

BEFORE THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO

IN THE MATTER OF THE )
ADMINISTRATION AND ACCOUNTING )
OF THE PRACTICE OF ROTATING )
NATURAL FLOW WATER RIGHTS INTO )
MACKAY RESERVOIR FOR STORAGE )
\_\_\_\_\_ )

MOTION TO INTERVENE, AND STATEMENT OF POSITION

MOTION

COMES NOW the water user in Basin 34, Mitchell D. Sorensen, acting in behalf of himself, and submits this MOTION TO INTERVENE in the above captioned matter and in response to the Final Order Regarding Instructions to WD34 Watermaster, dated July 18, 2016, and subsequent Petition for Reconsideration and Request for Hearing, filed by Nelson Mackay Ranch, LLC, and the Order Granting Request for Hearing issued by the Director of IDWR on Aug. 18, 2016.

STATEMENT OF POSITION

The Final Order Regarding Instructions to WD34 Watermaster correctly addresses the need to ensure conformance with General Provision No. 3 and WD34 Rule 40.02 and properly provides detailed instructions to the Watermaster regarding the implementation and accounting of the "Rotation for Credit" practice of rotating and impounding natural flow water rights from the Big Lost River having points of diversion located below the Mackay Reservoir into storage at the Mackay Reservoir.

Dated the 3rd day of December, 2016.

[Signature]
Mitchell D. Sorensen
Basin 34 Water User

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on this 3<sup>rd</sup> day of December, 2016, I served a true and correct copy of the foregoing document on the following:

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Mitchell D. Sorensen