

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

IN THE MATTER OF SUN VALLEY  
COMPANY'S PETITION FOR DECLARATORY  
RULING REGARDING CREATION OF ESPA  
GROUND WATER MANAGEMENT AREA

Docket No. P-DR-2016-001

**ORDER GRANTING PETITIONS  
TO INTERVENE**

**BACKGROUND**

On July 25, 2016, Sun Valley Company ("SVC") filed with the Idaho Department of Water Resources ("Department") a *Petition for Declaratory Ruling Regarding Creation of ESPA Ground Water Management Area*. On July 29, 2016, SVC filed an *Amended Petition for Declaratory Ruling Regarding Creation of ESPA Ground Water Management Area*. On October 19, 2016, SVC filed a *Second Amended Petition for Declaratory Ruling Regarding Creation of ESPA Ground Water Management Area*.

On November 4, 2016, the Director ("Director") of Department issued an *Order Denying Petition for Declaratory Ruling*.

On November 16, 2016, SVC filed with the Department *Sun Valley Company's Petition for Reconsideration of Final Order Denying Petition for Declaratory Ruling* and a *Petition Requesting a Hearing on Order Denying Petition for Declaratory Ruling*. On December 2, 2016, the Director issued an *Order Granting Request for Hearing; Notice of Pre-Hearing Conference*, granting SVC's request for hearing and scheduling a pre-hearing conference for January 12, 2017.

Timely petitions to intervene were filed by the Water District 37-B Ground Water Association ("Camas Group"); the Idaho Ground Water Appropriators, Inc. ("IGWA"); the City of Pocatello ("Pocatello"); the City of Hailey ("Hailey"); the Big Wood and Little Wood Water Users Association ("BWLWWUA"); the City of Bellevue ("Bellevue"); the Surface Water Coalition ("SWC")<sup>1</sup>; Fremont Madison Irrigation District ("FMID"); Madison Ground Water District ("MGWD"); Idaho Irrigation District ("IID"); and South Valley Ground Water District ("SV GWD"). No opposition was filed to these petitions to intervene.

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<sup>1</sup> The SWC is comprised of A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company.

## ANALYSIS

Rule of Procedure 353 states:

If a timely-filed petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions, unless the applicant's interest is adequately represented by existing parties. If it appears that an intervenor has no direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding.

IDAPA 37.01.01.353.

The Director concludes that the Camas Group, IGWA, Pocatello, Hailey, the BWLWWUA, Bellevue, the SWC, FMID, MGWD, IID, and SV GWD have a direct and substantial interest in this matter and will not unduly broaden the issues. The Director further concludes that the interests of the Camas Group, IGWA, Pocatello, Hailey, the BWLWWUA, Bellevue, the SWC, FMID, MGWD, IID, and SV GWD are not adequately represented by existing parties.

## ORDER

Based on and consistent with the foregoing, IT IS HEREBY ORDERED that the petitions to intervene filed by the Camas Group, IGWA, Pocatello, Hailey, the BWLWWUA, Bellevue, the SWC, FMID, MGWD, IID, and SV GWD are GRANTED.

DATED this 27<sup>th</sup> day of December 2016.



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Gary Spackman  
Director

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27<sup>th</sup> day of December 2016, the above and foregoing was served on the following by the method(s) indicated below:

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