

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

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

**ORDER GRANTING
PETITION TO
INTERVENE**

On January 05, 1998 the USDA-Forest Service, (applicant), filed with the Department of Water Resources (department) an application to transfer the public waters of the State of Idaho. On February 10, 1998, Earl L. Warthen, (protestant), filed a timely protest raising all issues described in §42-222 against the approval of the application.

On December 03, 1998 a petition for an order to intervene in the above described matter as authorized in Rule of Procedure IDAPA 37.01.01350 (Rule 350) was submitted to the department by Roger D. Ling, Attorney on behalf of Andrwood, Inc., d/b/a Pomerelle (petitioner).

After reviewing said protestant's original protest and said petitioner's petition, it is found that the petitioner has shown sufficient interest in the matter without unduly broadening the issues.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petition of Andrwood, Inc. requesting intervention in any conference and/or hearing scheduled by the department in connection with the above captioned matter is GRANTED.

Dated this 11th day of December, 1998.



Allen Merritt
Hearing Officer

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of December, 1998 a true and correct copy of the foregoing Order Granting Petition to Intervene was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin
Secretary

ATTN ED WALDAPFEL
USDA-FOREST SERVICE
2647 KIMBERLY RD EAST
TWIN FALLS ID 83301

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

ATTN RANDY BREMER
AJ BAT TEAM
380 PARK CENTER - STE 330
BOISE ID 83706

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

EARL L WARTHEN
PO BOX 145
ALBION ID 83311

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

JAMES ANNEST
PO BOX 686
BURLEY ID 83318

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

ANDRWOOD, INC
dba POMERELLE
PO BOX 158
ALBION ID 83311

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

ROGER D LING
PO BOX 396
RUPERT ID 83350

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____