

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

CITY OF POCATELLO,	Case No. CV-01-17-23146
Petitioner, ) vs. )	ORDER TREATING APPEARANCE AS MOTION TO INTERVENE AND GRANTING SAME
GARY SPACKMAN in his official capacity as Director of the Idaho Department of Water Resoruces; and the IDAHO DEPARTMENT OF WATER RESOURCES,	
Respondents,	
and )	
SPARTAN PORTNEUF, LLC,	
Intervenor. )	

On January 8, 2018, Spartan Portneuf, LLC, filed a *Notice of Appearance* in the above-captioned matter. Although Spartan Portneuf, LLC was a party to the underlying administrative proceeding, it was not a named party in the *Petition for Judicial Review* filed by the Petitioner. Pursuant to the *Procedural Order Governing Judicial Review of Final Order of Director of Idaho Department of Water Resources* issued by the Court in the above-captioned matter, the *Notice of Appearance* will be treated as a *Motion to Intervene*. The Court finds Spartan Portneuf, LLC 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 Spartan Portneuf, LLC participating in this proceeding. Therefore, in exercising

its discretion, the Court finds that Spartan Portneuf, LLC is entitled to leave to intervene as a party 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 Spartan Portneuf, LLC as an Intervenor as shown above.

Dated: January 27, 2018

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 January 22, 2018, with sufficient first-class postage to the following:

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> /S/ JULIE MURPHY Deputy Clerk