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**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE**

BONNEVILLE JEFFERSON GROUND
WATER DISTRICT,

Petitioner,

vs.

A&B IRRIGATION DISTRICT,
AMERICAN FALLS RESERVOIR
DISTRICT #2, BURLEY IRRIGATION
DISTRICT, MILNER IRRIGATION
DISTRICT, MINIDOKA IRRIGATION
DISTRICT, NORTH SIDE CANAL
COMPANY, AND TWIN FALLS
CANAL COMPANY (COLLECTIVELY
THE "SURFACE WATER
COALITION"), THE IDAHO GROUND
WATER APPROPRIATORS, INC., an
Idaho non-profit corporation, FREMONT-
MADISON IRRIGATION DISTRICT,
JEFFERSON-CLARK GROUND
WATER DISTRICT, BINGHAM
GROUND WATER DISTRICT,
AMERICAN FALLS-ABERDEEN
GROUND WATER DISTRICT, MAGIC
VALLEY GROUND WATER
DISTRICT, NORTH SNAKE GROUND
WATER DISTRICT, CAREY VALLEY
GROUND WATER DISTRICT, JOHN
AND JANE DOES 1-50,

Respondents.

Case No. CV10-24-2909

**THIRD STIPULATION TO STAY
CASE AND JOINT MOTION FOR
ORDER APPROVING STIPULATION
AND STAYING PROCEEDINGS**

Petitioners, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, and Respondents A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, and TWIN FALLS CANAL COMPANY (hereinafter collectively referred to as the “Surface Water Coalition,” “Coalition,” or “SWC”), AMERICAN FALLS ABERDEEN AREA GROUND WATER DISTRICT (“AFA”), MAGIC VALLEY GROUND WATER DISTRICT (“MVGWD”), and NORTH SNAKE GROUND WATER DISTRICT (“NSGWD”), as well as the IDAHO GROUND WATER APPROPRIATORS (“IGWA”), by and through counsel of record, and pursuant to I.R.C.P. 12(a)(1)(a) and other applicable law, hereby stipulate and move as follows:

1. The Petitioner served its summons and *Petition* on the Surface Water Coalition on or about June 4, 2024.
2. Counsel for the Surface Water Coalition filed notices of acceptance of service and notices of appearance on or about June 10, 2024.
3. Members of the Surface Water Coalition filed a *Motion to Disqualify Honorable Judge Dane H. Watkins Jr. Without Cause* and a *Motion to Change Venue* (and related documents) on or about June 10, 2024, and the Honorable Judge Watkins issued his *Order of Self-Disqualification* on June 27, 2024.
4. On June 18, 2024, IGWA entered its appearance in the case.
5. The Petitioner and SWC filed a *Stipulation to Stay Case and Joint Motion for Order Approving Stipulation and Staying Proceedings* on June 20, 2024, to engage in settlement negotiations on matters concerning the SWC Delivery Call, including the captioned matter.

6. On June 28, 2024, the Idaho Supreme Court issued its *Order, In Re: Assignment of District Judge Eric Wildman* to preside over this matter.
7. On July 2, 2024, AFA accepted service of the *Petition* in this matter, and on July 3, 2024, Petitioner and AFA filed a *Joint Stipulation to Stay Case and Motion for Order Approving Stipulation and Staying Proceedings*.
8. On July 3, 2024, MVGWD and NSGWD accepted service of the *Petition* in his matter.
9. The Court entered its *Order on Stipulation to Stay Case and Joint Motion for Order Approving Stipulation and Staying Proceedings* on July 3, 2024, and entered an *Amended Order on Stipulation to Stay Case and Joint Motion for Order Approving Stipulation and Staying Proceedings* on July 26, 2024, staying these proceedings until October 1, 2024.
10. The Court entered its *Order on Granting Stipulated Motion to Extend Stay* on October 10, 2024, staying the proceedings until November 1, 2024.
11. The Parties are finalizing settlement negotiations. Therefore, in the interests of continued negotiations and judicial economy regarding this matter, the Petitioner and SWC, IGWA, AFA, MVGWD, and NSGWD hereby stipulate to stay this case until at least December 1, 2024.
12. The Petitioner and SWC, IGWA, AFA, MVGWD, and NSGWD hereby move the Court to stay these proceedings until further notification as described above. Petitioner further hereby stipulates that Respondents in this matter shall have 21 days following the expiration of the stay, upon notice of the Petitioner and Respondents, to answer the *Petition* or file a responsive pleading.
13. The Petitioner and SWC, IGWA, AFA, MVGWD, and NSGWD agree that the stay

requested herein will be effective upon signing by counsel for Petitioner and SWC, IGWA, AFA, MVGWD, and NSGWD, and agree to request that the Court sign an order adopting the terms of this stipulation.

14. Not all other parties have been served a copy of the summon and petition nor have all named parties appeared in this matter.

DATED this 4th day of November 2024.

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Ground Water District*

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SAWTOOTH LAW

/s/ Andrew J. Waldera
Andrew J. Waldera

*Magic Valley GWD & North
Snake Ground Water District*

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of November 2024, the foregoing was filed electronically using the Court’s e-file system, and upon such filing the following parties were served electronically.

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