

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF ACCOUNTING)	
FOR DISTRIBUTION OF WATER)	ORDER GRANTING
TO THE FEDERAL ON-STREAM)	PETITIONS TO INTERVENE
RESERVOIRS IN WATER)	
DISTRICT 1)	
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On October 15, 2014, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued the *Scheduling Order; Notice of Hearing; Order Authorizing Discovery* (“Scheduling Order”) providing the deadline of October 22, 2014, for individuals and entities to submit a Notice of Intent to Participate in the above-captioned matter. The Scheduling Order also identified the entities that had submitted petitions to intervene prior to the entry of the Scheduling Order, and explained that the petitions to intervene would be addressed by separate order. This order addressed the pending petitions to intervene.

On November 1, 2013, the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed *IGWA’s Petition to Intervene*, pursuant to IDAPA 37.01.01.350-354, alleging that its members may be substantially impacted by the manner the Department accounts for storage water since they are subject to curtailment orders in the Water District 1 reservoir system. No opposition to the Petition was filed.

On November 20, 2013, the City of Pocatello (“Pocatello”) filed its *Petition to Intervene* alleging that it has a substantial interest in this matter because it diverts its municipal water supply from wells within Water District 120 and owns surface water rights that are stored in the Palisades Reservoir. No opposition to this Petition was filed.

On December 9, 2013, the Aberdeen-Springfield Canal Company (“ASCC”) filed its *Petition to Intervene* alleging that it has a substantial interest because it owns storage water rights in reservoirs within Water District 1. No opposition to this Petition has been filed.

On October 6, 2014, United Water Idaho filed *United Water’s Petition to Intervene* alleging that it has a direct and substantial interest in this proceeding because it owns natural flow water rights and entitlements in reservoirs within Water District 63 and that since the subject matters addressed in this proceeding may overlap, it has the right to participate in any proceeding that could affect the definition or administration of storage water rights in federal reservoirs within the state of Idaho. No opposition to this Petition has been filed.

Rule 353 of the Department's Rules of Procedure provides:

If a timely-filed petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions, unless the applicant's interest is adequately represented by existing parties. If it appears that an intervenor has do direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding.

IDAPA 37.01.01.353.

The Director concludes that each entity described above has a direct and substantial interest in this contested case proceeding in Water District 1 that is not adequately represented by existing parties and that said entities do not seek to unduly broaden the issues.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that the Petitions to Intervene filed by the Idaho Ground Water Appropriators, Inc., the City of Pocatello, the Aberdeen-Springfield Canal Company, and United Water Idaho are GRANTED.

Dated this 21st day of October, 2014.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2014, I served the foregoing document to the following by the method indicated:

RANDALL C BUDGE THOMAS J BUDGE RACINE OLSON PO BOX 1391 POCATELLO ID 83204-1391 rcb@racinelaw.net tjb@racinelaw.net	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
DEAN TRANMER CITY OF POCATELLO PO BOX 4169 POCATELLO ID 83201 dtranmer@pocatello.us	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
SARAH A KLAHN WHITE & JANKOWSKI 511 SIXTEENTH ST STE 500 DENVER CO 80202 sarahk@white-jankowski.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
JERRY R RIGBY RIGBY ANDRUS 25 NORTH SECOND EAST REXBURG ID 83440 jrigby@rex-law.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
ROBERT L HARRIS HOLDEN KIDWELL PO BOX 50130 IDAHO FALLS ID 83405 rharris@holdenlegal.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
PETER R ANDERSON TROUT UNLIMITED 910 W MAIN ST STE 342 BOISE ID 83702 panderson@tu.org	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email

<p>JAMES C TUCKER IDAHO POWER COMPANY PO BOX 70 BOISE ID 83702 jamestucker@idahopower.com</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>DAVID GEHLERT US DEPT OF JUSTICE 999 18TH ST SOUTH TERRACE STE 370 DENVER CO 80202 david.gehlert@usdoj.gov</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>JOHN K SIMPSON TRAVIS L THOMPSON PAUL L ARRINGTON BARKER RSHOLT & SIMPSON 195 RIVER VISTA PLACE STE 204 TWIN FALLS ID 83301-3029 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>W KENT FLETCHER FLETCHER LAW OFFICE PO BOX 248 BURLEY ID 83318 wkf@pmt.org</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>CONSOLIDATED FARMERS CANAL 3215 N 2000 W REXBURG ID 83440</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>SOUTHEAST IDAHO CANAL CO PO BOX 15 ST ANTHONY ID 83445</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>THE NEW LAVASIDE DITCH CO LTD ATTN VON CORNELISON 66 E RIVER RD BLACKFOOT ID 83221</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>SOUTH FORK OF THE SNAKE RIVER WATER USERS ATTN DARRELL KER 4861 N 44TH E IDAHO FALLS ID 83401</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

SOUTH FORK OF THE SNAKE RIVER WATER USERS ATTN STAN HAWKINS BOX 367 UCON ID 83454	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DE LLOYD JACOBSON PO BOX 68 SWAN VALLEY ID 83449	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
TED MICKELSEN 2255 N 4000 W TETONIA ID 83452	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
ROGER LING PO BOX 623 RUPERT ID 83350	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GARY DIAL 1448 N 800 E SHELLEY ID 83274	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
STAN NIELSON 1234 E 1000 N SHELLEY ID 83274	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GREG BURNS 655 12 TH AVE SLC UT 84103	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
BURLEY IRRIGATION DIST ATTN JOHN LIND 246 E 100 S BURLEY ID 83318-5444	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DAN DARRINGTON 705 E 300 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
LEONARD BECK 272 W 200 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

CLIFFORD SEARLE 500 E 500 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DEAN EDGAR 480 E 400 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GARY BLANCHARD 355 SKYLANE POCATELLO ID 83204	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
NEIL MORGAN 762 W HWY 39 BLACKFOOT ID 83221	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
STEVEN MURDOCK PEOPLES CANAL & IRRIGATION CO. 1050 W HWY 39 BLACKFOOT ID 83221	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
RON HANSEN 6935 N 500 W TETONIA ID 83452	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
MIKE LEGGE PO BOX 795 COALVILLE UT 84017 mlegge@usmagnesium.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email



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Administrative Assistant to the Director
Idaho Department of Water Resources