

JUN 02 2023

TRENT TRIPPLE, Clerk
By ERIC ROWELL
DEPUTY

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

CITY OF POCA TELLO, CITY OF IDAHO)
FALLS, CITY OF BLISS, CITY OF)
BURLEY, CITY OF CAREY, CITY OF)
DECLO, CITY OF DIETRICH, CITY OF)
GOODING, CITY OF HAZELTON, CITY)
OF HEYBURN, CITY OF JEROME, CITY)
OF PAUL, CITY OF RICHFIELD, CITY OF)
RUPERT, CITY OF SHOSHONE, CITY OF)
WENDELL, BINGHAM GROUND WATER)
DISTRICT, BONNEVILLE-JEFFERSON)
GROUND WATER DISTRICT, and)
MCCAIN FOODS USA, INC.,)

Case No. CV01-23-8258

**ORDER GRANTING MOTION
TO INTERVENE**

Petitioners,

vs.

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

Respondents,

and

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

Intervenors.

_____)

IN THE MATTER OF THE DISTRIBUTION)
 OF WATER TO VARIOUS WATER)
 RIGHTS HELD BY AND FOR THE)
 BENEFIT OF A&B IRRIGATION)
 DISTRICT, AMERICAN FALLS)
 RESERVOIRS DISTRICT NO. 2, BURLEY)
 IRRIGATION DISTRICT, MILNER)
 IRRIGATION DISTRICT, MINIDOKA)
 IRRIGATION DISTRICT, NORTH SIDE)
 CANAL COMPANY, AND TWIN FALLS)
CANAL COMPANY.)

On May 19, 2023, the Petitioners filed a *Complaint for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus*. On May 31, 2023, a *Motion to Intervene* was filed by A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company, American Falls Reservoir District #2, and Minidoka Irrigation District. A hearing on the *Motion* was held before the Court on June 1, 2023. For reasons set forth on the record, the Court in an exercise of its discretion granted the *Motion to Intervene*.

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

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

Dated June 2, 2023



 ERIC J. WILDMAN
 District Judge

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

Dylan Anderson via Email
dylan@dylanandersonlaw.com

Skyler Johns via Email
Nathan Olsen
Steven Taggart
johns@olsentaggert.com
nolsen@olsentaggert.com
staggart@olsentaggert.com

Gary Spackman
Garrick Baxter via Email
gary.spackman@idwr.idaho.gov
garrick.baxter@idwr.idaho.gov

John Simpson
Travis Thompson via Email
jsimpson@martenlaw.com
tthompson@martenlaw.com

W. Kent Fletcher via Email
wkf@pmt.org

Sarah Klahn via Email
sklahn@somachlaw.com

Rich Diehl via Email
rdiehl@pocatello.us

Candice McHugh
Chris Bromley via Email
cmchugh@mchughbromley.com
cbromley@mchughbromley.com

Robert Harris
rharris@holdenlegal.com

Date: 6/2/2023

via Email
Trent Tripple
Clerk of the Court

By *Eric Rowell*
Deputy Clerk

