

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NOS. 72128 IN THE) ORDER GRANTING INTERVENTION
NAME OF CITY OF MOUNTAIN)
HOME)
_____)

On January 13, 2006, the City of Mountain Home filed with the Idaho Department of Water Resources (IDWR) an application for transfer of the public water of the State of Idaho. The application was protested.

On April 7, 2006, Richard T and Charlotte A McMahon filed a petition to intervene in the contested case with IDWR.

On April 12, 2006, IDWR sent the applicant a letter asking for opposing motions relating to the McMahon petition to intervene, (IDWR Rules of Procedure-Rule 354). To date, no opposing motions have been received.

CONCLUSIONS

APPLICABLE LEGAL PRINCIPLES

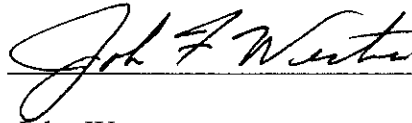
IDAPA 37.01.01.353 (Rule 353) *Granting Petitions to Intervene* states in part:

If a timely-filed petition to intervene show direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions, unless the applicant's interest is adequately represented by existing parties. The McMahon's petition meets this criteria.

ORDER

IT IS HEREBY ORDERED that Richard T. and Charlotte A McMahon's Petition to Intervene in the proceedings of Application for Transfer #72128 **is granted.**

Dated this 25th day of April 2006



John Westra

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of April, 2006, I mailed a true and correct copy, ~~postage prepaid, of these documents to those on the attached list.~~

** Hand delivered to Parties @ prehearing conference*

Sue Kreger
Administrative Assistant



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Document Sent

-Order Granting Intervention

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