


On December 10, 2010, the Idaho Ground Water Appropriators, Inc. ("IGWA") filed a *Notice of Appearance* in the above-captioned matter as a Respondent. Although IGWA was a party to the underlying administrative proceeding, IGWA was not made a named party in *Petition for Judicial Review* filed by the Petitioners in this matter. After reviewing the applicable Idaho Rules of Civil Procedure and Idaho Appellate Rules, this Court will treat the *Notice of Appearance* as a *Motion to Intervene* in the above-captioned matter, and will treat IGWA as a Respondent.¹

This Court finds, following a review of the file, that IGWA is a real party in interest to this proceeding, that IGWA was a party to the underlying administrative proceeding from which judicial review is being requested, and that IGWA has interests that could be affected by the outcome of this proceeding in the form of water rights. This Court further finds that no party has objected to IGWA participating in this proceeding. Therefore, in exercising its discretion, this Court finds that IGWA is entitled to leave to intervene as a party to this proceeding.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. IGWA's *Motion to Intervene* in the above-captioned proceeding is hereby **granted**.
2. All further captions used in this proceeding shall include IGWA as a Respondent as shown above.

Dated January 3, 2011


ERIC J. WILDMAN
District Judge

¹ The parties should note that in this instance the Court is treating the *Notice of Appearance* as a *Motion to Intervene* for housekeeping purposes. In doing so, it is the Court's intent to have the record in this matter clearly reflect which persons and/or entities are participants in this action. It is also the Court's intent to have the caption of this matter properly reflect all those parties who are participating in this action and to identify in what capacity those parties are participating (i.e., Petitioner, Respondent, or Intervenor).

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TREATING APPEARANCE AS MOTION TO INTERVENE AND GRANTING SAME was mailed on January 03, 2011, with sufficient first-class postage to the following:

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