

F I L E D
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**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON**

EDEN'S GATE LLC,)	Case No. CV14-21-10116
)	
Petitioner,)	ORDER GRANTING MOTION
)	TO INTERVENE
vs.)	
)	
)	
THE IDAHO DEPARTMENT OF WATER)	
RESOURCES and GARY SPACKMAN in his)	
official capacity as Director of the Idaho)	
Department of Water Resources,)	
)	
Respondents,)	
)	
&)	
)	
FARMERS CO-OPERATIVE DITCH)	
COMPANY,)	
)	
Intervenor.)	
_____)	
)	
IN THE MATTER OF APPLICATION FOR)	
PERMIT NO. 63-34832 THROUGH 63-)	
34838 AND 63-34840 THROUGH 63-34846)	
ALL IN THE NAME OF EDEN'S GATE)	
LLC)	
_____)	


On January 6, 2022, a *Motion to Intervene* was filed by Farmers Co-Operative Ditch Company. The Court finds the *Motion* to be timely. This proceeding is in its earliest stages and no substantive rulings on the merits have occurred at this time. The Court therefore finds no prejudice to the other parties to this action. The Court finds Farmer Co-Operative Ditch Company claims an interest in this matter as it was a party to the underlying administrative proceeding from which judicial review is being requested, and has interests that could be

affected by the outcome of this proceeding. As a result, Farmers Co-Operative Ditch Company is a real party in interest to this proceeding. Therefore, in exercising its discretion, the Court finds that Farmers Co-Operative Ditch Company is entitled to leave to intervene as a party to this proceeding under Idaho Rule of Civil Procedure 24(b).

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

1. The *Motion to Intervene* filed by Farmers Co-Operative Ditch Company is hereby granted
2. All further captions used in this proceeding shall include Farmers Co-Operative Ditch Company as an Intervenor as shown above.

Dated: January 24, 2022


ERIC J. WILDMAN
District Judge

CERTIFICATE OF SERVICE

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

Gary Spackman
Director – Idaho Department of Water
Resources
PO Box 83720
Boise ID 83720-0093
gary.spackman@idwr.idaho.gov

By E-mail By mail
 By fax (number)
 By overnight delivery / FedEx
 By personal delivery

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By E-mail By mail
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 By personal delivery

Dated: _____

1-24-22

Clerk of the Court

By _____
Deputy Clerk

