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TRENT TRIPPLE, Clerk By ERIC ROWELL DEPUTY

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

CITY OF POCATELLO, CITY OF IDAHO FALLS, CITY OF BLISS, CITY OF BURLEY, CITY OF CAREY, CITY OF DECLO, CITY OF DIETRICH, CITY OF GOODING, CITY OF HAZELTON, CITY OF HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, CITY OF WENDELL, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, and MCCAIN FOODS USA, INC.,	 Case No. CV01-23-8258 ORDER DENYING PETITION FOR WRIT OF MANDAMUS ORDER DENYING PETITION FOR WRIT OF PROHIBITION
Petitioners,)
vs.)
THE IDAHO DEPARTMENT OF WATER RESOURCES, and GARY SPACKMAN in his capacity as the Director of the Idaho Department of Water Resources,))))
Respondents,)
and)
A&B IRRIGATION DISTRICT, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, and MINIDOKA IRRIGATION DISTRICT,	/))))
Intervenors.)

))))

IN THE MATTER OF THE DISTRIBUTION)
OF WATER TO VARIOUS WATER)
RIGHTS HELD BY AND FOR THE)
BENEFIT OF A&B IRRIGATION)
DISTRICT, AMERICAN FALLS)
RESERVOIRS DISTRICT NO. 2, BURLEY)
IRRIGATION DISTRICT, MILNER)
IRRIGATION DISTRICT, MINIDOKA)
IRRIGATION DISTRICT, NORTH SIDE)
CANAL COMPANY, AND TWIN FALLS)
CANAL COMPANY.)

On May 19, 2023, the Petitioners filed a Complaint for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus. A hearing on the Petition for Writ of Prohibition and Writ of Mandamus was held before the Court on June 1, 2023. For reasons set forth on the record, the Court in an exercise of its discretion denied the Petition for Writ of Prohibition and the Petition for Writ of Mandamus.

THEREFORE, BASED ON THE FOREGOING, FOLLOWING ARE HEREBY ORDERED:

- 1. The *Petition for Writ of Prohibition* filed in the above-captioned matter is hereby denied.
- 2. The *Petition for Writ of Mandamus* filed in the above-captioned matter is hereby denied.

IT IS SO ORDERED.

Dated June 2, 2023

ERIC J. WILDMAN District Judge

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

Skyler Johns via Email Nathan Olsen steven Taggart Johns@olsentaggert.com molsen@olsentaggert.com Gary Spackman steven Taggart garick.Baxter gary.spackman@idwr.idaho.gov gary.spackman@idwr.idaho.gov via Email John Simpson via Email John Simpson@martenlaw.com via Email W. Kent Fletcher via Email Starak Klahn via Email Starak Klahn via Email Rich Diehl via Email Rich Diehl via Email Robert Harris via Email Date: U/L/LODA Trevi Figher corr Clerk of the Corr Date Date: U/L/LODA	Dylan Anderson dylan@dylanandersonlaw.com	via Email
Garrick Baxter gary.spackman@idwr.idaho.gov via Email John Simpson Travis Thompson Travis Thompson ia Email W. Kent Fletcher via Email W. Kent Fletcher via Email Sarah Klahn via Email Sarah Klahn via Email Rich Diehl via Email Candice McHugh via Email Chris Bromley via Email Candice McHugh via Email Chris Bromley via Email Treet Treet Treet Date: $b/A/A/2023$ via Email Date: $b/A/A/2023$ via Email	Nathan Olsen Steven Taggart johns@olsentaggert.com nolsen@olsentaggert.com	via Email
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rdiehl@pocatello.usvia EmailCandice McHugh Chris Bromley $\underline{cmchugh@mchughbromley.com}$ $\underline{cbromley@mchughbromley.com}$ via EmailRobert Harris $\underline{rharris@holdenlegal.com}$ via EmailDafe: $b/2/2023$ Teet Tripple Clerk of the CourtDafe: $b/2/2023$ September Watt		via Email
Chris Bromley <u>cmchugh@mchughbromley.com</u> <u>cbromley@mchughbromley.com</u> Robert Harris <u>rharris@holdenlegal.com</u> Dafe: b/2/2023 ER DENVING RETITIONS FOR WRIT via Email Trent Tripple Clerk of the Court By <u>Evid Rowell More adde</u> count Deputy Clerk -3-		via Email
rharris@holdenlegal.com Date: 6/2/2023 ER DENVING PETITIONS FOR WRIT rharris@holdenlegal.com Date: 6/2/2023 Trent Treipple Clerk of the Court By Frin Row Chap FOR ADA COUNT Deputy Clerk -3-	Chris Bromley <u>cmchugh@mchughbromley.com</u> <u>cbromley@mchughbromley.com</u>	Vid Elilari
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