

JUN 26 2015

DEPARTMENT OF
WATER RESOURCES

Michael C. Creamer, ISB #4030
Michael P. Lawrence, ISB #7288
GIVENS PURSLEY LLP
601 W. Bannock St.
P.O. Box 2720
Boise, Idaho 83701-2720
Telephone: 208-388-1200
Fax: 208-388-1300

Attorneys for City of Hailey

Candice M. McHugh, ISB # 5908
Chris M. Bromley, ISB # 6530
MCHUGH BROMLEY, PLLC
380 S. 4th St., Ste. 103
Boise, Idaho 83702
Telephone: 208-287-0991
Fax: 208-287-0864

Attorneys for City of Bellevue

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

**IN THE MATTERS OF THE BIG WOOD
RIVER AND LITTLE WOOD RIVER
DELIVERY CALLS**

**DOCKET NOS. CM-DC-2015-001 &
CM-DC-2015-002**

**JOINT MOTION TO DESIGNATE
ACGWS BY RULEMAKING AND TO
DISMISS DELIVERY CALLS**

The City of Hailey ("Hailey") and the City of Bellevue ("Bellevue"), by and through their respective attorneys of record, file this *Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls* ("Motion") in the above-captioned matters (the "Delivery Calls").

For the reasons set forth in the accompanying *Memorandum in Support of Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls* and as further supported by the *Affidavit of Chris M. Bromley*, Hailey and Bellevue respectfully request that the Director initiate rulemaking in accordance with the Idaho Administrative Procedure Act, I.C. § 67-5201 *et. seq.*, to designate an area of common ground water supply ("ACGWS"). Hailey and Bellevue further request that the Director dismiss the Delivery Calls until such time as an ACGWS has been

properly determined and a delivery call action under Rule 40 of the Conjunctive Management Rules, IDAPA 37.03.11, can properly be brought and pursued.

DATED this 26th day of June, 2015.

GIVENS PURSLEY LLP

By: 
Michael P. Lawrence
Attorneys for City of Hailey

MCHUGH BROMLEY, PLLC

By: 
Chris M. Bromley
Attorneys for City of Bellevue

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of June, 2015, the foregoing was filed, served, and copied as follows:

BIG WOOD WATER USERS ASSN
LITTLE WOOD WATER USERS ASSN
C/O JOSEPH F. JAMES
BROWN & JAMES
130 FOURTH AVENUE WEST
GOODING ID 83330
joe@brownjameslaw.com
dana@brownjameslaw.com

AARON DECHEVRIEX
ANTELOPE SPRINGS RANCH (ROBERT
DREYER)
BELLE RANCH LLC (JUSTIN AND BRETT
STEVENSON)
GRACE EAKIN
HEART ROCK RANCH LLC (HARRY &
SHIRLEY HAGEY)
JOHN & KRISTY MOLYNEUX
JOHN FERY MARK GATES AND WARD
WOODS (LOVING CREEK RANCH)
JOHN STEVENSON
JOHN TEDESCO
JULIE GARDNER & LAUREN CORD
LAKESIDE INDUSTRIES (WOOD RIVER
RANCH/SHARON LEE)
LOVING SPRINGS RANCHES LP (GERALD B.
BASHAW)
MARGARET CLAIRE B CASEY
MATT & KATE GARNER
MICKY & JUSTIN VANHULLE
MIKE BORDENKIRCHER
PAM LARSEN
PETER & TORI MADSEN
PHIL PUCHNER
PICABO LIVESTOCK (NICK PURDY)
POINT OF ROCKS RANCH LLC (JOHN &
ELAINE FRENCH)
PRAIRIE SUN RANCH OWNER'S ASSN INC
(KATHY LYNN)
RICHARD SPRINGS III (DICK & MELINDA
SPRINGS)
ROBERT & KATHRYN GARDNER
ROCKY & TERRI SHERBINE
RON HARRISONRUSTY & CAROLYN BAIRD
SARAH GARDNER
STEPHANIE EISENBARTH
SYLVIA WOOD
THOMAS BECK, MD

