, requesting that the Court

dismiss Petitioners' *Petition for Judicial Review* with prejudice pursuant to Idaho Appellate Rule 32(b). In their *Motion*, Petitioners represent to the Court that counsel for Petitioners has contacted counsel for the Respondents, Gary Spackman and the Idaho Department of Water Resources, and that Respondents have no objections to the *Motion*. No other party has filed any objection to the *Motion*.

Therefore, IT IS ORDERED, that the *Notice of Appeal and Petition for Judicial Review* filed by the Petitioners in the above-captioned matter on August 11, 2009, is **hereby dismissed** with prejudice.

Dated

11-17-2011



ERIC J. WILDMAN
District Judge

NOTICE OF ORDERS – CV 2009-431
I.R.C.P. 77(d)

I, Cynthia R. Eagle-Ervin, Deputy Clerk of Gooding County do hereby certify that on the 17 day of November, 2011, 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 Granting Motion to Withdraw Notice of Appeal and Petition for Judicial Review to the parties listed below via US Mail postage prepaid:

Garrett Baxter
Chris Bromley
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Gary Spackman, Interim Director
Department of Water Resources
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Boise, ID 83720

Randy Budge
Candace McHugh
RACINE OLSON
P.O. Box 1391
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Michael Creamer
GIVENS PURSLEY
P.O. Box 2720
Boise, ID 83701-2720

John Simpson
Travis Thompson
BARKER ROSHOLT & SIMPSON
P.O. Box 485
Twin Falls, ID 83303-0485

Daniel Steenson
RINGERT CLARK
P.O. Box 2773
Boise, ID 83701-2773

CLERK OF THE DISTRICT COURT

BY 
Deputy Clerk