

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

**IN THE MATTER OF THE BOISE
FRONT LOW TEMPERATURE
GEOTHERMAL RESOURCE GROUND
WATER MANAGEMENT AREA**

**ORDER GRANTING CITY OF
BOISE’S PETITION TO INTERVENE**

BACKGROUND

On May 3, 2024, the Idaho Department of Water Resources (“IDWR”) issued an *Order Extending Moratorium* (“Moratorium Order”), extending the Boise Front GWMA moratorium for an additional three years to May 5, 2027.

On May 17, 2024, IDWR received a *Petition for Hearing* filed on behalf of Edwards Family LLC (“Edwards”) requesting a hearing pursuant to Idaho Code § 42-1701A(3) “regarding the basis for the three-year moratorium extension.” *Petition for Hearing* at 1.

On August 19, 2024, the Director issued an *Order Granting Request for Hearing* (“Order”) assigning Shelley Keen as the hearing officer. The Order required that “any person or entity seeking to intervene in this matter must submit a petition to intervene to IDWR by September 23, 2024.” *Order* at 3.

On September 23, 2024, IDWR received *City of Boise’s Petition to Intervene* and *Memorandum in Support of City of Boise’s Petition to Intervene*.

On September 25, 2024, Edwards filed its *Non-Opposition to Petition to Intervene*.

RELEVANT STATUTES AND RULES

IDAPA 37.01.01.350 states:

A person who is not already a party to a contested case and who has a direct and substantial interest in the proceeding may petition for an order granting intervention as a party to the contested case.

IDAPA 37.01.01.351 states:

Petitions to intervene must comply with Rules 52, 200, and 300. The petition must set forth the name and address of the potential intervenor and must state the direct and substantial interest of the potential intervenor in the proceeding.

IDAPA 37.01.01.352 states:

Petitions to intervene must be filed at least fourteen (14) days before the date set for formal hearing, or by the date of the initial prehearing conference, whichever is earlier, unless a different time is provided by order or notice. Petitions filed after this deadline are considered late and must state a good cause for delay.

IDAPA 37.01.01.353.01 states:

If a timely-filed petition to intervene shows direct and substantial interest in any part of the subject matter of a contested case and does not unduly broaden the issues, the agency shall grant intervention, subject to reasonable conditions, unless the applicant's interest is adequately represented by existing parties.

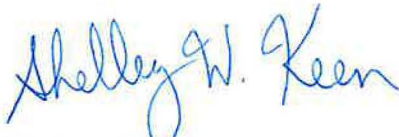
CONCLUSIONS OF LAW

1. The City of Boise's Petition to Intervene was timely and satisfies the standards in IDAPA 37.01.01.351.
2. There are no objections to the Petition to Intervene.
3. Based on the Petition to Intervene, the City of Boise has a direct and substantial interest in this matter, granting the Petition to Intervene will not unduly broaden the issues, and the City of Boise is not adequately represented by existing parties.
4. The City of Boise's Petition to Intervene should be granted.

ORDER

IT IS HEREBY ORDERED that City of Boise's Petition to Intervene is **GRANTED**.

Dated this 22nd day of October 2024.



Shelley W. Keen
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 2024, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

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Jean Hersley
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