THOMAS M O'GARA FAMILY TRUST (TOM
O'GARA C/O BRIAN BARSOTTI)
THREE CREEKS RANCH LLC (JOHN &
KINGSLEY R CROUL)
C/O ALBERT BARKER
BARKER RSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139
apb@idahowaters.com
sle@idahowaters.com

HAILEY CEMETERY MAINTENCE DIST
JACOB & RUTH BLOOM
C/O PATRICK D BROWN
PATRICK D BROWN PC
PO BOX 125
TWIN FALLS ID 83303
pat@pblaw.co

IDAHO GROUND WATER APPROPRIATORS
INC
C/O RANDALL C BUDGE
THOMAS J BUDGE
JOSEPH G BALLSTAEDT
RACINE OLSON
PO BOX 1391
POCATELLO ID 83204-1391
rcb@racinelaw.net
tjb@racinelaw.net
jgb@racinelaw.net

CITY OF FAIRFIELD
CITY OF KETCHUM
C/O SUSAN E BUXTON
CHERESE D MCLAIN
MOORE SMITH BUXTON & TURCKE
950 W BANNOCK ST STE 520
BOISE ID 83702
seb@msbtlaw.com
cdm@msbtlaw.com

SINCLAIR OIL CORPORATION DBA SUN
VALLEY COMPANY
C/O SCOTT L CAMPBELL
MATTHEW J MCGEE
MOFFATT THOMAS
PO BOX 829
BOISE ID 83701-0829
slc@moффatt.com

STROM RANCHES INC
DENNIS STROM
C/O S BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
PO BOX 7985
BOISE ID 83707-7985
bryce@sawtoothlaw.com

AF 2014 TRUST
GEOFFREY SMITH LLC
MARIANA S PAEN TRUST
C/O FRITZ HAEMMERLE
HAEMMERLE & HAMMERLE PLLC
PO BOX 1800
HAILEY ID 83333
fxh@haemlaw.com

ANIMAL SHELTER OF WOOD RIVER
VALLEY
DENNIS J CARD & MAUREEN M MCCANTY
EDWARD A LAWSON
FLYING HEART RANCH II SUBDIVISION
OWNERS ASSN
HELIOS DEVELOPMENT LLC
SOUTHERN COMFORT HOMEOWNERS
ASSN
THE VILLAGE GREEN VCHOA
C/O JAMES R LASKI
HEATHER O'LEARY
LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM ID 83340
heo@lawsonlaski.com
irl@lawsonlaski.com

IDAHO FOUNDATION FOR PARKS AND
LANDS INC
C/O CHAS MCDEVITT
MCDEVITT & MILLER LLP
PO BOX 2564
BOISE ID 83701
chas@mcdevitt-miller.com

C/O EILEEN MCDEVITT
732 FALLS VIEW DR
TWIN FALLS ID 83301
emcdevitt1@msn.com

CITY OF BELLEVUE
MICHELLE WOLF
C/O CANDICE MCHUGH
CHRIS BROMLEY
MCHUGH BROMLEY PLLC
380 S 4TH STREET STE 103
BOISE ID 83702
cmchugh@mchughbromley.com
cbromley@mchughbromley.com

ECCLES FLYING HAT RANCH LLC
ECCLES WINDOW ROCK RANCH LLC
HOLLY FARMS LTD
J EVAN ROBERTSON
SUN VALLEY WATER & SEWER DISTRICT
C/O J EVAN ROBERTSON
ROBERTSON & SLETTE PLLC
PO BOX 1906
TWIN FALLS ID 83303-1906
erobertson@rsidaholaw.com

IDAHO POWER COMPANY
C/O JOHN K SIMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139
jks@idahowaters.com
jlw@idahowaters.com

