

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

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

Petitioners, )

vs. )

GARY SPACKMAN in his official capacity )  
 as Interim Director of the Idaho Department of )  
 Water Resources, THE IDAHO )  
 DEPARTMENT OF WATER RESOURCES, )  
 THE IDAHO GROUND WATER )  
 APPROPRIATORS, INC., and THE CITY OF )  
 POCATELLO, )

Respondents. )

\_\_\_\_\_)  
 IN THE MATTER OF DISTRIBUTION OF )  
 WATER TO VARIOUS WATER RIGHTS )  
 HELD BY OR FOR THE BENEFIT OF A&B )  
 IRRIGATION DISTRICT, AMERICAN )  
 FALLS RESERVOIR DISTRICT #2, )  
 BURLEY IRRIGATION DISTRICT, )  
 MILNER IRRIGATION DISTRICT, NORTH )  
 SIDE CANAL COMPANY, AND TWIN )  
 FALLS CANAL COMPANY )  
 \_\_\_\_\_)

Case No. CV 2012-2096

**ORDER TREATING  
 APPEARANCES AS MOTIONS  
 TO INTERVENE AND  
 GRANTING SAME**

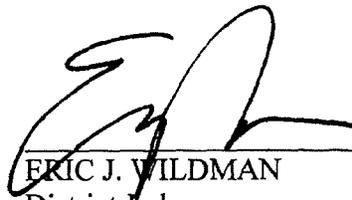
On May 24, 2012, the Idaho Ground Water Appropriators, Inc. ("IGWA") filed a *Notice of Appearance* in the above-captioned matter as a Respondent. On May 25, 2012, the City of Pocatello also filed a *Notice of Appearance* in the above-captioned matter as a Respondent. Although IGWA and the City of Pocatello were parties to the underlying administrative proceeding, neither was made a named party in the *Petition for Judicial Review* filed by the Petitioners in this matter. 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 on May 25, 2012, the *Notices of Appearance* will be treated as *Motions to Intervene*.

This Court finds, following a review of the file, that IGWA and the City of Pocatello are real parties in interest to this proceeding, that IGWA and the City of Pocatello were parties to the underlying administrative proceeding from which judicial review is being requested, and that they have interests that could be affected by the outcome of this proceeding in the form of water rights. This Court further finds that no party has objected to IGWA or the City of Pocatello participating in this proceeding. Therefore, in exercising its discretion, this Court finds that IGWA and the City of Pocatello are entitled to leave to intervene as parties to this proceeding.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. IGWA's *Motion to Intervene* in the above-captioned proceeding is hereby **granted**.
2. The City of Pocatello's *Motion to Intervene* in the above-captioned proceeding is hereby **granted**.
3. All further captions used in this proceeding shall include IGWA and the City of Pocatello as a Respondents as shown above.

Dated June 5, 2012

  
ERIC J. WILDMAN  
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TREATING APPEARANCES AS MOTIONS TO INTERVENE AND GRANTING SAME was mailed on June 05, 2012, with sufficient first-class postage to the following:

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IDAHO GROUND WATER

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IDWR AND GARY SPACKMAN, IN HIS

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A&B IRRIGATION DISTRICT  
MILNER IRRIGATION DISTRICT  
NORTH SIDE CANAL COMPANY  
TWIN FALLS CANAL COMPANY

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