

SEP 19 2016

DEPARTMENT OF  
WATER RESOURCES

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*Attorneys for City of Hailey*

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

SUN VALLEY COMPANY,

Petitioner,

vs.

GARY SPACKMAN, Director of the Idaho  
Department of Water Resources,

Respondent.

**Docket No. P.-DR-2016-001**

**CITY OF HAILEY'S  
PETITION TO INTERVENE**

City of Hailey ("City"), through its counsel Givens Pursley LLP, files *City of Hailey's Petition to Intervene* ("Petition") in the above-captioned matter pursuant to IDAPA 37.01.01.350 to .354.

The City holds ground and surface water rights for municipal, irrigation and other purposes within the Big Wood River Basin (Basin 37). Basin 37 is within the area implicated by the Idaho Department of Water Resources' ("Department") proposal to establish a Ground Water Management Area for the Eastern Snake Plain Aquifer ("ESPA") potentially encompassing tributary basins such as Basin 37 that heretofore have not been included within the area of common ground water supply designated for the ESPA or otherwise administered with water rights on the ESPA or elsewhere. The Department's processing of Sun Valley Company's ("Sun

Valley”) Amended Petition for Declaratory Rulemaking Regarding Creation of ESPA Ground Water Management Area (“Petition”) has potentially significant impacts for the City’s water rights and its ability to represent and meet the ongoing needs of its citizens. As such, the City has a direct and substantial interest in the outcome of the above-captioned matter, which is not and cannot be represented adequately by Sun Valley or any other party. No date has yet been set for a pre-hearing conference, and therefore, the City’s Petition for Intervention is timely pursuant to IDAPA 37.01.01.352. Given the early stage of this proceeding and the scope of issues raised by Sun Valley’s Petition, the City’s participation would not unduly broaden the issues before the Department, IDAPA 37.01.01.353. The foregoing notwithstanding, the City seeks intervention with intent to participate as a full party and to assert its interests as they may arise during the course of proceedings, including introducing evidence, calling, examining and cross-examining witnesses, and participation in argument.


Copies of all pleadings, production requests and/or responses, notices, orders, correspondence and other documents should be provided to Michael C. Creamer the above address.

For the foregoing reasons, the City respectfully requests that the Director grant its Petition to Intervene in these proceedings and allow the City to appear and participate fully in all matters that may arise.

DATED this 19<sup>th</sup> day of September, 2016.

Respectfully submitted,

GIVENS PURSLEY LLP

By   
Michael C. Creamer

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15<sup>th</sup> day of September 2016, the foregoing was filed, served, and copied as follows:

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Gary Spackman, Director  
322 East Front Street  
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Boise, ID 83720-0098

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