

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

IN THE MATTER OF LICENSING WATER)	ORDER GRANTING IDAHO
RIGHT PERMIT NO. 01-7011 (in the name of)	WATER RESOURCE BOARD'S
Twin Falls Canal Company and North Side Canal)	MOTION TO AMEND PETITION
Company))	TO INTERVENE
_____)	

The Idaho Water Resource Board has moved to amend its petition to intervene. Twin Falls Canal Company and North Side Canal Company have conditionally objected to the petition. The petition to amend alleges that IWRB holds water permits detailed in the petition and that IWRB has filed applications for permits for additional recharge rights in basins 01 and 21. The Canal Companies are concerned that an amendment including these allegations will expand the scope of the proceedings beyond that which has been defined. However, the Canal Companies state that "if the Board simply seeks through this amendment to demonstrate that it has applied for over 15,000 cfs of Snake River surface water for year round ground water recharge above the Milner project then the Petitions do not oppose the amendment." IWRB has responded that it does not intend to broaden the scope of the factual presentation by specifying the projects. It intends to refer to the projects solely to show that the subordination provision "will affect these projects and all other projects for which retaining the subordination provision will be a benefit or removing it will be a detriment."

Based upon the representations of the Canal Companies and IWRB the Motion to Amend the Petition to Intervene is granted for the limited purpose represented by IWRB.

DATED this 26 day of October, 2009.


GERALD F. SCHROEDER
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2009, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

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