

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

JOHN HASTINGS, Jr.,
Plaintiff/Counterdefendant,

Case No. CV01-21-17825

vs.

PARTIAL JUDGMENT

THE STATE OF IDAHO DEPARTMENT OF
WATER RESOURCES, a Political
Subdivision of the STATE OF IDAHO

Defendant/Counterclaimant.


JUDGMENT IS ENTERED AS FOLLOWS:

1. Judgment is entered against Plaintiff/Counterdefendant John Hastings, Jr. since the earliest reasonable deadline pursuant to Idaho Code 42-3809 for the State of Idaho Department of Water Resources to file an enforcement action for Plaintiff's/Counterdefendant's alleged violations of the January 26, 2018 Consent Order, when viewed in the light most favorable for the Plaintiff, was December 31, 2021.
2. Judgment is entered in favor of Defendant/Counterclaimant Idaho Department of Water Resources since the earliest reasonable deadline pursuant to Idaho Code 42-3809 for the State of Idaho Department of Water Resources to file an enforcement action for Plaintiff's/Counterdefendant's alleged violations of the January 26, 2018 Consent Order, when viewed in the light most favorable for the Plaintiff, was December 31, 2021.
3. The remaining portions of this case are stayed pending a decision on appeal.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above partial judgment it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above partial judgment is a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED this 30th day of September, 2022.



Lynn Norton,
District Judge

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on **10/3/2022 8:54:52 AM** , I caused to be served the foregoing *Partial Judgment* to the following persons:

Jacob Kahle Becker kahle@kahlebeckerlaw.com E-mail

Garrick L. Baxter garrick.baxter@idwr.idaho.gov E-mail

Meghan M. Carter meghan.carter@idwr.idaho.gov E-mail

Phil McGrane, Clerk of Court

By: 
Janine Korson
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of August, 2022, I caused to be served the foregoing *Motion to Continue – Filed in the Alternative* to the following persons:

Meghan Carter and Garrick Baxter
Attorney for Defendant,
Idaho Department of Water Resources

via I-Court/Odyssey

/s/ J. Kahle Becker
J. KAHLE BECKER
Attorney for the Plaintiff/Counterdefendant