

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PROTESTED	)	
TRANSFER NO. 81943 IN THE NAME	)	ORDER GRANTING
OF DOUBLE EAGLE PROPERTIES LLLP	)	PETITION TO INTERVENE
_____	)	

On June 20, 2018, Gerald Sievers ("Sievers") submitted to the Department, through his attorney Travis Thompson, a petition to intervene in the contested Application for Transfer No. 81943. The petition claims a substantial interest in this matter.

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 applicant's interest is adequately represented by existing parties. If it appears that the intervenor has no direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding.

ANALYSIS

This transfer proposes adding points of diversion to water rights. Sievers claims a direct and substantial interest in the subject matter of the proceedings. Issues are similar but not the same as the other protestants to this contested case.

CONCLUSIONS

The petitioner has shown sufficient direct and substantial interest in the above captioned matter and their intervention may meaningfully add to the record for a decision. The Department should conditionally grant the petition.

ORDER

IT IS HEREBY ORDERED that the petition of Gerald Sievers for intervention in Application for Transfer No. 81943 is **GRANTED** conditioned as follows:

1. Sievers shall not broaden the issues to be heard at hearing on these proceedings.
2. Sievers's intervention and participation shall not be a basis for any delay or extension of time in these proceedings.

DATED 22nd day of June 2018.



COREY SKINNER, P.E.
Southern Region Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2018, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER(S) GRANTING PETITION(S) TO INTERVENE**, to the person(s) listed below:

DOUBLE EAGLE PROPERTIES LLLP (*Applicant*)
3173 N 4900 E
MURTAUGH ID 83344

BROCKWAY ENGINEERING (*Consultant*)
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

MILNER IRRIGATION DISTRICT (*Protestant*)
C/O TRAVIS THOMPSON
BARKER ROSHOLT & SIMPSON
PO BOX 63
TWIN FALLS ID 83303

TWIN FALLS CANAL CO. (*Protestant*)
C/O TRAVIS THOMPSON
BARKER ROSHOLT & SIMPSON
PO BOX 63
TWIN FALLS ID 83303

GLENN BESSIRE (*Intervenor*)
4469 E 2900 N
MURTAUGH ID 83344

GERALD SIEVERS (*Intervenor*)
105 GEM DR
KIMBERLY ID 83341

GREG SIEVERS (*Intervenor*)
3024 N 4600 E
MURTAUGH ID 83344

TRAVIS THOMPSON (*Attorney*)
BARKER ROSHOLT & SIMPSON
PO BOX 63
TWIN FALLS ID 83303



Denise Maline
Administrative Assistant