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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 TEMPORARY
vs.)	RESTRAINING ORDER
)	
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 I.R.C.P. 65(b), for a Temporary Restraining Order restraining the Respondents from enforcing the Idaho Department of Water Resource Director’s June 28, 2021 *Final Order* (“*Curtailment Order*”), and restraining the Director from curtailing Petitioners’ members water rights pending a hearing on *Petitioners’ Second Motion for Preliminary Injunction* and 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 retraining and enjoining the enforcement of the *Curtailment Order* 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* 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.

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/s/ Albert P. Barker
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