

Receipt No. 032567<sup>25</sup>

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WATER RIGHT 95-00 8963

RECEIVED

MAY 05 2017

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IDWR / NORTH

IN THE MATTER OF SYLTYE'S PETITION FOR DECLARATORY RULING REGARDING  
DISTRIBUTION OF WATER TO WATER RIGHT NO. 95-0734

Docket No P-DR-2017-001  
PETITION TO INTERVENE

COMES NOW the undersigned water user in Water District 95-C (Petitioner), and 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 Notice of Prehearing Conference, Order Setting Deadline for Petitions to Intervene and Appointing Hearing Officer (Order), issued by the Director of IDWR on April 14, 2017.

1. The Petition to Intervene is Timely.

The Order sets a deadline of May 8 for petitions to intervene in this matter. This petition has been filed on or before that deadline, with the required filing fee of \$25. Therefore, the petition is timely.

2. The Petitioner has a Direct and Substantial Interest.

The Petitioner's name and address is set forth above.

The Petitioner is a water user in Water District 95-C. IDWR's decision on Syltye's Petition for Declaratory Ruling may adversely impact other water users in the water district, including the Petitioner. Therefore, the Petitioner has a direct and substantial interest in the matter.

3. The Petition Does not Unduly Broaden the Issues.

The Petitioner does not seek to broaden the issues beyond those set forth in Syltye's Petition for Declaratory Ruling, involving the proper administration of water rights and the distribution of water in Water District 95-C. Therefore, the petition does not unduly broaden the issues in this matter.

4. The Petitioner is Not Adequately Represented by Existing Parties.

Syltye does not represent the interests of the Petitioner water user. The individual Petitioner water user cannot be adequately represented by other individual water users in Water District 95-C, who have their own particular interests. Therefore, the Petitioner is not adequately represented by existing parties to this matter.

For the reasons set forth above, the Petition to Intervene should be granted.

DATED this 3rd day of May 2017.

Robert A. Kuhn  
By: ROBERT A. KUHN  
Water District 95-C Water User

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30 day of May 2017, I caused a true and correct copy of the foregoing PETITION TO INTERVENE to be served by the method indicated below, and addressed to the following:

MICHAEL P. LAWRENCE  
JACK W. RELF  
GIVENS PURSLEY LLP  
601 WEST BANNOCK ST  
PO BOX 2720  
BOISE, ID 83701-2720  
mpl@givenspursley.com

U.S. Mail, Postage Prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile

Original mailed (or hand delivered) to:

IDWR  
NORTHERN REGIONAL OFFICE  
7600 MINERAL DRIVE, SUITE 100  
COEUR D'ALENE, ID 83815-7763

U.S. Mail, Postage Prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile

with \$25.00 filing fee

Robert A. Kuhn  
By: ROBERT A. KUHN