

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

IN THE MATTER OF PETITION TO)
INTERVENE IN PROTESTED)
APPLICATION FOR PERMIT NO.)
45-7745 AND APPLICATION FOR)
TRANSFER NO. 5194 IN THE NAME)
OF USDA FOREST SERVICE)

**ORDER GRANTING
PETITION TO INTERVENE**

On March 22, 2002, Leo Bell ("petitioner") submitted to the Department of Water Resources ("Department") a Petition To Intervene ("petition") as authorized in Rule of Procedure IDAPA 37.01.01350 (Rule 350) in the matter of Application for Permit No. 45-7745 and Application for Transfer No. 5194 both in the name of USDA Forest Service ("applicant").

The current parties (applicant, protestants &/or intervenors) to these contested cases did not file any motions opposing the petition as provided in IDAPA 37.01.01354 (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 Leo Bell 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.

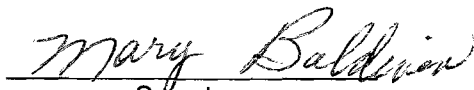
DATED 2nd day of April, 2002



Allen D. Merritt, PE
Pre-hearing Conference Officer

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of April, 2002 a true and correct copy of the foregoing Order Granting Petition to Intervene was forwarded with all required charges prepared, by regular U.S. Mail, to the parties listed:


Secretary

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