



**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA**

CITIES OF BLISS, BURLEY, CAREY,
DECLO, DIETRICH, GOODING,
HAZELTON, HEYBURN, JEROME, PAUL,
RICHFIELD, RUPERT, SHOSHONE, and
WENDELL,

Petitioners,

vs.

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

Respondents,

and

RANGEN, INC.,

Intervenor.

) Case No. CV-2015-172

) **ORDER ON PETITIONS TO**
) **APPEAR AS AMICUS CURIAE**

IN THE MATTER OF THE COALITION OF
CITIES' SECOND MITIGATION PLAN
FOR THE DISTRIBUTION OF WATER TO
WATER RIGHT NOS. 36-15501, 36-02551,
AND 36-07694 HELD BY RANGEN, INC.

On March 10, 2015, the Petitioners filed a *Petition for Judicial Review* in the above-captioned matter. Petitions were subsequently filed by the Surface Water Coalition,¹ the City of Pocatello, and the Association of Idaho Cities seeking limited leave to file amicus curiae briefs and participate in oral argument on the *Petition for Judicial Review*. Responses to the amicus Petitions were filed by the Respondents and the Intervenor. A hearing was held before this Court on April 27, 2015. For the reasons set forth on the record, the Court in an exercise of its discretion granted leave to the Surface Water Coalition, the City of Pocatello, and the Association of Idaho Cities to file amicus curiae briefs and to participate in oral argument. The amicus curiae briefs and oral argument shall be limited to those issues identified in the respective amicus Petitions.

THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

1. The Surface Water Coalition is granted limited leave to file an amicus curiae brief and participate in oral argument on the *Petition for Judicial Review*. The leave is limited to the issues identified in its amicus Petition.

2. The City of Pocatello is granted limited leave to file an amicus curiae brief and participate in oral argument on the *Petition for Judicial Review*. The leave is limited to the issues identified in its amicus Petition.

3. The Association of Idaho Cities is granted limited leave to file an amicus curiae brief and participate in oral argument on the *Petition for Judicial Review*. The leave is limited to the issues identified in its amicus Petition.

4. If the parties wish to alter the briefing schedule previously established in this matter, the parties, as well as the entities that have been given limited leave to appear as amicus curiae, shall submit a proposed stipulated briefing schedule to this Court **on or before May 1, 2015**.

Dated: April 27, 2015.



ERIC J. WILDMAN
District Judge

¹ The term "Surface Water Coalition" as used herein refers collectively to the American Falls Reservoir District #2, A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Canal Company.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PETITIONS TO APPEAR AS AMICUS CURIAE was mailed on April 27, 2015, with sufficient first-class postage to the following:

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CITY OF HAZELTON
CITY OF HEYBURN
CITY OF JEROME
CITY OF PAUL
CITY OF RICHFIELD
CITY OF RUPERT
CITY OF SHOSHONE
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Handwritten signature of Julie Murphy in cursive script, positioned above a horizontal line that serves as a signature line.