

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

CV07-21-00243

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. CV07-2021-\_\_\_\_\_

) **ORDER TO SHOW CAUSE**  
) **Rule 72, I.R.C.P.**

TO: THE ABOVE-NAMED RESPONDENTS, DIRECTOR GARY SPACKMAN AND THE IDAHO DEPARTMENT OF WATER RESOURCES, AND THE PARTIES' COUNSEL OF RECORD IDENTIFIED ON THE CERTIFICATE OF SERVICE; AND THE CLERK OF THE ABOVE ENTITLED DISTRICT COURT

Based upon the Application of Petitioner supported by the Petition for Judicial Review and Complaint and Declarations filed herein, the Court finds that a prima facie showing has been made for the entry of a Preliminary Injunction against Respondents as requested by Petitioner.

Accordingly, this Order to Show Cause is issued pursuant to Rule 72, I.R.C.P. Now, therefore,

IT IS HEREBY ORDERED that Respondents be and are hereby ordered to appear before the Court in the Blaine County Courthouse, 206 1st Avenue South, Hailey, Idaho, Courtroom, \_\_\_\_\_, on \_\_\_\_\_, at the hour of \_\_\_\_\_ to show cause if any they have why a Preliminary Injunction should not be issued as requested in Petitioner's Complaint restraining and enjoining the Respondents from proceeding with the administrative hearing set in

the May 4, 2021 *Notice* and from issuing a curtailment order resulting therefrom, or curtailing Petitioner's members from pumping ground water in accordance with their respective water rights to prevent immediate and irreparable harm or injury and to maintain the status quo during the pendency of this action.

IT IS FURTHER ORDERED that this Order to Show Cause must be served upon the Respondents or their attorney of record at least five (5) days prior to the date of Show Cause hearing.

IT IS FURTHER ORDERED that if the Respondents elect to produce testimony and evidence at the hearing, or to cross examine the Petitioner and/or its declarants, they must give notice to the Court and the Petitioner at least 24 hours before the hearing and designate the person(s) sought to be cross-examined.

DATED \_\_\_\_\_

\_\_\_\_\_  
District Court Judge

**CLERK'S CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this \_\_\_\_\_, I caused to be served a true and correct copy of the foregoing ORDER TO SHOW CAUSE by the method indicated below, and addressed to each of the following:

IDAHO DEPARTMENT OF WATER RESOURCES	<input type="checkbox"/>	U. S. Mail
P.O. Box 83720	<input type="checkbox"/>	Hand Delivered
Boise, ID 83720-0098	<input type="checkbox"/>	Overnight Mail
Hand delivery or overnight mail:	<input checked="" type="checkbox"/>	iCourt
322 East Front Street	<input checked="" type="checkbox"/>	Fax
Boise, ID 83702		
Fax: (208) 287-6700		

Gary L. Spackman	<input type="checkbox"/>	U. S. Mail
Director	<input type="checkbox"/>	Hand Delivered
<b>IDAHO DEPARTMENT OF WATER RESOURCES</b>	<input type="checkbox"/>	Overnight Mail
PO Box 83720	<input checked="" type="checkbox"/>	iCourt
Boise, ID 83720-0098	<input checked="" type="checkbox"/>	E-mail
<a href="mailto:gary.spackman@idwr.idaho.gov">gary.spackman@idwr.idaho.gov</a>		

Albert P. Barker	<input type="checkbox"/>	U. S. Mail
Travis L. Thompson	<input type="checkbox"/>	Hand Delivered
Michael A. Short	<input type="checkbox"/>	Overnight Mail
<b>BARKER ROSHOLT &amp; SIMPSON LLP</b>	<input checked="" type="checkbox"/>	iCourt
1010 W. Jefferson St., Ste. 102	<input checked="" type="checkbox"/>	E-mail
P.O. Box 2139		
Boise, ID 83701-2139		
<a href="mailto:apb@idahowaters.com">apb@idahowaters.com</a>		
<a href="mailto:tlt@idahowaters.com">tlt@idahowaters.com</a>		
<a href="mailto:mas@idahowaters.com">mas@idahowaters.com</a>		

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Clerk of the Court