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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

CITY OF POCATELLO, CITY OF IDAHO  
FALLS, CITY OF BLISS, CITY OF BURLEY,  
CITY OF CAREY, CITY OF DECLO, CITY  
OF DIETRICH, CITY OF GOODING, CITY  
OF HAZELTON, CITY OF HEYBURN, CITY  
OF JEROME, CITY OF PAUL, CITY OF  
RICHFIELD, CITY OF RUPERT, CITY OF  
SHOSHONE, CITY OF WENDELL,  
BINGHAM GROUND WATER DISTRICT,  
BONNEVILLE-JEFFERSON GROUND  
WATER DISTRICT, and MCCAIN FOODS  
USA, INC.,

Petitioners,

vs.

IDAHO DEPARTMENT OF WATER  
RESOURCES, and GARY SPACKMAN, in his

**Case No. CV01-23-8258**

IDWR Docket No. CM-DC-2010-001

**NOTICE OF DISMISSAL**

capacity as Director of the Idaho Department of Water Resources.

Respondents,

and

A&B IRRIGATION DISTRICT, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, and MINIDOKA IRRIGATION DISTRICT,

Intervenors.

IN THE MATTER OF DISTRIBUTION OF WATER TO VARIOUS WATER RIGHTS HELD BY OR FOR THE BENEFIT OF 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


TO: CLERK OF THE COURT AND ALL PARTIES:

**NOTICE IS HEREBY PROVIDED** that the City of Pocatello, by and through its attorneys of record, Somach Simmons & Dunn, P.C.; the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (“Coalition of Cities”), by and through their attorneys of record, Candice M. McHugh and Chris M. Bromley; the City of Idaho Falls, by and through its attorney of record, Robert L. Harris (collectively the “Cities”); Bingham Ground Water District, by and through its attorney, Dylan Anderson; Bonneville-Jefferson Ground Water District, by and through its attorney, Skyler Jones; and McCain Foods USA, Inc., by and through its attorney of record, Candice M. McHugh

(collectively the “Petitioners”), dismiss the above-entitled action pursuant to the provisions of Rule 41(a)(1) of the Idaho Rules of Civil Procedure.

Respectfully submitted this 7th day of June, 2023.

**SOMACH SIMMONS & DUNN, P.C.**

By   
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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 2023, I caused to be filed a true and correct copy of the foregoing document via iCourt E-File and Serve, and upon such filing, the following parties were served via electronic mail:

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