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DEPARTMENT OF
WATER RESOURCES

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Attorneys for the City of Idaho Falls

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE CITY OF
IDAHO FALLS MITIGATION PLAN FOR
THE SURFACE WATER COALITION
CALL

Docket No. CM-MP-2015-005

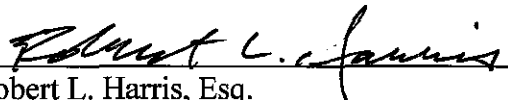
IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF A&B
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT,
MINIDOKA IRRIGATION DISTRICT,
NORTH SIDE CANAL COMPANY, AND
TWIN FALLS CANAL COMPANY

**RESPONSE OF NO OPPOSITION TO
SURFACE WATER COALITION'S
PETITION TO INTERVENE**

The City of Idaho Falls (the "City"), an Idaho municipal corporation, by and through its above-identified counsel, hereby submits this *Response of No Opposition To Surface Water Coalition's Petition to Intervene*. As evidenced in the title of this response, the City does not oppose the *Surface Water Coalition's Petition to Intervene* dated December 23, 2015, and requests that the Director grant the petition. By not opposing the Coalition's petition, the City is not necessarily agreeing with or conceding to the legal and factual assertions outlined in the Coalition's petition.

Furthermore, as described in a letter dated December 17, 2015 from the City, the City does not intend at this time to pursue the above-entitled mitigation plan and has instead focused its efforts on working with other cities on a broader mitigation plan involving other cities that divert water from the Eastern Snake Plain Aquifer. Accordingly, the City only requests that the Director grant the Coalition's petition at this point but not take any further action on this matter until requested by the City.

DATED this 8th day of January, 2016.


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the following described pleading or document on the parties listed below by hand delivery, email, mail, or by facsimile, with the correct postage thereon, on this 8th day of January, 2016.

DOCUMENT SERVED: RESPONSE OF NO OPPOSITION TO SURFACE WATER COALITION'S PETITION TO INTERVENE

ATTORNEYS AND/OR INDIVIDUALS SERVED:

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Idaho Department of Water Resources
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Boise, ID 83720-0098

- First Class Mail
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- Facsimile
- Overnight Mail
- Email

New Sweden Irrigation District
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Idaho Falls, ID 83405

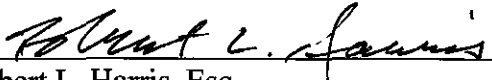
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