



STATE OF IDAHO
WATER DISTRICT 140
C/O IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301-3380
TELEPHONE NUMBER (208) 736-3033
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IDWR INTERIM DIRECTOR
GARY SPACKMAN

WATERMASTER
CINDY YENTER
Cindy.Yenter@idwr.idaho.gov

August 25, 2009

«CurrentOwner»
«StreetAddress»
«City», «StateCode» «PostalCode»

RE: Notice of Order Conditionally Granting Motion for Stay of Curtailment

Dear Water User:

On August 7, 2009, the Interim Director of the Idaho Department of Water Resources (Director or Department) issued an amended order of curtailment for ground water rights junior to April 11, 1990. You are a holder of one or more ground water rights that are junior to April 11, 1990 and subject to the curtailment order. On August 11, 2009, North Snake and Magic Valley Ground Water Districts filed a *Motion for Stay* in Gooding County District Court, seeking to stay enforcement of the curtailment order.

On August 24, 2009, the court granted a *Conditional Order* that enforcement of the Director's 2009 curtailment orders are stayed, or halted, contingent upon certain actions by the Ground Water Districts. **You are hereby notified that the Watermaster of Water District 140 will discontinue enforcement of the Director's curtailment order pursuant to the court order.**

The court's August 24, 2009 Conditional Order has stopped curtailment at this time, but it did not cancel or revoke the Director's August 7, 2009 curtailment order. You may resume use of any ground water rights that were subject to the Director's amended curtailment order. It is important to note, however, that the Ground Water Districts are required by the court to provide security for the stay. The curtailment order will remain in place pending the actions of the Ground Water Districts.

A copy of the order signed by District Court Judge John Melanson, dated August 24, 2009, and all supporting documents can be found on the Department's website at: www.idwr.idaho.gov under the "Major Issues" heading and the "2009 Curtailment Information" subheading. If you do not have internet access and would like copies of any of these documents, please contact my office at 208-736-3033, or the Idaho Department of Water Resources in Boise at 208-287-4800.

Respectfully,

Cindy Yenter, Watermaster

cc: Gary Spackman, IDWR Interim Director
North Snake Ground Water District
Magic Valley Ground Water District
Randy Budge, Attorney, North Snake & Magic Valley Ground Water Districts
John Simpson, Attorney, Clear Springs Foods, Inc.