

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

SOUTH VALLEY GROUND WATER)	Case No. CV07-21-243
DISTRICT and GALENA GROUND)	
WATER DISTRICT,)	ORDER TREATING
)	APPEARANCES AS MOTION
Petitioners,)	TO INTERVENE AND
)	GRANTING SAME
vs.)	
)	ORDER GRANTING MOTION
)	TO INTERVENE
THE IDAHO DEPARTMENT OF WATER)	
RESOURCES and GARY SPACKMAN in his)	
official capacity as Director of the Idaho)	
Department of Water Resources,)	
)	
Respondents.)	
)	
and)	
)	
SUN VALLEY COMPANY, CITY OF)	
BELLEVUE, BIG WOOD CANAL)	
COMPANY, BIG WOOD & LITTLE WOOD)	
WATER USERS ASSOCIATION, and CITY)	
OF POCATELLO,)	
)	
Intervenors.)	
_____)	

On May 26, 2021, a *Notice of Appearance* was filed in this matter by the Sun Valley Company.

On May 26, 2021, a *Notice of Appearance* was filed in this matter by the City of Bellevue.

On May 27, 2021, a *Notice of Appearance* was filed in this matter by the Big Wood Canal Company.

On May 28, 2021, a *Notice of Appearance* was filed in this matter by the Big Wood & Little Wood Water Users Association.


Pursuant to the *Procedural Order* issued by the Court on May 27, 2021, the Court will treat the *Notices of Appearance* as *Motions to Intervene*. The Court finds, following a review of the file, that the above-identified entities are real parties in interest to this proceeding, were parties to the underlying administrative proceeding from which judicial review is being requested, and have interests that could be affected by the outcome of this proceeding. The Court further finds that no party has objected to their participation in this proceeding. Therefore, in exercising its discretion, the Court finds that the above-identified entities are entitled to leave to intervene as parties to this proceeding.

Additionally, on June 25, 2021, the City of Pocatello filed a *Motion to Intervene* in this proceeding. The Court in an exercise of its discretion, having reviewed the *Motion* and the file, will grant the *Motion to Intervene* under Idaho Rule of Civil Procedure 24(b). The Court finds the *Motion* to be timely. This proceeding is in its earliest stages and no substantive rulings on the merits have occurred at this time. The Court therefore finds no prejudice to the other parties to this action. The Court finds the City of Pocatello claims an interest in this matter relating to the legal issues surrounding the Director's actions pertaining to water right administration, given that it holds junior water right in the Eastern Snake Plain Aquifer. The legal issues decided in this proceeding may have a precedential effect with respect to water right administration on the Eastern Snake Plain Aquifer. Therefore, in exercising its discretion, the Court finds that the City of Pocatello is entitled to leave to intervene as a party to this proceeding.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. The *Motions to Intervene* filed by the following entities are hereby granted: (1) the Sun Valley Company; (2) the City of Bellevue; (3) the Big Wood Canal Company; and (4) the Big Wood & Little Wood Water Users Association.
2. The *Motion to Intervene* filed by the City of Pocatello is hereby granted.
3. All further captions used in this proceeding shall include the above-identified entities as Intervenors as shown above.

Dated: June 30, 2021.


ERIC J. WILDMAN
District Judge

CERTIFICATE OF SERVICE

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

Gary Spackman
Director – Idaho Department of Water
Resources
PO Box 83720
Boise ID 83720-0093
gary.spackman@idwr.idaho.gov

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Garrick Baxter
The Idaho Department of Water Resources
PO Box 83720
Boise ID 83720-0093
Garrick.baxter@idwr.idaho.gov

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Albert P. Barker
Travis L. Thompson
Michael A. Short
BARKER ROSHOLT & SIMPSON
PO Box 2139
Boise ID 83701-2139
apb@idahowaters.com
tlr@idahowaters.com
mas@idahowaters.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Christopher M. Bromley
McHUGH BROMLEY, PLLC
380 S 4th Street Ste 103
Boise ID 83702
cbromley@mchughbromley.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Candice M. McHugh
MCHUGH BROMLEY, PLLC
380 S. 4th Street, Ste. 103
Boise, ID 83702
cmchugh@mchughbromley.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Sarah A. Klahn
SOMACH SIMMONS & DUNN
2033 11th Street, Ste. 5
Boulder, CO 80302
sklahn@somachlaw.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

James R. Laski
Heather E. O'Leary
LAWSON LASKI CLARK, PLLC
675 Sun Valley Road, Suite A
P.O. Box 3310
Ketchum, ID 83340
jrl@lawsonlaski.com
heo@lawsonlaski.com
efiling@lawsonlaski.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Jerry R. Rigby
Chase Hendricks
RIGBY, ANDRUS & RIGBY LAW, PLLC
25 North Second East
Rexburg, ID 83440
jrigby@rex-law.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Joseph F. James
James Law Office, PLLC
125 5th Ave. West
Gooding, ID 83330
joe@jamesmvlaw.com

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

W. Kent Fletcher
FLETCHER LAW OFFIC
P.O. Box 248
Burley, ID 83318
wkf@pmt.org

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

Dated: 6/30/2021 12:12 PM

Clerk of the Court

By 
Deputy Clerk