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DEPARTMENT OF
WATER RESOURCES

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

IN THE MATTER OF DESIGNATING THE
EASTERN SNAKE PLAIN AQUIFER
GROUND WATER MANAGEMENT AREA

) AA-GWMA-2016-001
)
) **CITIES OF BLISS, BUHL,**
) **BURLEY, CAREY, DECLO,**
) **DIETRICH, GOODING,**
) **HAZELTON, HEYBURN,**
) **JEROME, PAUL, RICHFIELD,**
) **RUPERT, AND WENDELL**
) **JOINDER IN CITY OF**
) **POCATELLO'S MEMORANDUM**
) **REGARDING PROCEDURAL**
) **POSTURE; AND IN THE**
) **ALTERNATIVE PETITION**
) **FOR HEARING**
)

COME NOW the Cities of Bliss, Buhl, Burley, Carey, Declo, Dietrich, Gooding,
Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, and Wendell (hereinafter "Coalition of
Cities") and hereby join in the *City of Pocatello's Memorandum Regarding Procedural Posture*,
filed by the City of Pocatello with the Idaho Department of Water Resources ("IDWR" or
"Director") on April 14, 2017. The Coalition of Cities specifically joins with Part I, *Procedural*

History; Part II, The Department is Required to Re-Issue the GWMA with a Correct Explanatory Sheet; and Part III, Intervenor in this Matter Should be Afforded an Opportunity for a Hearing.

As to its joinder with the City of Pocatello in Part I, it is important to add that the Coalition of Cities, like the City of Pocatello, have actively participated in this process since the Director issued his November 2, 2016 *Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area* (“Designation Order”). Based on the information contained in what we now know was an erroneous Explanatory Sheet that accompanied the Designation Order, the Coalition of Cities filed a *Petition for Reconsideration*. The Coalition of Cities next filed a *Petition for Clarification* with the Director when a response was not issued on reconsideration, and were granted intervention by the Director in the hearing on the Designation Order. Additionally, the Coalition of Cities were granted appearance by the district court on judicial review in CV-01-17-67. In summary, the Coalition of Cities have been committed to the process afforded by the Director, the district court on review, and join in the perspective given by the City of Pocatello.

PETITION FOR HEARING

In the alternative, if the Director does not re-issue or otherwise withdraw the Designation Order or permit the Coalition of Cities to proceed to hearing in this contested case, the Coalition of Cities hereby requests a hearing pursuant to Idaho Code § 42-1701A(3) on the Designation Order. This request for hearing is made within 15 days of the district court’s April 6, 2017 *Remittitur* in CV-01-17-67, which definitely established the administrative process in this matter.

Respectfully submitted this 17th day of April, 2017.

McHugh Bromley, PLLC


CHRIS M. BROMLEY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2017, I served a true and correct copy of the foregoing document by Hand Delivery upon the Director of the Idaho Department of Water Resources, and by electronic mail upon all other recipients:

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