

JUN 14 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 POCA TELLO, 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 ON NOTICE OF
DISMISSAL**

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,)

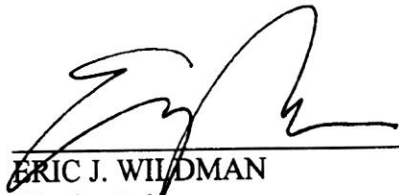
Intervenors.

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.)

The Petitioners filed a *Complaint for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus* on May 19, 2023. No answer has been filed. On June 2, 2023, the Court entered an *Order Denying Petition for Writ of Mandamus and Order Denying Petition for Writ of Prohibition*. Then, on June 7, 2023, the Petitioners filed a *Notice of Dismissal*, wherein they give notice of the dismissal of this action pursuant to Idaho Rule of Civil Procedure 41(a)(1).

Therefore, IT IS ORDERED that the *Complaint for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus* filed in the above-captioned matter is hereby dismissed.

Dated June 14, 2023



ERIC J. WILDMAN
District Judge

CERTIFICATE OF SERVICE

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

Dylan Anderson via Email
dylan@dylanandersonlaw.com

Skyler Johns via Email
Nathan Olsen
Steven Taggart
johns@olsentaggert.com
nolsen@olsentaggert.com
staggart@olsentaggert.com

Gary Spackman
Garrick Baxter via Email
gary.spackman@idwr.idaho.gov
garrick.baxter@idwr.idaho.gov

John Simpson
Travis Thompson
jsimpson@martenlaw.com via Email
tthompson@martenlaw.com

W. Kent Fletcher via Email
wkf@pmt.org

Sarah Klahn via Email
sklahn@somachlaw.com

Rich Diehl via Email
rdiehl@pocatello.us

Candice McHugh
Chris Bromley via Email
cmchugh@mchughbromley.com
cbromley@mchughbromley.com

Robert Harris
rharris@holdenlegal.com

Date: 6/14/23

via Email
Trent Tripple
Clerk of the Court

By Eric Powell
Deputy Clerk

