

Harvey Walker
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Pro Se

RECEIVED
MAR 16 2018
Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
FOR A MITIGATION PLAN FILED BY)
THE UPPER BIG LOST RIVER GROUND)
WATER ASSOCIATION)
_____)

CASE NO. CM-MP-2017-001
PETITION TO INTERVENE

COMES NOW Petitioner, Harvey Walker, representing myself pro se, and respectfully submits this PETITION TO INTERVENE in the above captioned matter, pursuant to Rules 350 through 354 of the Rules of Procedure of the Idaho Department of Water Resources ("IDWR"), and in response to the *Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users* ("Mitigation Plan") filed with IDWR on October 13, 2017 by the Upper Big Lost River Ground Water Association ("UBLRGWA").

Pursuant to Rules 200, 300, 301, and 350 through 354 of the Idaho Department of Water Resources, I submit the following information:

- **Party's representative for service:** Harvey Walker
Representative's address: 2338 N. 2930 W., Arco, ID 83213

- **Name of potential intervenor:** Harvey Walker
Address of potential intervenor: 2338 N. 2930 W., Arco, ID 83213

- **My direct and substantial interest:**
 1. I own a large amount of storage water that is currently licensed for irrigation; the Mitigation Plan proposed by UBLRGWA would use this storage water for mitigation, which would adversely affect my storage water shares. Therefore I have a direct and substantial interest in the above captioned matter.

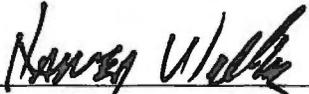
2. The applicant UBLRGWA has failed to demonstrate there is an adequate water supply available to achieve the goals of the Mitigation Plan.
3. Applicant UBLRGWA has failed to demonstrate that diversions under this plan will not injure existing natural flow and storage water rights and storage water carryover.
4. The storage rights and natural flow rights described in the Mitigation Plan do not have mitigation or recharge as a purpose of use.
5. The Mitigation Plan does not comply with the bylaws and regulations of the Big Lost River Irrigation District ("BLRID").
6. Not all patrons of the BLRID pay for the raises to dam. Only those who paid received water.
7. The Mitigation Plan proposes to take natural flow and put it into storage. Rotation credit turns into storage water; I don't want rotation credits used for mitigation.

- **Relief sought and basis for granting relief:**

- UBLRGWA owns the storage water. Until they change the license for irrigation by amending its use for mitigation it affects the users and owners of the shares. I request that the Department reject the Mitigation Plan completely.

THUS, in order to properly protest the proposed Mitigation Plan, I respectfully petition for an order from the presiding officer granting intervention for me to become a party in the above captioned matter.

DATED this 16 day of MARCH 2018.



Harvey Walker, Pro Se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 16 day of March 2018 served the foregoing PETITION TO INTERVENE to the following parties as follows:

Idaho Department of Water Resources
East District
900 N. Skyline Dr.
Idaho Falls, ID 83402
Fax: (208) 525-7177

- U.S. Mail, Postage prepaid
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- Overnight Mail
- Facsimile

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Upper Big Lost River GWA
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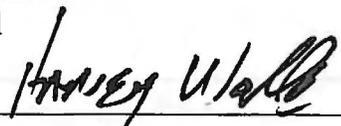
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Harvey Walker, Pro Se

Idaho Department of Water Resources Receipt

Receipt ID: E043803

Payment Amount \$25.00 Date Received 3/16/2018 2:50 PM Region EASTERN

Payment Type Check Check Number 7548

Payer HARVEY WALKER

Comments PETITION TO INTERVENE - CASE NO. CM-MP-2017-001
MITIGATION PLAN FILED BY UPPER BIG LOST RIVER GROUND WATER ASSOC

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	PROTESTS	63103	0229	21		1155

Signature Line (Department Representative)

