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Attorneys for Respondents

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE**

SOUTH VALLEY GROUND WATER
DISTRICT,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES and GARY SPACKMAN in
his official capacity as Director of the Idaho
Department of Water Resources,

Respondents.

Case No. CV07-21-00243

**SECOND DECLARATION OF
MICHAEL C. ORR**

I, MICHAEL C. ORR, certify and declare under penalty of perjury pursuant to the laws
of the State of Idaho, that the following is true and correct:

1. I am over the age of eighteen (18) and am an attorney of record for Respondents the Idaho Department of Water Resources (“Department”) and its Director Gary Spackman, in his official capacity as Director of the Department, in the above-captioned matter. I make this declaration pursuant to Idaho Code Section 9-1406, and based on my own personal knowledge.
2. Attached hereto as “**Exhibit C**” is a true and correct copy of the *Notice of Administrative Proceeding, Pre-Hearing Conference, and Hearing* issued on May 4, 2021, in the contested case before the Department under Docket No. AA-WRA-2021-001;
3. Attached hereto as “**Exhibit D**” is a true and correct copy of a staff memorandum prepared by Sean Vincent for the contested case before the Department under Docket No. AA-WRA-2021-001;
4. Attached hereto as “**Exhibit E**” is a true and correct copy of the *Final Order Denying Mitigation Plan* issued on June 29, 2021, the contested case before the Department under Docket No. AA-WRA-2021-001;
5. Attached hereto as “**Exhibit F**” is a true and correct copy of the *Final Order Denying Petition to Stay Curtailment/Granting Request for Expedited Decision/Granting Request for Hearing* issued on June 29, 2021, the contested case before the Department under Docket No. AA-WRA-2021-001;
6. Attached hereto as “**Exhibit G**” is a true and correct copy of the *Memorandum Decision and Order on Petition for Judicial Review* issued in Twin Falls County Case No. CV 2014-2446 on December 3, 2014.

DATED this 30th day of June, 2021.

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/s/ MICHAEL C. ORR
MICHAEL C. ORR
Deputy Attorney General
Idaho Department of Natural Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of June, 2021, I caused to be served a true and correct copy of the foregoing document by ICourts e-filing delivery to each party listed as following:

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/s/ MICHAEL C. ORR
MICHAEL C. ORR
Deputy Attorney General
Idaho Department of Water Resources