

# In the Supreme Court of the State of Idaho

IN THE MATTER OF ACCOUNTING FOR )  
 DISTRIBUTION OF WATER TO THE )  
 FEDERAL ON-STREAM RESERVOIRS IN )  
 WATER DISTRICT 63 BEFORE THE )  
 IDAHO DEPARTMENT OF WATER )  
 RESOURCES. )

----- )  
 BALLANTYNE DITCH COMPANY, BOISE )  
 VALLEY IRRIGATION DITCH COMPANY, )  
 CANYON COUNTY WATER COMPANY, )  
 EUREKA WATER COMPANY, FARMERS' )  
 CO-OPERATIVE DITCH COMPANY, )  
 MIDDLETON MILL DITCH COMPANY, )  
 MIDDLETON IRRIGATION )  
 ASSOCIATION, INC., NAMPA & )  
 MERIDIAN IRRIGATION DISTRICT, NEW )  
 DRY CREEK DITCH COMPANY, PIONEER )  
 DITCH COMPANY, PIONEER )  
 IRRIGATION DISTRICT, SOUTH BOISE )  
 WATER COMPANY, THURMAN MILL )  
 DITCH COMPANY, )

Petitioners-Appellants- )  
 Cross Respondents, )  
 and )

BOISE PROJECT BOARD OF CONTROL, )  
 and NEW YORK IRRIGATION DISTRICT, )

Petitioners, )  
 v. )

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

Respondents, )  
 and )

SUEZ WATER IDAHO, INC., )

Intervenor-Respondent-Cross Appellant. )

ORDER CONSOLIDATING APPEAL )  
 NOS. 44677, 44745 AND 44746 FOR )  
 RECORD AND TRANSCRIPTS ONLY )

Supreme Court Docket No. 44677-2016

Ada County District Court No. )  
 CVWA-2015-21376 (Consolidated )  
 Ada County No. CVWA-2015-21391 )

IN THE MATTER OF ACCOUNTING FOR )  
DISTRIBUTION OF WATER TO THE )  
FEDERAL ON-STREAM RESERVOIRS IN )  
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IDAHO DEPARTMENT OF WATER )  
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BALLANTYNE DITCH COMPANY, BOISE )  
VALLEY IRRIGATION DITCH COMPANY, )  
CANYON COUNTY WATER COMPANY, )  
EUREKA WATER COMPANY, FARMERS' )  
CO-OPERATIVE DITCH COMPANY, )  
MIDDLETON MILL DITCH COMPANY, )  
MIDDLETON IRRIGATION )  
ASSOCIATION, INC., NAMPA & )  
MERIDIAN IRRIGATION DISTRICT, NEW )  
DRY CREEK DITCH COMPANY, PIONEER )  
DITCH COMPANY, PIONEER )  
IRRIGATION DISTRICT, SOUTH BOISE )  
WATER COMPANY, THURMAN MILL )  
DITCH COMPANY, )

        Petitioners, )  
and )

BOISE PROJECT BOARD OF CONTROL, )  
and NEW YORK IRRIGATION DISTRICT, )

        Petitioners-Appellants, )  
v. )

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

        Respondents, )  
and )

SUEZ WATER IDAHO, INC., )

        Intervenor-Respondent. )

Supreme Court Docket No. 44745-2017

Snake River Basin Adjudication No.  
CVWA-2015-21376 (Consolidated  
Ada County No. CVWA-2015-21391)



IN THE MATTER OF ACCOUNTING FOR )  
DISTRIBUTION OF WATER TO THE )  
FEDERAL ON-STREAM RESERVOIRS IN )  
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BALLANTYNE DITCH COMPANY, BOISE )  
VALLEY IRRIGATION DITCH COMPANY, )  
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MIDDLETON MILL DITCH COMPANY, )  
MIDDLETON IRRIGATION )  
ASSOCIATION, INC., NAMPA & )  
MERIDIAN IRRIGATION DISTRICT, NEW )  
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DITCH COMPANY, )

Petitioners-Respondents, )  
and )

BOISE PROJECT BOARD OF CONTROL, )  
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Petitioners-Respondents, )  
v. )

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

Respondents-Appellants, )  
and )

SUEZ WATER IDAHO, INC., )

Intervenor-Respondent. )

Supreme Court Docket No. 44746-2017

Snake River Basin Adjudication No.  
CVWA-2015-21376 (Consolidated  
Ada County No. CVWA-2015-21391)

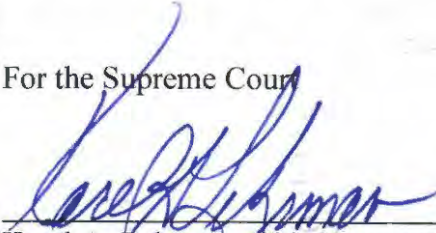
WHEREAS, it appearing the above entitled appeals should be consolidated for preparation of the Clerk's Record and Reporter's Transcripts only; therefore,

IT HEREBY IS ORDERED that appeal Nos. 44677, 44745 and 44746 shall be CONSOLIDATED FOR PURPOSES OF THE RECORD AND TRANSCRIPTS ONLY. The Snake River Basin Adjudication Court shall prepare a CLERK'S RECORD, which shall include the documents requested in each of these NOTICES OF APPEAL, the NOTICE OF CROSS APPEAL as well as the SECOND NOTICE OF CROSS APPEAL, together with a copy of this Order. Further, the Court Reporter shall prepare the REPORTER'S TRANSCRIPTS as previously requested.

IT FURTHER IS ORDERED that upon this Court's receipt of the Clerk's Record and Reporter's Transcripts, the consolidated appeals shall be severed and the due date for filing APPELLANTS' BRIEFS in appeal Nos. 44677, 44745 and 44746 shall be set.

DATED this 23<sup>rd</sup> day of January, 2017.

For the Supreme Court

  
Karel A. Ehrman, Chief Deputy Clerk for  
Stephen W. Kenyon, Clerk

cc: Counsel of Record  
SRBA District Court Clerk  
Court Reporter  
District Judge Eric J. Wildman

Entered on JSI  
By: kg