

Albert P. Barker, ISB No. 2867
Travis L. Thompson, ISB No. 6168
Michael A. Short, ISB No. 10554
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034
apb@idahowaters.com
tlt@idahowaters.com
mas@idahowaters.com

James R. Laski, ISB No. 5429
Heather E. O’Leary, ISB No. 8693
LAWSON LASKI CLARK, PLLC
675 Sun Valley Road, Suite A
Post Office Box 3310
Ketchum, Idaho 83340
Telephone 208.725.0055
Facsimile 208.725.0076
jrl@lawsonlaski.com
heo@lawsonlaski.com
efiling@lawsonlaski.com

Attorneys for Petitioner South Valley Ground Water District and Galena Ground Water District

**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 and GALENA GROUND WATER |) | CASE NO. CV07-21-00243 |
| DISTRICT, |) | |
| |) | |
| Petitioners, |) | PETITIONERS’ SECOND |
| |) | APPLICATION FOR ORDER TO |
| vs. |) | SHOW CAUSE |
| |) | |
| THE IDAHO DEPARTMENT OF WATER |) | |
| RESOURCES and GARY SPACKMAN in his |) | |
| official capacity as Director of the Idaho |) | |
| Department of Water Resources, |) | |
| |) | |

Respondents.)
)
)
)
_____)

COMES NOW Petitioner SOUTH VALLEY GROUND WATER DISTRICT, by and through counsel of record, BARKER ROSHOLT & SIMPSON LLP, and makes application to the Court pursuant to Rule 72, I.R.C.P., for an Order to Show Cause compelling the Respondents to appear before the Court at a time and place certain and show cause, if any they have, why a preliminary injunction should not be issued against Respondents restraining and enjoining Respondents from enforcing the Director's *Final Order* of June 28, 2021, and the curtailment of Petitioners' ground water rights as requested in Petitioner's *Amended Petition for Judicial Review, Complaint for Declaratory Relief, Temporary Restraining Order and Preliminary Injunction, or Alternatively, Writ of Prohibition* so as to prevent immediate and irreparable harm to Petitioner and its members and maintain the status quo during the pendency of this action.

This Application is supported by Petitioner's *Amended Petition for Judicial Review, Complaint for Declaratory Relief, Temporary Restraining Order and Preliminary Injunction, or Alternatively, Writ of Prohibition*, the *Memorandum in Support of Amended Petition*, together with the supporting *Declaration of Michael A. Short*, setting forth the facts and grounds upon which the Application is based.

DATED this 29th day of June, 2021.

BARKER ROSHOLT & SIMPSON LLP

/s/ ALBERT P. BARKER
Albert P. Barker

*Attorneys for South Valley Ground Water
District*

LAWSON LASKI CLARK, PLLC

/s/ HEATHER E. O'LEARY
Heather E. O'Leary

Attorneys for Galena Ground Water District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of June, 2021, the foregoing was filed, served, and copied as shown below.

| | | |
|--|---|--|
| IDAHO DEPARTMENT OF WATER RESOURCES P.O. Box 83720 Boise, ID 83720-0098 | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Hand Delivered Overnight Mail iCourt |
| Gary L. Spackman IDAHO DEPARTMENT OF WATER RESOURCES PO Box 83720 Boise, ID 83720-0098 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |
| James R. Laski Heather O’Leary LAWSON LASKI CLARK PLLC PO Box 3310 Ketchum, ID 83340 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |
| Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC 380 S. 4th St., Ste. 103 Boise, ID 83702 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |
| W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |
| Sarah A. Klahn SOMACH SIMMONS & DUNN 2033 11th St., #5 Boulder, CO 80302 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |
| Joseph F. James James Law Office, PLLC 125 5th Ave. West Gooding, ID 83330 | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | U. S. Mail Overnight Mail iCourt |

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

U. S. Mail
 Overnight Mail
 iCourt

/s/ Albert P. Barker
Albert P. Barker