



**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM**

THE CITY OF BLACKFOOT,

Petitioner,

vs.

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

Respondents,

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

Intervenors.

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 27-12261

In the name of the City of Blackfoot.

) Case No. CV-2015-1687
)
) **ORDER TREATING**
) **APPEARANCE AS MOTION TO**
) **INTERVENE AND GRANTING**
) **SAME**

On November 4, 2015, the A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, American Falls Reservoir District #2, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company filed a *Notice of Appearance* in the above-captioned matter. Although the above-mentioned entities were parties to the underlying

administrative proceeding, they were not made named parties in the *Petition for Judicial Review* filed by the Petitioner. Pursuant to the *Procedural Order* issued by the Court in the above-captioned matter, the *Notice of Appearance* will be treated as a *Motion to Intervene*. This Court finds, following a review of the file, that the above-mentioned entities are real parties in interest to this proceeding, that they were parties to the underlying administrative proceeding from which judicial review is being requested, and that they have interests that could be affected by the outcome of this proceeding. This Court further finds that no party has objected to the above-mentioned entities participating in this proceeding. Therefore, in exercising its discretion, this Court finds that the A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, American Falls Reservoir District #2, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company are entitled to leave to intervene as parties to this proceeding.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. The *Motion to Intervene* is **hereby granted**.
2. All further captions used in this proceeding shall include the A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, American Falls Reservoir District #2, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company as Intervenors as shown above.

Dated: November 16, 2015


ERIC J. WILDMAN
District Judge

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 November 16, 2015, with sufficient first-class postage to the following:

IDWR AND GARY SPACKMAN IN HIS

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BURLEY IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

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