

Brad M. Purdy
 Attorney at Law
 Bar No. 3472
 2019 N. 17th St.
 Boise, ID. 83702
 (208) 384-1299
 FAX: (208) 384-8511
bmpurdy@hotmail.com
 Attorney for Petitioners Ellene and William Parr

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 IDAHO PUBLIC
 UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. EAG-W-04-2
OF EAGLE WATER COMPANY, INC.)	
TO AMEND ITS CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY NO. 278.)	PETITION TO INTERVENE
)	OF ELLENE AND WILLIAM
)	PARR
)	

COME NOW, Ellene and William Parr (hereinafter “intervenor”) and, pursuant to Rules 071-075 of the Commission’s Rules of Practice and Procedure, IDAPA 31.01.01.071-075, and that Notice of Intervention Deadline issued by this Commission on August 6, 2004, hereby petition the Commission for leave to intervene in this proceeding and to appear and participate with full parties’ rights. In support of this Petition, intervenors state as follows:

1. The address and name of the respective intervenor is:

Ellene Parr
 1501 Shenandoah Drive
 Boise, ID. 83712

William Parr
 9831 Shields
 Boise, ID. 83714

2. Intervenor will be represented in this proceeding by:

Brad M. Purdy
Attorney at Law
2019 N. 17th St.
Boise, ID. 83702
208-384-1299
FAX: 208-384-8511
Email: bmpurdy@hotmail.com

Copies of all pleadings, production requests, responses, Commission Orders and Notices and other documents should be provided to Brad M. Purdy.

3. Petitioners have a direct and substantial interest in this proceeding for the following reasons. Petitioners own roughly two acres of real property located at 9831 Shields, Boise, ID. 83714. The property is located between State Street and Hill Road, just east of Old Highway 55. Two mobile homes are currently located on the property where intervenor William Parr currently resides. Intervenors intend to construct one or more permanent houses on the property in the near future.

Intervenors' property is located in an uncertificated (for water service) area between the service territories of Eagle Water Company, Inc. and United Water of Idaho, Inc. Both utilities have lines that are relatively close to intervenors' property. Intervenors have previously requested service from both utilities. Each company responded that it could not serve intervenors' property because it was not within their respective service territory.

There is a shallow well on the property of limited capacity. Because of rapid growth in the area, the water table is dropping and groundwater quality is becoming increasingly questionable. Intervenors believe that their well will no longer be capable of delivering potable water in the near future. In addition, the well lacks sufficient capacity to serve additional houses as planned.

Deepening the existing well, or digging a new well, assuming that such a right would even be granted by the Idaho Department of Water Resources, are not feasible options from either an economic or hydrologic standpoint. The only viable source to replace the water provided by the well and to provide additional capacity, therefore, is either from applicant Eagle Water Company, Inc., or intervenor United Water Idaho, Inc. The property is located within the City of Boise area of impact and intervenors are of the belief, therefore, that the City of Eagle's small municipal system is not an option as a source. Without water, the value of intervenors' property is seriously diminished.

The nature of the area surrounding intervenors' property has changed dramatically in recent years from rural pasture land to sprawling subdivisions, sports complexes, and retail businesses. As water levels drop due to growth, some of those who reside in the seams between Eagle Water and United Water's service territories, and who rely on private wells, are effectively being deprived of water. It is for this reason that intervenors are petitioning in this case.

The Commission has urged Eagle Water and United Water to negotiate who should provide service to the areas not currently served by either utility. In its comments in response to the application, Staff states that: "Even though it is not being requested in this Application, Staff believes that further apportionment of uncertificated areas surrounding Eagle is ripe for a decision. Areas around Eagle are rapidly growing and it is just a matter of time before the Commission will be required to make decisions about which Company will provide service." *Staff Comments at p. 3*. In its reply Comments, United Water agrees with this proposal to apportion "uncertificated" areas near Eagle.

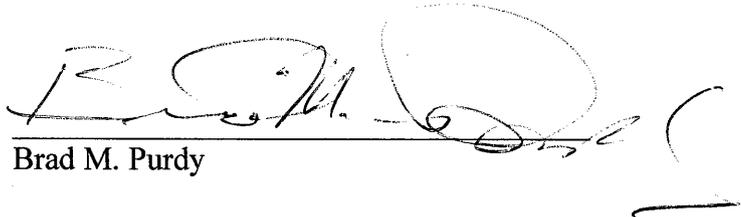
Intervenors agree with both Staff and United Water, though they are unable to discern whether their property is located in the uncertificated areas that Staff and United Water refer to. No maps have yet been provided and no geographical boundaries are set forth with respect to this proposal. Consequently, at this juncture, without the opportunity to participate in this proceeding, intervenors' direct and substantial interests in this proceeding might be adversely affected.

4. Intervenors intend to participate in this proceeding as a party and to the extent appropriate, introduce testimony and exhibits, cross-examine other witnesses, engage in oral argument and otherwise fully participate as a party.

5. Intervenors' participation in this proceeding will not unduly broaden the scope of the legal and factual issues already before the Commission.

WHEREFORE, Intervenors Ellene and William Parr hereby requests that this Commission grant their Petition to Intervene in this proceeding and to fully appear and participate as a party with all the attendant rights and responsibilities.

DATED, this 3rd day of September, 2004.


Brad M. Purdy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the third day of September, 2004, I caused to be served the foregoing PETITION TO INTERVENE OF ELLENE AND WILLIAM PARR on the following, in the manner indicated.

Molly O' Leary
Richardson and O' Leary
Box 1849
Eagle, ID. 83616

U.S. Mail-Postage Prepaid
 Overnight delivery
 Hand Delivery
 Facsimile

Robert DeShazo
Eagle Water Company, Inc.
Box 455
Eagle, ID. 83616-0455

U.S. Mail-Postage Prepaid
 Overnight delivery
 Hand Delivery
 Facsimile

Gregory P. Wyatt
United Water Idaho, Inc.
Box 190420
Boise, ID. 83719-0420

U.S. Mail-Postage Prepaid
 Overnight delivery
 Hand Delivery
 Facsimile

Dean J. Miller
McDevitt & Miller, LLP
420 W. Bannock
Boise, ID. 83702

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