

District Court - SRBA  
Fifth Judicial District  
In Re: Administrative Appeals  
County of Twin Falls - State of Idaho

JAN - 4 2016

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Clerk  
Deputy Clerk

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

SUN VALLEY COMPANY, a Wyoming corporation,  
Petitioner,

Case No. CV-WA-2015-  
14500

vs.

**ORDER GRANTING  
MOTION TO AUGMENT**

GARY SPACKMAN in his official capacity as the  
Director of the Idaho Department of Water Resources;  
and the IDAHO DEPARTMENT OF WATER  
RESOURCES,

Respondents,

and

CITY OF KETCHUM, CITY OF FAIRFIELD,  
WATER DISTRICT 37-B GROUNDWATER  
GROUP, BIG WOOD & LITTLE WOOD WATER  
USERS ASSOCIATION, SOUTH VALLEY  
GROUND WATER DISTRICT, ANIMAL  
SHELTER OF WOOD RIVER VALLEY, DENNIS J.  
CARD and MAUREEN E. MCCANTY, EDWARD  
A LAWSON, FLYING HEART RANCH II  
SUBDIVISION OWNERS ASSOCIATION, INC.,  
HELIOS DEVELOPMENT, LLC, SOUTHERN  
COMFORT HOMEOWNER'S ASSOCIATION,  
THE VILLAGE GREEN AT THE VALLEY CLUB  
HOMEOWNERS ASSOCIATION, INC., AIRPORT  
WEST BUSINESS PARK OWNERS ASSN INC.,  
ANNE L. WINGATE TRUST, AQUARIUS SAW  
LLC, ASPEN HOLLOW HOMEOWNERS, DON R.  
and JUDY H. ATKINSON, BARRIE FAMILY  
PARTNERS, BELLEVUE FARMS LANDOWNERS  
ASSN, BLAINE COUNTY RECREATION  
DISTRICT, BLAINE COUNTY SCHOOL  
DISTRICT #61, HENRY and JANNE BURDICK,  
LYNN H. CAMPION, CLEAR CREEK LLC,  
CLIFFSIDE HOMEOWNERS ASSN INC, THE  
COMMUNITY SCHOOL INC, JAMES P. and JOAN

CONGER, DANIEL T. MANOOGIAN )  
 REVOCABLE TRUST, DONNA F. TUTTLE )  
 TRUST, DAN S. FAIRMAN MD and MELYNDA )  
 KIM STANDLEE FAIRMAN, JAMES K. and )  
 SANDRA D. FIGGE, FLOWERS BENCH LLC, )  
 ELIZABETH K. GRAY, R. THOMAS GOODRICH )  
 and REBECCA LEA PATTON, GREENHORN )  
 OWNERS ASSN INC, GRIFFIN RANCH )  
 HOMEOWNERS ASSN and GRIFFIN RANCH PUD )  
 SUBDIVISION HOMEOWNERS ASSN INC, )  
 GULCH TRUST, IDAHO RANCH LLC, THE )  
 JONES TRUST, LOUISA JANE H. JUDGE, RALPH )  
 R. LAPHAM, LAURA L. LUCERE, CHARLES L. )  
 MATTHIESEN, MID VALLEY WATER CO LCC, )  
 MARGO PECK, PIONEER RESIDENTIAL & )  
 RECREATIONAL PROPERTIES LLC, RALPH W. )  
 & KANDI L. GIRTON 1999 REVOCABLE TRUST, )  
 RED CLIFFS HOMEOWNERS ASSOCIATION, F. )  
 ALFREDO REGO, RESTATED MC MAHAN 1986 )  
 REVOCABLE TRUST, RHYTHM RANCH )  
 HOMEOWNERS ASSN, RIVER ROCK RANCH )  
 LP, ROBERT ROHE, MARION R. and ROBERT M. )  
 ROSENTHAL, SAGE WILLOW LLC, SALIGAO )  
 LLC, KIRIL SOKOLOFF, STONEGATE )  
 HOMEOWNERS ASSN INC, SANDOR and TERI )  
 SZOMBATHY, THE BARKER LIVING TRUST, )  
 CAROL BURDZY THIELEN, TOBY B. LAMBERT )  
 LIVING TRUST, VERNON IRREVOCABLE )  
 TRUST, CHARLES & COLLEEN WEAVER, )  
 THOMAS W. WEISEL, MATS and SONYA )  
 WILANDER, MICHAEL E. WILLARD, LINDA D. )  
 WOODCOCK, STARLITE HOMEOWNERS )  
 ASSOCIATION, GOLDEN EAGLE RANCH )  
 HOMEOWNERS ASSN INC, TIMBERVIEW )  
 TERRACE HOMEOWNERS ASSN, and )  
 HEATHERLANDS HOMEOWNERS )  
 ASSOCIATION INC., )

Intervenors.

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IN THE MATTER OF DISTRIBUTION OF WATER )  
 TO WATER RIGHTS HELD BY MEMBERS OF )  
 THE BIG WOOD & LITTLE WOOD WATER )  
 USERS ASSOCIATION DIVERTING FROM THE )  
 BIG WOOD AND LITTLE WOOD RIVERS )

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The settled agency record was lodged with the Court on October 7, 2015. On November 16, 2015, the Court entered an *Order* augmenting the settled agency record with the addition of certain documents requested by the Respondents. On December 10, 2015, the Sun Valley Company filed a *Motion* to augment the settled agency record with the addition of a hearing transcript. The subject transcript is of a pre-hearing conference held before the Department on June 3, 2015. The City of Ketchum and the City of Fairfield joined in support of the *Motion*. The Respondents filed a response in opposition to the *Motion*. A hearing on the *Motion* was held before the Court on January 4, 2016. For the reasons stated on the record, the Court in an exercise of its discretion granted the *Motion*. At the hearing, the Sun Valley Company represented to the Court that the subject transcript has been prepared and will be filed with the Court forthwith.

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

1. The Sun Valley Company's *Motion to Augment Record* is hereby granted.
2. The settled agency record in this matter shall be augmented to include the hearing transcript of the pre-hearing conference held before the Department on June 3, 2015, which transcript shall be forthwith filed with the Court.

IT IS SO ORDERED.

Dated January 4, 2015

  
ERIC J. WILDMAN  
District Judge

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AUGMENT was mailed on January 04, 2016, with sufficient first-class postage to the following:

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