

IN THE MATTER OF THE REMOVAL OF )  
A CONDITION OF TRANSFER NO. 73969 )  
IN THE NAME OF ROBERT ROHE )

On June 7, 2010, the Department of Water Resources (“Department”) issued an Order Granting Request for Hearing in response to the applicant’s petition for reconsideration and request for hearing of condition of approval no. 3 of the modified transfer approval no. 73969, which authorized the transfer of water right no. 37-21956.

On June 24, 2010, the Idaho Water Resource Board (“TWRB”), by and through its attorney, Shasta Kilminster-Hadley, Deputy Attorney General, submitted to the Department a petition to intervene in the matter of the removal of a condition of Transfer no. 73969 in the name of Robert Rohe, as authorized in Rule of Procedure IDAPA 37.01.01.350 (Rule 350).

On June 29, 2010, Trout Unlimited, by and through its attorney, Peter R. Anderson, submitted to the Department a petition to intervene in the matter of the removal of a condition of Transfer no. 73969 in the name of Robert Rohe, as authorized in Rule of Procedure IDAPA Rule 350.

On June 30, 2010, Wood River Irrigation District #45, by and through its attorney, Albert P. Barker, of Barker, Rosholt & Simpson, LLP, submitted to the Department a petition to intervene in the matter of the removal of a condition of Transfer no. 73969 in the name of Robert Rohe, as authorized in Rule of Procedure IDAPA Rule 350.

On July 30, 2010, City of Bellevue, by and through its attorney, Frederick C. Allington, submitted to the Department a petition to intervene in the matter of the removal of a condition of Transfer no. 73969 in the name of Robert Rohe, as authorized in Rule of Procedure IDAPA Rule 350.

On August 9, 2010, Idaho Rivers United, submitted to the Department a petition to intervene in the matter of the removal of a condition of Transfer no. 73969 in the name of Robert Rohe, as authorized in Rule of Procedure IDAPA Rule 350.

Petitioners have shown sufficient direct and substantial interest in the above captioned matter without unduly broadening the issues for the department to grant the petitioner intervention into the matter.

### **ORDER**

Based on the foregoing, IT IS ORDERED that the petitions of the Idaho Water Resource Board, Trout Unlimited, Wood River Irrigation District #45, the City of Bellevue, and Idaho Rivers United requesting intervention in the above captioned matter are GRANTED.

### **NOTICE OF PREHEARING CONFERENCE**

NOTICE IS HEREBY GIVEN that the Director will conduct a prehearing conference beginning at **2:00 p.m., on Tuesday, October 26, 2010**, in the Blaine County Annex building, 1<sup>st</sup> floor conference room, located at 219 1<sup>st</sup> Avenue South, Hailey, Idaho, to address the management of this proceeding.

NOTICE IS FURTHER GIVEN that the schedule for a hearing and related hearing preparation will be established at the prehearing conference. All parties should bring scheduling calendars to the prehearing conference for scheduling of the hearing.

The conference will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department, at telephone number (208) 287-4942, ten (10) days prior to the conference.

DATED this 16<sup>th</sup> day of August, 2010.

  
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GARY SPACKMAN  
Interim Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16<sup>th</sup> day of August, 2010, a true and correct copy of the document(s) described below were served by placing the same in the United States mail, postage prepaid and properly addressed to the following:

Document(s) Served: Order Granting Petitions for Intervention and Notice of Prehearing Conference

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Deborah J. Gibson  
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