

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

IN THE MATTER OF DISTRIBUTION OF WATER)	Docket No. CM-DC-2014-004
TO WATER RIGHTS HELD BY RANGEN, INC.,)	
WATER RIGHT NOS. 36-00134B, 36-00135A,)	ORDER DESIGNATING THE
AND 36-15501)	CITY OF POCATELLO
_____)	AS A RESPONDENT
)	

On July 11, 2014, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) received the *City of Pocatello’s Petition to Be Designated a Respondent or Alternatively to Intervene* (“Petition”) in this matter before the Department. The Petition requests that the Director designate the city of Pocatello (“Pocatello”) as a respondent 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, Pocatello requests to intervene.

A status conference was held on July 22, 2014, wherein Fritz Haemmerle, attorney for Rangen, stated that Rangen does not oppose Pocatello’s 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 Rangen’s senior surface water rights.

Pocatello diverts its municipal water supply from wells in the ESPA and owns and operates associated surface water rights. Some of Pocatello’s rights are among those which Rangen asserts are causing it injury. Accordingly, Pocatello 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 City of Pocatello is designated as a respondent in the above-captioned proceeding.

Dated this 23rd day of July, 2014.

A handwritten signature in black ink, reading "Gary Spackman", written in a cursive style. The signature is positioned above a horizontal line.

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 City of Pocatello as a Respondent

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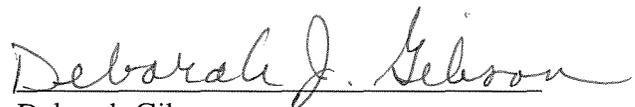
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Deborah Gibson
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