

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

IN THE MATTER OF PETITION TO)
INTERVENE IN PROTESTED)
APPLICATION FOR TRANSFER NO)
72488 IN THE NAME OF)
CITY OF ARCO)

**ORDER GRANTING
PETITION TO INTERVENE**

On February 7, 2007, Duane or Monarae Whipple and Earl Maynard ("petitioner") submitted to the Department of Water Resources ("Department") a Petition to Intervene ("petition") as authorized in Rule of Procedure IDAPA 37.01.01.350 (Rule 350) in the matter of Application for Transfer No. 72488 in the name of City of Arco ("applicant").

The current parties (applicant, protestants and / or intervenors) to these contested cases did not file any motions opposing the petition as provided in IDAPA 37.01.01.354 (Procedure Rule 354).

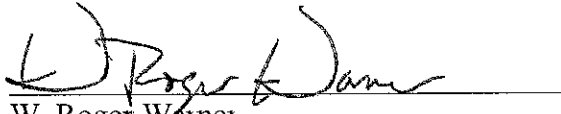
Since petitioner has shown sufficient direct and substantial interest in the above captioned matters, the Department should conditionally grant the petition.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petition of Duane or Monarae Whipple and Earl Maynard requesting intervention in the above captioned matters is **GRANTED** conditioned as follows:

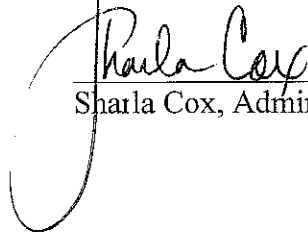
1. The petitioner shall not broaden the issues to be heard at hearing. The petitioner is limited to participate in the issue of "potential injury to existing water rights".
2. The petitioner's intervention and participation shall not be a basis for any delay or extension of time in the proceeding.

DATED 26th day of February, 2007


W. Roger Warner
Water Right Supervisor

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 2007, a true and correct copy of the foregoing Order Granting Petition to Intervene was forwarded with all required charges prepaid, by regular U.S. Mail, to the parties listed:


Sharla Cox, Administrative Assistant

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Arco ID 83213

Pete Stratis
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Arco ID 83213

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The Dyer Group LLC
Winston R. Dyer PE
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Duane or Monarae Whipple
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Earl Maynard
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