

**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)	CASE NO. CV07-21-00243
DISTRICT and GALENA GROUND WATER)	
DISTRICT,)	TEMPORARY RESTRAINING
)	ORDER
Petitioners,)	Rule 65(b), I.R.C.P.
)	
vs.)	
)	
THE IDAHO DEPARTMENT OF WATER)	
RESOURCES and GARY SPACKMAN in his)	
official capacity as Director of the Idaho)	
Department of Water Resources,)	
)	
Respondents.)	
)	
)	
)	
)	
)	
)	

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, Complaint and Declarations filed herein, the Court finds that immediate and irreparable injury, loss, or damage will result to the Petitioner because of the Final Order for curtailment issued by the Director of the Idaho Department of Water Resources on June 28, 2021, before any hearing can be conducted by the Court on Petitioner's Application for a Preliminary Injunction, and Petitioner's attorney certifies to the Court in writing the efforts made to give notice and the reasons the Petitioner claims that notice should not be required.

IT IS HEREBY ORDERED that the Respondents be and are hereby temporarily restrained and enjoined from enforcement of the *Curtailment Order*, or from 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 pending a hearing on Petitioner's Application for a Preliminary Injunction.

This Temporary Restraining Order granted without notice is issued June ____, 2021, at the hour of _:_ .m. shall be filed forthwith in the Clerk's Office and entered of record and served upon the Respondents and their attorneys; and shall expire by its terms on the date of the Show Cause Hearing on Petitioner's Application for Preliminary Injunction, unless extended by the Court.

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:

Albert P. Barker U. S. Mail
Travis L. Thompson Overnight Mail
Michael A. Short E-mail
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
apb@idahowaters.com
tlt@idahowaters.com
mas@idahowaters.com

James R. Laski U. S. Mail
Heather O’Leary Overnight Mail
LAWSON LASKI CLARK PLLC E-mail
PO Box 3310
Ketchum, ID 83340

Candice McHugh U. S. Mail
Chris Bromley Overnight Mail
MCHUGH BROMLEY, PLLC E-mail
380 S. 4th St., Ste. 103
Boise, ID 83702

W. Kent Fletcher U. S. Mail
FLETCHER LAW OFFICE Overnight Mail
P.O. Box 248 E-mail
Burley, ID 83318

Sarah A. Klahn U. S. Mail
SOMACH SIMMONS & DUNN Overnight Mail
2033 11th St., #5 E-mail
Boulder, CO 80302

Joseph F. James
James Law Office, PLLC
125 5th Ave. West
Gooding, ID 83330

U. S. Mail
 Overnight Mail
 E-mail

Chase Hendricks
Binghan Co PA
501 N Maple, Box 302
Blackfoot, ID 83221-1700

U. S. Mail
 Overnight Mail
 E-mail

Clerk of the Court