AIRPORT WEST BUSINESS PARK OWNERS
ASSN INC
AQUARIUS SAW LLC
ASPEN HOLLOW HOMEOWNERS ASSN
(ALLAN PATZER & WILLIAM
LEHMAN)
B LAMBERT TRUST (TOBY B LAMBERT)
BARBER FAMILY ASSOCIATES LP
BARRIE FAMILY PARTNERS
BELLEUE FARMS LANDOWNERS ASSN
INC
BLAINE COUNTY RECREATION DISTRICT
BLAINE COUNTY SCHOOL DIST NO. 61
CAROL BURDZY THIELEN
CHANEY CREEK RANCH LLC
CHARLES & COLLEEN WEAVER
CHARLES L MATTHIESEN
CLEAR CREEK LLC
CLIFFSIDE HOMEOWNERS ASSN INC
COMMUNITY SCHOOL (JANEL L
GODDARD)
DAN S FAIRMAN MD & MELYNDA KIM
STANDLEE FAIRMAN
DEER CREEK FARM (LYNN CAMPION)
DON R & JUDY H ATKINSON
DONNA F TUTTLE TRUST
ELIZABETH K GRAY
F ALFREDO REGO
FLOWERS BENCH LLC
GOLDEN EAGLE RANCH HOA INC
GREENHORN HOMEOWNERS ASSN
(JEFFREY T SEELY)

GRIFFIN RANCH PUD SUBDIVISION HOA
(CHERI HICKS)
GRIFFIN RANCH SUBDIVISION HOA
(CHERI HICKS)
GULCH TRUST (TERESA L MASON)
HENRY & JANNE BURDICK
IDAHO RANCH LLC
JAMES K & SANDRA FIGGE
JAMES P & JOAN CONGER
KIRIL SOKOLOFF
LAURA L LUCERE
LINDA WOODCOCK
LOUISA JANE H JUDGE
MARGO PECK
MARION R & ROBERT M ROSENTHAL
MATS & SONYA WILANDER
MICHAEL E WILLARD
MID-VALLEY WATER CO LLC
PIONEER RESIDENTIAL & RECREATIONAL
PROPERTIES LLC
R THOMAS GOODRICH & REBECCA LEA
PATTON
RALPH R LAPHAM
RED CLIFFS HOMEOWNERS ASSOCIATION
REDCLIFF PARTNERS LP (RANNEY E
DRAPER)
RHYTHM RANCH HOMEOWNERS ASSN
RIVER ROCK RANCH LP (SHEILA WITMER)
ROBERT ROHE
SAGEWILLOW LLC
SALIGAO LLC
SANDOR & TERI SZOMBATHY
SCI PROPERTIES LLC (BRENDA A LEVINE)
STARLITE HOMEOWNERS ASSN
STONEGATE HOMEOWNERS ASSN LLC
THE ANNE L WINGATE TRUST
THE BARKER LIVING TRUST
THE DANIEL T MONOOGIAN REVOCABLE
TRUST
THE JONES TRUST
THE RALPH W & KANDI L GIRTON 1999
REVOCABLE TRUST
THE RESTATED MCMAHAN 1986
REVOCABLE TRUST
THE VERNON IRREVOCABLE TRUST
THOMAS W WEISEL
TIMBERVIEW TERRACE HOA INC
WEBB LANDSCAPE INC (MARK PALMER)
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340
jim@speckandaanestad.com

DEAN R ROGERS INC (DEAN R ROGERS III)
C/O LAIRD B STONE
STEPHAN KVANVIG STONE & TRAINOR
PO BOX 83
TWIN FALLS ID 83303-0083
sks&t@idaho-law.com

CATHERINE S DAWSON REVOCABLE
TRUST
DEER CREEK RANCH INC
ROBERT L BAKER REVOCABLE TRUST
SYRINGA RANCH LLC
C/O TRAVIS L THOMPSON
BARKER RSHOLT & SIMPSON LLP
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029
tlt@idahowaters.com

