

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

IN THE MATTER OF DISTRIBUTION OF WATER )  
TO VARIOUS WATER RIGHTS HELD BY OR FOR )  
THE BENEFIT 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 )  
)  
)  
)  
\_\_\_\_\_)

Docket No. CM-DC-2010-001

**ORDER DESIGNATING  
CITY OF POCATELLO  
A RESPONDENT**

On May 10, 2012, the Idaho Department of Water Resources (“Department” or “Director”) received *Pocatello’s Petition To Be Designated As Respondent* (“Petition”). The Petition requests that the City of Pocatello (“Pocatello”) be designated as a respondent pursuant to the Department’s Rules of Procedure, IDAPA 37.01.01 *et seq.*, in response to the Director’s 2012 order concerning material injury to the Surface Water Coalition (“SWC”). *See Final Order Regarding April 2012 Forecast Supply* (“Final Order”).

A respondent is defined as: “Persons against whom complaints are filed or about whom investigations are initiated . . .” IDAPA 37.01.01.154. The Final Order examined the SWC’s water supply for the 2012 irrigation season for the purpose of determining material injury caused by junior ground water pumping. Pocatello is a municipal corporation of the State of Idaho which diverts water from the Eastern Snake Plain Aquifer within Water District 120. Pocatello has been and is a party to the proceedings which originated from the Director’s September 5, 2008 Final Order as a result of the SWC’s Delivery Call. Pocatello is a respondent.

**ORDER**

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

Pocatello is designated a respondent in the above-captioned proceeding.

Dated this 15<sup>th</sup> day of May, 2012.

  
\_\_\_\_\_  
Gary Spackman  
Interim Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15<sup>th</sup> day of May, 2012, the above and foregoing, was served by the method indicated below, and addressed to the following:

TOM ARKOOSH  
ARKOOSH LAW OFFICES  
PO BOX 32  
GOODING ID 83330  
[alo@cableone.net](mailto:alo@cableone.net)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

W. KENT FLETCHER  
FLETCHER LAW OFFICE  
PO BOX 248  
BURLEY ID 83318-0248  
[wkf@pmt.org](mailto:wkf@pmt.org)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

JOHN SIMPSON  
TRAVIS THOMPSON  
PAUL ARRINGTON  
BARKER ROSHOLT  
113 MAIN AVE WEST STE 303  
TWIN FALLS ID 83301-6167  
[jks@idahowaters.com](mailto:jks@idahowaters.com)  
[ltt@idahowaters.com](mailto:ltt@idahowaters.com)  
[pla@idahowaters.com](mailto:pla@idahowaters.com)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

RANDY BUDGE  
CANDICE MCHUGH  
RACINE OLSON  
PO BOX 1391  
POCATELLO ID 83204-1391  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

KATHLEEN CARR  
U.S. DEPT INTERIOR  
960 BROADWAY STE 400  
BOISE ID 83706  
[kathleenmarion.carr@sol.doi.gov](mailto:kathleenmarion.carr@sol.doi.gov)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
( ) E-mail

DEAN TRANMER  
CITY OF POCATELLO  
PO BOX 4169  
POCATELLO ID 83205  
[dtranmer@pocatello.us](mailto:dtranmer@pocatello.us)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

DAVID GEHLERT  
NATURAL RESOURCES SECTION  
U.S. DEPT OF JUSTICE  
999 18<sup>th</sup> ST  
SOUTH TERRACE STE370  
DENVER CO 80202  
[david.gehlert@usdoj.gov](mailto:david.gehlert@usdoj.gov)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

JEFF FEREDAY  
MIKE CREAMER  
GIVENS PURSLEY  
PO BOX 2720  
BOISE ID 83701-2720  
[jcf@givenspursley.com](mailto:jcf@givenspursley.com)  
[mcc@givenspursley.com](mailto:mcc@givenspursley.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

SARAH KLAHN  
MITRA PEMBERTON  
WHITE JANKOWSKI  
511 16<sup>TH</sup> ST STE 500  
DENVER CO 80202  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)  
[mitrap@white-jankowski.com](mailto:mitrap@white-jankowski.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

WILLIAM PARSONS  
PARSONS SMITH  
PO BOX 910  
BURLEY ID 83318  
[wparsons@pmt.org](mailto:wparsons@pmt.org)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

MATT HOWARD  
US BUREAU OF RECLAMATION  
1150 N CURTIS ROAD  
BOISE ID 83706-1234  
[mhoward@pn.usbr.gov](mailto:mhoward@pn.usbr.gov)

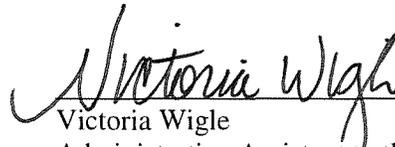
U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

LYLE SWANK  
IDWR  
900 N SKYLINE DR  
IDAHO FALLS ID 83402-6105  
[lyle.swank@idwr.idaho.gov](mailto:lyle.swank@idwr.idaho.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

ALLEN MERRITT  
IDWR  
1341 FILLMORE ST STE 200  
TWIN FALLS ID 83301-3033  
[allen.merritt@idwr.idaho.gov](mailto:allen.merritt@idwr.idaho.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

  
Victoria Wigle  
Administrative Assistant to the Director  
Idaho Department of Water Resources