

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

IDAHO GROUND WATER  
APPROPRIATORS,  
INC., NORTH SNAKE GROUND WATER  
DISTRICT, and MAGIC VALLEY GROUND  
WATER DISTRICT,

Petitioners,

vs.

GARY SPACKMAN, in his capacity as  
Interim Director of the Idaho Department of  
Water Resources; and the IDAHO  
DEPARTMENT OF WATER RESOURCES,  
Respondents.

vs.

CLEAR SPRINGS FOODS, INC.

IN THE MATTER OF DISTRIBUTION OF  
WATER TO WATER RIGHT NOS. 36-  
04103A, 36-04013B AND 36-7148 (Snake  
River Farm)

(Water District Nos. 130 and 140)

Case No.

**ORDER FOR  
TEMPOPRARY STAY**

**North Snake Ground Water District, and  
Magic Valley Ground Water District**

Based upon the Ground Water Users' Petition for Judicial Review, Statement of Issues on Appeal, Motion for Stay under I.A.R. 13(b)(14) and I.R.C.P. 84(m), Supporting Affidavits of Randall C. Budge and Lynn Carlquist, and the record before the Court in Gooding County Case No. 2008-444, and good cause appearing therefore;

IT IS HEREBY ORDERED that the Ground Water Users' Motion for Temporary Stay be and the same is hereby granted;

**Order for Temporary Stay - 1**

FURTHER ORDERED that the Water Master of Water Districts 130 and 140 and the Director of the Idaho Department of Water Resources be and are hereby stayed from enforcing the 2009 Curtailment Orders and from curtailing junior ground water users in Water Districts 130 and 140 until such time as a hearing has been conducted on said Motion to Stay to determine whether this stay should remain in effect until such time as the issues raised on this appeal have been determined and/or until this Court has finally decided the issues on appeal of the Director's Order under Civil Case No. 2008-444 which remains pending before this Court on rehearing.

DATED this \_\_\_ day of August, 2009.

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JOHN M. MELANSON, District Judge

Time: \_\_\_\_\_ .m.

### CLERK'S CERTIFICATE OF MAILING

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, the above and foregoing was sent to the following by U.S. Mail, proper postage prepaid and by e-mail for those with listed e-mail addresses:

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