

FEB - 4 2016

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

Clerk

Deputy Clerk

BALLENTYNE 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;
SETTLERS IRRIGATION DISTRICT; SOUTH
BOISE WATER COMPANY; and THURMAN
MILL DITCH COMPANY,

Petitioners,

vs.

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

Petitioners,

vs.

THE 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.

) Case No. CV-WA-2015-21376
) (Consolidated Ada County Case
) No. CV-WA-2015-21391)

) **ORDER TREATING**
) **APPEARANCE AS MOTION**
) **TO INTERVENE AND**
) **GRANTING SAME**

IN THE MATTER OF ACCOUNTING FOR
DISTRIBUTION OF WATER TO THE
FEDERAL ON-STREAM RESERVOIRS IN
WATER DISTRICT 63

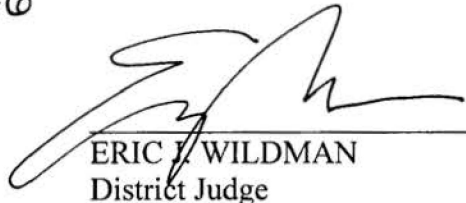
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On December 28, 2015, Suez Water Idaho Inc. filed a *Notice of Appearance* in the above-captioned matter. Although Suez Water Idaho Inc. was a party to the underlying administrative proceeding, it was not made a named party in the *Petition for Judicial Review* filed by the Petitioner.¹ 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 Suez Water Idaho Inc. is a real party in interest to this proceeding, that it was a party to the underlying administrative proceeding from which judicial review is being requested, and that it has interests that could be affected by the outcome of this proceeding. This Court further finds that no party has objected to Suez Water Idaho Inc. participating in this proceeding. Therefore, in exercising its discretion, this Court finds that Suez Water Idaho Inc. is entitled to leave to intervene as a party to this proceeding.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. Suez Water Idaho Inc.'s *Motion to Intervene* **is hereby granted**.
2. All further captions used in this proceeding shall include Suez Water Idaho Inc. as an Intervenor as shown above.

Dated: February 4, 2016


ERIC J. WILDMAN
District Judge

¹ On November 9, 2015, United Water Idaho Inc., a party in the underlying administrative proceeding, formally changed its name to Suez Water Idaho Inc.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TREATING APPEARANCE AS MOTION TO INTERVENE was mailed on February 04, 2016, with sufficient first-class postage to the following:

BALLENTYNE DITCH COMPANY
BOISE VALLEY IRRIGATION
CANYON COUNTY WATER COMPANY
EUREKA WATER COMPANY
FARMERS' CO-OPERATIVE DITCH
MIDDLETON IRRIGATION ASSN INC
MIDDLETON MILL DITCH COMPANY
NAMPA & MERIDIAN IRRIGATION
NEW DRY CREEK DITCH COMPANY
PIONEER DITCH COMPANY
PIONEER IRRIGATION DISTRICT
SETTLERS IRRIGATION DISTRICT
SOUTH BOISE WATER COMPANY
THURMAN MILL DITCH COMPANY

Represented by:
ANDREW J WALDERA
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1101 W RIVER ST STE 110
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Phone: 208-629-7447

BALLENTYNE DITCH COMPANY
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EUREKA WATER COMPANY
FARMERS' CO-OPERATIVE DITCH
MIDDLETON IRRIGATION ASSN INC
MIDDLETON MILL DITCH COMPANY
NAMPA & MERIDIAN IRRIGATION
NEW DRY CREEK DITCH COMPANY
PIONEER DITCH COMPANY
PIONEER IRRIGATION DISTRICT
SETTLERS IRRIGATION DISTRICT
SOUTH BOISE WATER COMPANY
THURMAN MILL DITCH COMPANY

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IDWR AND GARY SPACKMAN IN HIS
Represented by:

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DEPUTY ATTORNEY GENERAL
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SUEZ WATER IDAHO INC
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SETTLERS IRRIGATION DISTRICT
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