

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., )

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. )  
\_\_\_\_\_)

Case No. CV01-23-8258

**ORDER GRANTING MOTION  
TO INTERVENE**

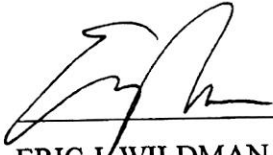
IN THE MATTER OF THE DISTRIBUTION )  
 OF WATER TO VARIOUS WATER )  
 RIGHTS HELD BY AND FOR THE )  
 BENEFIT OF A&B IRRIGATION )  
 DISTRICT, AMERICAN FALLS )  
 RESERVOIRS DISTRICT NO. 2, BURLEY )  
 IRRIGATION DISTRICT, MILNER )  
 IRRIGATION DISTRICT, MINIDOKA )  
 IRRIGATION DISTRICT, NORTH SIDE )  
 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](mailto:dylan@dylanandersonlaw.com)

Skyler Johns via Email  
Nathan Olsen  
Steven Taggart  
[johns@olsentaggert.com](mailto:johns@olsentaggert.com)  
[nolsen@olsentaggert.com](mailto:nolsen@olsentaggert.com)  
[staggart@olsentaggert.com](mailto:staggart@olsentaggert.com)

Gary Spackman  
Garrick Baxter via Email  
[gary.spackman@idwr.idaho.gov](mailto:gary.spackman@idwr.idaho.gov)  
[garrick.baxter@idwr.idaho.gov](mailto:garrick.baxter@idwr.idaho.gov)

John Simpson  
Travis Thompson via Email  
[jsimpson@martenlaw.com](mailto:jsimpson@martenlaw.com)  
[tthompson@martenlaw.com](mailto:tthompson@martenlaw.com)

W. Kent Fletcher via Email  
[wkf@pmt.org](mailto:wkf@pmt.org)

Sarah Klahn via Email  
[sklahn@somachlaw.com](mailto:sklahn@somachlaw.com)

Rich Diehl via Email  
[rdiehl@pocatello.us](mailto:rdiehl@pocatello.us)

Candice McHugh  
Chris Bromley via Email  
[cmchugh@mchughbromley.com](mailto:cmchugh@mchughbromley.com)  
[cbromley@mchughbromley.com](mailto:cbromley@mchughbromley.com)

Robert Harris  
[rharris@holdenlegal.com](mailto:rharris@holdenlegal.com)

Date: 6/2/2023

via Email  
*Trent Tripple*  
Clerk of the Court

By *Eric Rowell*  
Deputy Clerk

