

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

IN THE MATTER OF DISTRIBUTION OF WATER) TO WATER RIGHTS HELD BY RANGEN, INC.,) WATER RIGHT NOS. 36-00134B, 36-00135A,) AND 36-15501)	Docket No. CM-DC-2014-004 ORDER DESIGNATING THE CITIES OF BLISS, BURLEY, CAREY, DECLO, DIETRICH, GOODING, HAZELTON, HEYBURN, JEROME, PAUL, RICHFIELD, RUPERT, SHOSHONE, AND WENDELL AS RESPONDENTS

On July 7, 2014, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) received the *Coalition of Cities’ Petition to Be Designated a Respondent or Alternatively to Intervene* (“Petition”) in the referenced matter before the Department. The Petition requests that the Director designate the cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (“Cities”) as respondents pursuant to the Department’s *Rules of Procedure*, IDAPA 37.01.01 *et seq.*, in response to Rangen, Inc.’s (“Rangen”) June 27, 2014, *Petition for Delivery Call* (“Rangen’s Petition”). Alternatively, the Cities request to intervene.

A status conference was held on July 22, 2014, wherein Fritz Haemmerle, attorney for Rangen, stated that Rangen does not oppose the Cities’ Petition.

A respondent is defined as: “Persons against whom complaints are filed or about whom investigations are initiated . . .” IDAPA 37.01.01.154. Under the Department’s *Rules for Conjunctive Management of Surface and Ground Water Resources*, IDAPA 37.03.11 *et seq.*, the Director is authorized to curtail junior ground water rights for the benefit of senior surface or ground water rights. Rangen’s Petition asserts that, due to pumping by juniors from the Eastern Snake Plain Aquifer (“ESPA”), its senior surface water rights have been materially injured. Rangen’s Petition requests curtailment of ground water rights that pump from the ESPA bearing priority dates junior to October 9, 1884. The Cities hold decreed and licensed ground water rights bearing priority dates junior to October 9, 1884, that could be subject to curtailment if

Rangen's Petition is successful. Accordingly, the Cities meets the definition of a respondent and shall be designated and permitted to participate as such in this matter.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that the Cities are designated as respondents in the above-captioned proceeding.

Dated this 23rd day of July, 2014.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of July, 2014, a true and correct copy of the above and foregoing document described below were served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

Document(s) Served: Order Designating the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell as Respondents

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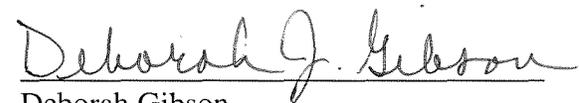
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