

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

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 37-22682 AND 37-22852)
IN THE NAME OF INNOVATION MITIGATION)
SOLUTIONS, LLC)

**ORDER GRANTING
PETITION TO INTERVENE**

On June 12, 2014, the Idaho Department of Fish and Game (petitioner), by and through its Attorney Dallas Burkhalter, submitted to the Department of Water Resources ("Department") its *Memorandum in Support of Petition to Intervene* ("petition") as authorized in Rule of Procedure IDAPA 37.01.01.350 (Rule 350) in the matter of Applications for Permit Nos. 37-22682 and 37-22852.

Rule of Procedure IDAPA 37.01.01.353 (Rule 353) provides that 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 intervenor's interest is adequately represented by existing parties. If it appears that the intervenor does not have a direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding.

In the matter of application for permit 37-22682, the petitioner already has standing through its timely filing of a protest on April 23, 2012.

In the matter of application for permit 37-22852 the petitioner does not have existing standing. However, since the petitioner has shown sufficient direct and substantial interest in the matter of application for permit 37-22682, the Department should conditionally grant the petition.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petition of the Idaho Department of Fish and Game requesting intervention in the above captioned matters is **GRANTED** and conditioned as follows:

1. The petitioner shall not broaden the issues to be heard at hearing.

2. The petitioner's intervention and participation shall not be a basis for any delay or extension of time in the proceedings.

DATED 26th day of June, 2014



Mathew Weaver
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 2014, true and correct copies of the document described below was served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Document Served: Order Granting Petition to Intervene

Innovative Mitigation Solutions
2918 N. El Rancho Place
Boise, ID 83704

Walker Sand & Gravel Ltd. Co.
Attn: Brad Walker
P.O. Box 400
Bellevue, ID 83313

Idaho Dept of Fish & Game
Magic Valley Region
324 S. 417 E., Suite 1
Jerome, ID 83338

Heart Rock Ranch LLC
P.O. Box 3724
Hailey, ID 83333

Trout Unlimited, Inc.
Attn: Peter Anderson
910 W. Main St, Suite 342
Boise, ID 83702

Peter Trust, LP
2300 W. Sahara Ave, Ste 530
Las Vegas, NV 89102

Idaho Conservation League
c/o Bryan Hurlbutt
Advocates for the West
P.O. Box 1612
Boise, ID 83701

Frank Erwin
711 East Ave N
Hagerman, ID 83332

Blaine County Commissioners
Attn: Larry Schoen
206 1st Ave South, Suite 300
Hailey, ID 83333

Peter Trust LP
P.O. Box 642
Sun Valley, ID 83353

Western Watersheds Project
Attn: Jon Marvel
P.O. Box 1770
Hailey, ID 83333

Harry S Rinker
P.O. Box 7250
Newport Beach, CA 92658

Lane Ranch H.O.A.
Golden Eagle H.O.A.
c/o Sun Country Mgmt
P.O. Box 1675
Sun Valley, ID 83353

Idaho Power Company
c/o Barker Rosholt & Simpson
Attn: John K Simpson
P.O. Box 2139
Boise, ID 83701-2139

Idaho Rivers United
Attn: Kevin Lewis
P.O. Box 633
Boise, ID 83701

Redstone Partners, LP
c/o Givens Pursley, LP
Attn: Michael Lawrence
P.O. Box 2720
Boise, ID 83701-2720

Peter L Sturdivant
P.O. Box 968
Hailey, ID 83333-0968

Eccles Flying Hat Ranch LLC
Eccles Window Rock Ranch
P.O. Box 3028
Salt Lake City, UT 84110

Big Wood Canal Company
c/o Craig Hobdey
P.O. Box 176
Gooding, ID 83330

Brockway Engineering
2016 N. Washington St, Suite 4
Twin falls, ID 83301

Dry Lot, LLC
Valley Club Homeowners Assn.
Lower Snake River Aquifer
Recharge District
Thomas M. O'Gara Family Trust
Eric Remais & Joyce Gordon
c/o Barker Rosholt & Simpson
Attn: Travis Thompson
195 River Vista Pl, Ste 204
Twin Falls, ID 83301

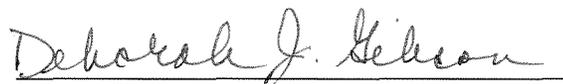
The Valley Club, Inc.
City of Hailey
c/o Givens Pursley LLP
Attn: Michael Creamer
PO Box 2720
Boise, ID 83701-2720

Office of the Attorney General
Attn: W. Dallas Burkhalter
P.O. Box 25
Boise, ID 83707

Bureau of Land Management
Attn: Fred Price
1387 S. Vinnell Way
Boise, ID 83709-1657

Wood River Land Trust
Attn: Patti Lousen
119 E Bullion St.
Hailey, ID 83333

Office of the Attorney General
Attn: Harriet Hensley
P.O. Box 83720
Boise, ID 83720-0010



Deborah Gibson
Admin. Assistant for the Director