ANTHONY & JUDY D ANGELO
25 EAGLE CREEK RD
KETCHUM ID 83340

BARBARA CALL
PO BOX 4
ROSS CA 94957
barbcall@sbcglobal.net

BERNARD I FRIEDLANDER PHD
116 VALLEY CLUB DRIVE
HAILEY ID 83333

BLACK BUTTE HILLS LLC
PO BOX 333
FAIRFIELD ID 83327
camascreek@hughes.net

BLUEGROUSE RIDGE HOA
C/O BRIAN MCCOY
PO BOX 3510
KETCHUM ID 83340
brian@seabrd.net

BRIAN L SMITH & DIANE STEFFEY-SMITH
PO BOX 629
BELLEVUE ID 83313
brianlamarsmith@me.com

BRITTA S HUBBARD
PO BOX 1167
KETCHUM ID 83340
brittahubbard@gmail.com

BRUCE & KAREN TRUXAL
PO BOX 431
BELLEVUE ID 83313
btruxal@powereng.com

CANADIAN CLUB
HOMEOWNERS ASSN
PO BOX 4041
KETCHUM ID 83340

CATTLE-LACK RANCH HOA
11 PURPLE SAGE LANE
BELLEVUE ID 83313
pepin1776@gmail.com

CLARE & KAREN OLSON
OKC RANCHES
PO BOX 136
HILL CITY ID 83337

COLD SPRINGS WATER COMPANY
PO BOX 254
KETCHUM ID 83340

DAVID A & KAREN L SIMON
PO BOX 545
FAIRFIELD ID 83327

DAVID BERMAN
PO BOX 4103
HAILEY ID 83333
berman.dlb@gmail.com

DEBORAH L & MATT A MCLAM
PO BOX 253
FAIRFIELD ID 83327

DENNIS STROM WATER DISTRICT 37-B
GROUNDWATER GROUP
PO BOX 137
HILL CITY ID 83337-0137

DOUGLAS C WALTON
DIANA L WHITING
109 RIVER GROVE LN
HAILEY ID 83333

ERNEST & JUDITH GETTO TRUST
ERNEST J GETTO
417 ENNISBROOK DR
SANTA BARBARA CA 93108

FLOYD CRANDALL WATER DISTRICT 37-B
GROUNDWATER GROUP
29 E HWY 20
FAIRFIELD ID 83327

GARY HOFFMAN
PO BOX 1529
KETCHUM ID 83340

GREGORY R BLOOMFIELD
REVOCABLE TRUST
PO BOX 757
HAILEY ID 83333

GWINN RICE RANCH INC
PO BOX 131
HILL CITY ID 83337

HARRY S RINKER
949 SOUTH COAST DR STE 500
COSTA MESA CA 92626
hrinker@rinkercompany.com

HARRY S RINKER
PO BOX 7250
NEWPORT BEACH CA 92658
toni@rinkercompany.com

HEATHERLANDS HOMEOWNERS
ASSOCIATION INC
PO BOX 1672
SUN VALLEY ID 83353

H PHILIP CASH
607 E 200 S
FAIRFIELD ID 83327

HULEN MEADOWS WATER COMPANY AND
ASSN INC
PO BOX 254
KETCHUM ID 83340

INNOVATIVE MITIGATION SOLUTIONS LLC
2918 N EL RANCHO PL
BOISE ID 83704

JAMES D WHITE
PO BOX 367
BELLEVUE ID 83313
jdwhite@q.com

JARED R WILLIAMS
REVOCABLE TRUST
PO BOX 99658
SEATTLE WA 98139

JIM W KOONCE
PO BOX 2015
HAILEY ID 83333

KATHERINE BRECKENRIDGE
B BAR B INC
PO BOX 685
PICABO ID 83348

KEN SANGHA
ASAM TRUST
PO BOX 9200
KETCHUM ID 83340
kensangha@gmail.com

KEVIN D LAKEY
WATER DISTRICT 37
107 W 1ST
SHOSHONE ID 83352
watermanager@cableone.net

