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DEPARTMENT OF  
WATER RESOURCES

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Attorneys for City of Pocatello

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

IN THE MATTER OF APPLICATION )  
FOR TRANSFER No. 78356 )  
(SHEKINAH INDUSTRIES); )  
APPLICATION FOR TRANSFER No. )  
78355 (ORCHARD RANCH); )  
APPLICATION FOR PERMIT No. 63- )  
32499 (MAYFIELD TOWNSIDE); )  
APPLICATION FOR PERMIT No. 61- )  
12095 (NEVID-CORDER); )  
APPLICATION FOR PERMIT No. 61- )  
19096 (NEVID); APPLICATION FOR )  
PERMIT No. 63-32703 (ORCHARD )  
RANCH); APPLICATION FOR )  
PERMIT No. 61-12256 )  
(INTERMOUNTAIN SEWER AND )  
WATER); APPLICATION FOR )  
PERMIT No. 63-33344 (ARK )  
PROPERTIES-MAYFIELD )  
TOWNSITE) )

CITY OF POCATELLO'S RESPONSE TO  
NOTICE OF DEFAULT

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The City of Pocatello (City or Pocatello), by and through its counsel of record, Josephine P. Beeman of Beeman & Associates, P.C., advises the Idaho Department of Water Resources (IDWR), that it wants to remain active in the proceeding and not to be subject to default.

A primary reason supporting this response to default is that the City of Pocatello has been working in this proceeding with ERO Resources, the same expert used by Idaho Power Company in this proceeding. The purpose of working with ERO Resources has been to examine the availability of water both as changes in the availability would affect existing senior rights (such as Idaho Power) and the financial/hydrogeologic factors affecting long-term municipal water supplies (the interest of the City of Pocatello).

The City will listen to the hearing tapes and review the evidence from the hearing.

The City of Pocatello wishes to remain an active party.

Dated this 3<sup>rd</sup> day of June 2013.

BEEMAN & ASSOCIATES, P.C.  
Attorneys for the City of Pocatello

By Josephine P. Beeman  
Josephine P. Beeman

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3<sup>rd</sup> day of June 2013, I caused a true and correct copy of the foregoing document to be served on the following by U.S. Mail:

SHEKINAH INDUSTRIES,  
ATTN: MITCHAELEPRESTON  
420 BITTERROOT DR.  
BOISE, ID 83709

BROCKWAY ENGINEERING  
ATTN: ERICK POWELL  
2016 N. W ASHINGTON ST., STE. 4  
TWIN FALLS, ID 83301

NEVID LLC AND ELK CREEK  
RANCH LLC  
ATTN: NORMAN M. SEMANKO  
P.O. BOX 538  
EAGLE, ID 83616

ORCHARD RANCH LLC  
P.O. BOX 1260  
MARICOPA, AZ 85139

DANA QUINNEY  
SCOTT QUINNEY  
160 S. PRONGHORN  
BOISE, ID 83716

DANIEL S. VAN GROUW  
5550 S. LINDER RD.  
MERIDIAN, ID 83642

IDAHO WATER COMPANY  
ATTN: DEL KOHTZ  
1135 V ALLEY RD. S.  
EDEN, ID 83325

BRUCE SMITTH  
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BOISE, ID 83702

GIVENS PURSLEY LLP  
ATTN: MITCHAELE CREAMER  
P.O. BOX 2720  
BOISE, ID 83701-2720

CITY OF MOUNTAIN HOME  
ATTN: WAYNE SHEPHERD  
P.O. BOX 10  
MOUNTAIN HOME, ID 83647

MA YFIELD TOWNSITE LLC  
P.O. BOX 1359  
CALDWELL, ID 83606

TONYAD. BOLSHAW  
P. O. BOX 16022  
BOISE, ID 83715

ED VAN GROUW  
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MERIDIAN, ID 83642

CITY OF POCATELLO  
C/O JOSEPHINE BEEMAN  
409 W. JEFFERSON ST.  
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INTERMOUNTAIN SEWER &  
WATER CORP.  
P.O. BOX 344  
MERIDIAN, ID 83680

BROWN FARMS LLC  
C/O HOLZER EDWARDS &  
HARRISON  
ATTN: CLIFFORD BROWN  
1516 W. HAYS ST.  
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G3LLC  
ATTN: CRAIGHAYNES  
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RACINE OLSON NYE BUDGE  
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ATTN: ROBERT MAYNARD  
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682 W. VALENTINO ST.  
MERIDIAN, ID 83646-4721

IDAHO POWER COMPANY  
ATTN: JAMES TUCKER OR  
NATHAN GARDINER  
1221 W. IDAHO ST.  
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155 S. PRONGHORN DR.  
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GRIFFIN HERREN  
719 DESERT WIND RD.  
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ARK PROPERTIES LLC  
ATTN: JOHN MCCALLUM  
11204 N. BAR 21 DR.  
GLENN'S FERRY, ID 83623-5033

DARLA BATEMAN  
404 E. INDIAN CREEK RD.  
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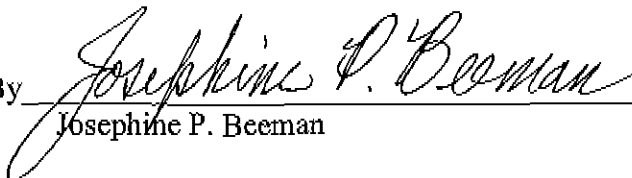
SPF WATER ENGINEERING  
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WENDY TIPPETTS  
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MAYFIELD, ID 83716

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By   
Josephine P. Beeman