

JUN 02 2023

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.,)

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.

_____)
)
)

Case No. CV01-23-8258

**ORDER DENYING PETITION
FOR WRIT OF MANDAMUS**

**ORDER DENYING PETITION
FOR WRIT OF PROHIBITION**

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.)

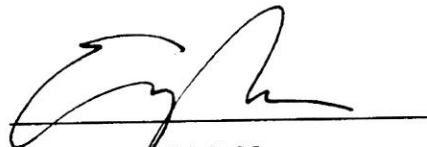
On May 19, 2023, the Petitioners filed a *Complaint for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus*. A hearing on the *Petition for Writ of Prohibition and Writ of Mandamus* was held before the Court on June 1, 2023. For reasons set forth on the record, the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

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Date: 6/2/2023

Trent Tripple
Clerk of the Court
By *Eric Rowell*
Deputy Clerk