LAWRENCE SCHOEN
18351 US HWY 20
BELLEVUE ID 83313

LOU ANDERSON WATER DISTRICT 37-B
GROUNDWATER GROUP
PO BOX 141
FAIRFIELD ID 83327

LUBOFF SENAUSKY &
CHARLES TIMOTHY FLOYD
PO BOX 1240
EAGLE ID 83616
bsfloyd@mac.com

MARLYS J SCHMIDT
10901 HWY 75
BELLEVUE ID 83313
mjschmidt49@msn.com

NANCIE C TATUM &
THOMAS F HENNIG
PO BOX 1365
SUN VALLEY ID 83353

PAUL & POLLY CARNEY LLOYD & DEANN
RICHINS MARK & SUSAN WILLIAMS FISH
CREEK RESERVOIR RANCH, LLC
384 2 2900 E
PAUL ID 83347

PAUL & TANA DEAN
40 FREEDOM LOOP
BELLEVUE ID 83313

PETER ZACH SEWELL
LORI SEWELL
PO BOX 3175
HAILEY ID 83333
zlsewell@gmail.com

PHILIP J VANDERHOEF
KATHLEEN MCKAY
5069 HAROLD PL NE
SEATTLE WA 98105

POPPY ENGLEHARDT
10965 HIGHWAY 75
BELLEVUE ID 83313

RALPH P CAMPANALE II
PO BOX 3778
KETCHUM ID 83340
rcampanalemd@qwestoffice.net

ROBERT BOUTTIER
PO BOX 476
BELLEVUE ID 83313

ROBERT & JUDITH PITTMAN
121 LOWER BROADFORD RD
BELLEVUE ID 83313

ROBERT J STRUTHERS
762 ROBERT ST PICABO ROUTE
BELLEVUE ID 83313

RUSTY KRAMER
WATER DISTRICT 37B
PO BOX 591
FAIRFIELD ID 83327
waterdistrict37b@outlook.com

SAGE SPRINGS HOMEOWNERS
ASSN INC
PO BOX 254
KETCHUM ID 83340

SILVER SAGE OWNERS ASSN INC
C/O CAROL'S BOOKKEEPING
PO BOX 1702
KETCHUM ID 83340

SMOKEY DOME LLC
PO BOX 333
FAIRFIELD ID 83327

SOUTH COVE VENTURES LLC
PO BOX 333
FAIRFIELD ID 83327
camascreek@hughes.net

STARWEATHER OWNERS ASSN INC
PO BOX 254
KETCHUM ID 83340

STEVEN C FUNK
90 FREEDOM LOOP
BELLEVUE ID 83313

SV RANCH LLC
PO BOX 333
FAIRFIELD ID 83327
camascreek@hughes.net

THOMAS & AMY MISTICK
149 ASPEN LAKES DR
HAILEY ID 83333

USDA FOREST SERVICE
ATTN JAMIE GOUGH
324 25TH ST
OGDEN UT 84401
jgough@fs.fed.us

VALLEY CLUB OWNERS ASSN INC
PO BOX 254
KETCHUM ID 83340

WILLIAM A SIMON WATER DISTRICT 37-B
GROUNDWATER GROUP
PO BOX 364
FAIRFIELD ID 83327

WILLIAM R & KATHRYN L RATLIFF
206 BAYHORSE RD
BELLEVUE ID 83313

WOOD RIVER LAND TRUST
119 E BULLION ST
HAILEY ID 83333

COURTESY COPIES TO:

ED REAGAN
COURIER NEWS
PO BOX 339
FAIRFIELD ID 83327
news@highway46.org



Michael P. Lawrence.