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DEPARTMENT OF
WATER RESOURCES

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Heyburn, Jerome, Paul, Richfield, Rupert,
Shoshone and Wendell*

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

IN THE MATTER OF THE PETITION
REGARDING STORAGE RESET IN
WATER DISTRICT 01 FILED BY MILNER
IRRIGATION DISTRICT

Docket No. P-WRA-2017-002

**COALITION OF CITIES' RESPONSE
TO STATEMENT OF ISSUES AND
REQUEST TO SUBSTITUTE CITY OF
SHOSHONE FOR CITY OF BUHL AS
AN INTERVENOR**

COME NOW the Cities¹ of, Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone and Wendell ("Coalition of Cities") by and through their counsel and, pursuant the *Order Requesting Staff Memorandum; Order Adoption Deadlines; Notice of Status Conference; Notice of Hearing* dated November 20, 2017 (the

¹ The October 26, 2017 Petition to Intervene, erroneously listed the City of Buhl and omitted the City of Shoshone. The correct intervenors in this case are the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone and Wendell.

“Scheduling Order”) and pursuant to IDAPA 37.01.01.305 hereby files this *Response to Statement of Issues and Request to Substitute the City of Shoshone for the City of Buhl as Intervenor*.

The City of Pocatello, the City of Idaho Falls, Palisades Water Users, Inc., the Shoshone-Bannock Tribes, the United States Bureau of Indian Affairs, the Surface Water Coalition and the Upper Valley Storage Holders all timely filed Statements of Issues. The Coalition of Cities concurs with the issues set forth by the City of Pocatello and the City of Idaho Falls. The Coalition of Cities takes no position and provides no directly response to the issues raised in the other Statements of Issues filed by the other parties but reserves the right to fully participate in briefing and argument relating to any matters ultimately determined to be before the Department or which the Department decides in this proceeding.

In addition, it is requested that the City of Shoshone be substituted for the City of Buhl as an intervenor in this matter as the October 26, 2017, *Petition to Intervene* filed erroneously listed the City of Buhl and omitted the City of Shoshone. (see too, fn. 1). This request for substitution will not affect any substantial right of the other parties.

Dated this 15th day of December, 2017.

McHugh Bromley, PLLC



Candice McHugh
Attorneys for Coalition of Cities

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 15th day of December, 2017, by the following method:

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