

JOSEPH F. JAMES  
 BROWN & JAMES  
 130 Fourth Avenue West  
 Gooding, Idaho 83330  
 Telephone: (208) 934-8185  
 Facsimile: (208) 934-4101  
 Idaho State Bar No. 5771

Attorneys for BWLWWUA

BEFORE THE DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF DESIGNATING	)	Docket No. AA-GWMA-2016-001
THE EASTERN SNAKE PLAIN	)	
AQUIFER GROUND WATER	)	BIG WOOD & LITTLE WOOD WATER USERS
MANAGEMENT AREA	)	ASSOCIATION'S PETITION TO INTERVENE
	)	(IDAPA. 37.01.01.351)
_____	)	

COMES NOW, the Big Wood & Little Wood Water Users Association, by and through its attorney, Joseph F. James, of Brown & James, and hereby petitions Gary Spackman, the Director of the Idaho Department of Water Resources, for his order allowing Petitioner to intervene in the above captioned matter pursuant to the Idaho Department of Water Resources' Rules of Procedure, IDAPA 37.01.01.350 through 354. Further Petitioner states as follows:

1. The Big Wood & Little Wood Water Users Association (BWLWWUA) is an Idaho non-profit association with the capacity to institute, defend, intervene or participate in judicial and administrative proceedings.
2. The members of the BWLWWUA hold surface water rights for irrigation and other purposes, and are entitled to delivery of water from the Big Wood River and/or Little Wood River.
3. The BWLWWUA has previously instituted, and anticipates instituting in the future, water delivery calls before the Director of the Idaho Department of Water Resources
4. The water rights held by members of the BWLWWUA are all located within Water District 37, and are hydrologically connected to ground water rights in the Big Wood River Basin (Basin 37).
5. Basin 37 is a tributary basin to the Eastern Snake Plain Aquifer ("ESPA").
6. The Idaho Department of Water Resources ("Department") has established a ground water management area encompassing the ESPA.

7. The Sun Valley Company ("Sun Valley") has petitioned the Director of the Department, in the above captioned mater, for a hearing on the Directors' order designating the Eastern Snake Plain Aquifer Management Area.

8. The BWLWWUA has a direct and substantial interest in the subject matter of the above captioned proceedings and granting the BWLWWUA's Petition to Intervene will not unduly broaden the issues before the Director.

9. The BWLWWUA's interests are not adequately represented by existing parties.

10. The BWLWWUA's Petition to Intervene is timely in that the Director has indicated his intent to continue the Pretrial Conference in the above captioned mater until March 22<sup>nd</sup> 2017, and has indicated his intent to extend the time in which an interested person may file a petition to intervene.

**WHEREFORE PETITIONER REQUESTS THAT:**

1. The Director grant the BWLWWUA's Petition to Intervene in the above captioned matter and allow the BWLWWUA to appear and participate fully in all matters that may arise.

DATED this 12<sup>th</sup> day of January, 2017.

**BROWN & JAMES**



Joseph F. James

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12 day of January, 2017, the foregoing document was served on the following persons in the manner indicated:

Gary Spackman, Director  
 Idaho Department of Water Resources  
 P.O. Box 83720  
 Boise, ID 83720-0098  
[Deborah.Gibson@idwr.idaho.gov](mailto:Deborah.Gibson@idwr.idaho.gov)

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
X E-mail

Matthew J. McGee  
 Sarah A. McCormack  
 Moffatt, Thomas, Barrett, Rock & Fields, Chtd.  
 101 S. Capitol Blvd., 10<sup>th</sup> Floor  
 P.O. Box 829  
 Boise, ID 83701  
[mjmcg@cofflaw.com](mailto:mjmcg@cofflaw.com)  
[samc@moftla.com](mailto:samc@moftla.com)

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
 \_\_\_\_\_  
 E-mail

Scott Campbell  
 Campbell Law, Chtd.  
 P.O. Box 170538  
 Boise, ID 83717  
[scott@stlexh2o.com](mailto:scott@stlexh2o.com)

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
 \_\_\_\_\_  
 E-mail

Randall C. Budge  
 Thomas J. Budge  
 Racine Olson Nye Budge & Bailey, Chtd.  
 201 E. Center St.  
 P.O. Box 1391  
 Pocatello, ID 83204-1391  
[reb@racinelaw.net](mailto:reb@racinelaw.net)  
[tjb@racinelaw.net](mailto:tjb@racinelaw.net)

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
 \_\_\_\_\_  
 E-mail

Dean Tranmer  
 City of Pocatello  
 P.O. Box 4169  
 Pocatello, ID 83201  
[dtranmer@pocatello.us](mailto:dtranmer@pocatello.us)

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
 \_\_\_\_\_  
 E-mail

Sarah A. Klahn  
 Mitra M. Pemberton  
 White & Jankowski, LLP  
 511 Sixteenth Street, Suite 500  
 Denver, CO 80202

X United States Mail, Postage Prepaid  
 Express overnight delivery  
 \_\_\_\_\_  
 Hand delivered  
 \_\_\_\_\_  
 Via facsimile transmission  
 \_\_\_\_\_  
 E-mail

Robert E. Williams  
Williams, Meservy & Lothspeich, LLP  
P.O. Box 168  
Jerome, ID 83338  
[rewilliams@wmlattys.com](mailto:rewilliams@wmlattys.com)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

Chris M. Bromley  
Candice McHugh  
McHugh Bromley PLLC  
380 S. 4<sup>th</sup> Street, Ste. 103  
Boise, ID 83702  
[cmchugh@mchughbromley.com](mailto:cmchugh@mchughbromley.com)  
[cbromley@mchughbromley.com](mailto:cbromley@mchughbromley.com)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

John K. Simpson  
Travis L. Thompson  
Paul L. Arrington  
Barker Rosholt & Simpson, LLP  
P.O. Box 63  
Twin Falls, ID 83303-0063  
[jks@idahowaters.com](mailto:jks@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)  
[pla@idahowaters.com](mailto:pla@idahowaters.com)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

W. Kent Fletcher  
Fletcher Law Office  
P.O. Box 248  
Burley, ID 83318  
[wkf@pmt.org](mailto:wkf@pmt.org)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

Albert P. Barker  
Barker Rosholt & Simpson, LLP  
P.O. Box 2139  
Boise, ID 83701-2139  
[apb@idahowaters.com](mailto:apb@idahowaters.com)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

Robert L. Harris  
D. Andrew Rawlings  
Holden, Kidwell, Hahn & Crapo, PLLC  
P.O. Box 50130  
Idaho Falls, ID 83405  
[rharris@holdenlegal.com](mailto:rharris@holdenlegal.com)  
[arawlings@holdenlegal.com](mailto:arawlings@holdenlegal.com)

United States Mail, Postage Prepaid  
 Express overnight delivery  
 Hand delivered  
 Via facsimile transmission  
 E-mail

