

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

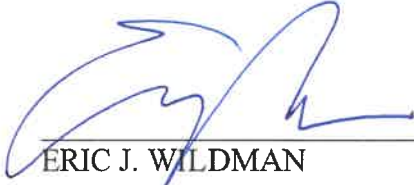
CITY OF POCA TELLO,) Case No: CV42-23-1668
)
Plaintiff,) **ORDER GRANTING UNOPPOSED**
) **MOTION TO INTERVENE**
vs.) **ORDER VACATING HEARING**
)
IDAHO WATER RESOURCES BOARD,)
IDAHO DEPARTMENT OF WATER)
RESOURCES, GARY SPACKMAN in his)
capacity as Director of the Idaho)
Department of Water Resources, and)
TONY OLENICHAK in his capacity as)
Water District 01 Watermaster,)
Defendants,)
)
&)
)
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,)
BURLEY IRRIGATION DISTRICT,)
FREMONT-MADISON IRRIGATION)
DISTRICT, and IDAHO IRRIGATION)
DISTRICT,)
Intervenors.)
_____)

On May 17, 2023, Burley Irrigation District, Fremont-Madison Irrigation District, and Idaho Irrigation District filed *Motion to Intervene* under Idaho Rule of Civil Procedure 24(a) and 24(b). A hearing on the *Motion* was set for June 28, 2023. On June 27, 2023, the Plaintiff and Defendants filed notices of their non-opposition to the *Motion*, as well as an *Unopposed Motion to Vacate* the June 28, 2023, hearing. The Court in an exercise of its discretion will grant the *Motion to Intervene* on the grounds it is unopposed. The Court additionally notes that this case is in its early stages and that no substantive ruling has been made. It also notes Burley Irrigation District, Fremont-Madison Irrigation District, and Idaho Irrigation District have protectable interests in the subject matter of this litigation.

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

1. The *Motion to Intervene* is hereby granted.
2. All further captions used in this proceeding shall include the following entities as intervenors as shown above: Burley Irrigation District, Fremont-Madison Irrigation District, and Idaho Irrigation District.
3. The hearing on the *Motion to Intervene* set for June 28, 2023, is hereby vacated.

Dated: June 28, 2023


ERIC J. WILDMAN
District Judge

CERTIFICATE OF SERVICE

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

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Clerk of the Court

Dated: 6/28/2023 09:04 AM

By *Pam Schuey*
Deputy Clerk