

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

IN THE MATTER OF THE MITIGATION
PLAN OF THE NORTH SNAKE AND MAGIC
VALLEY GROUND WATER DISTRICTS
IMPLEMENTED BY APPLICATIONS FOR
PERMIT NOS. 02-10405 AND 36-16645 AND
APPLICATION FOR TRANSFER NO. 74904
TO PROVIDE REPLACEMENT WATER FOR
CLEAR SPRINGS SNAKE RIVER FARM

(Water District Nos. 130 and 140)

**NOTICE OF HEARING
AND ORDER GRANTING
INTERVENTION**

The Department of Water Resources (“Department”) published notice on July 17 and 24, 2008 of the *Mitigation Plan of North Snake Ground Water District and Magic Valley Ground Water District* (“Mitigation Plan”) together with notice of Applications for Permit Nos. 02-10405 and 36-16645 and Application for Transfer No. 74904 to implement the Mitigation Plan.

Protests to the Mitigation Plan and the three applications were filed timely by Clear Springs Foods, Inc. on August 4, 2008. Protests to the three applications were filed timely by Clear Lakes Trout Company, Inc. on August 4, 2008. The Department received a late protest to Application for Permit No. 36-16645 from Clear Lake Country Club on August 5, 2008. The Department received a late protest to Application for Transfer No. 74904 from Clear Lake Homeowners Association on August 5, 2008.

Because other timely protests were filed to the applications and good cause appears, the Director will treat the late filed protest received from Clear Lake Country Club on August 5, 2008 as a motion to intervene under Rule 352 of the Department's Rules of Procedure. No action is taken on the late protest received from Clear Lake Homeowners Association because a protest fee of \$25.00 was not received with the protest.

PLEASE TAKE NOTICE that a formal hearing is scheduled for **September 3 and 5, 2008, beginning at 9:00 a.m. (MDT)** at the office of the **Idaho Department of Fish and Game Magic Valley Region Office, 324 S 417 E, Suite #1 (Highway. 93), Jerome, Idaho.** David R. Tuthill, Jr., Director of the Department of Water Resources will serve as the presiding officer at the hearing.

SUPPORT DATA
36-4013
IN FILE #

If parties intend to offer exhibits for the record at the hearing, note that Rule 606 of the Department's Rules of Procedure requires that a copy be provided to each party and to the presiding officer.

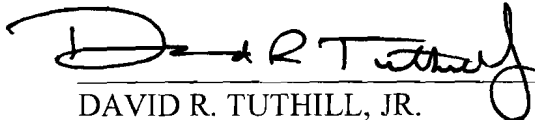
The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department. IDAPA 37.01.01. A copy of the rules may be obtained from the Department upon request, or are available at the Department's Web site, <www.idwr.idaho.gov>.

The hearing will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within five (5) days prior to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Victoria Wigle, Administrative Assistant to the Director, Idaho Department of Water Resources, 322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098, telephone: (208) 287-4803, fax: (208) 287-6700.

ORDER

IT IS HEREBY ORDERED that Clear Lake Country Club is granted intervention to participate as a party in this proceeding in support of its protest.

Dated this 13th day of August, 2008.



DAVID R. TUTHILL, JR.
Director

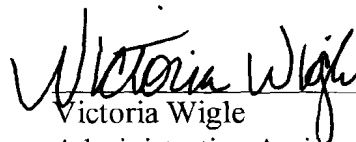
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August 2008, the above and foregoing, was served by the method indicated below, and addressed to the following:

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Victoria Wigle
Administrative Assistant to the Director
Idaho Department of Water Resources