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Attorney for the City of Bellevue

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE**

SOUTH VALLEY GROUND WATER
DISTRICT and GALENA GROUND
WATER DISTRICT,

Petitioners,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES and GARY SPACKMAN in
his official capacity as Director of the Idaho
Department of Water Resources,

Respondents.

Case No.: CV 07-21-00243

NOTICE OF APPEARANCE

TO: CLERK OF THE ABOVE-ENTITLED COURT AND TO ALL COUNSEL OF
RECORD

YOU ARE HEREBY NOTIFIED THAT Candice McHugh, of the firm, McHugh
Bromley PLLC, enters an appearance as attorney of record on behalf of the City of Bellevue. All
papers in this action should be served on counsel as indicated above.

The City is a party to the underlying administrative action in Idaho Department of Water
Resources (“IDWR”) Docket No. AA-WRA-2021-001. The City also filed a request to postpone

the underlying administrative action for due process and counsel unavailability reasons, similar to the issues raised by the South Valley Ground Water District but was denied. See attached Declaration of Candice McHugh filed with the Department on May 18, 2021.

Based on past practice of the Court, the City understands the Court will treat this Notice of Appearance as a motion to intervene and will automatically grant Intervenor status.

DATED this 26th day of May, 2021.

/s/ Candice M. McHugh
Candice M. McHugh
Attorney for City of Bellevue

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of May, 2021, I served a true and correct copy of the foregoing document was served through iCourt on the person(s) whose names and addresses appear below and on any other persons who have entered notices of appearance through iCourt:

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/s/ Chris M. Bromley
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**BEFORE THE DEPARTMENT OF WATER RESOURCES
 OF THE STATE OF IDAHO**

IN THE MATTER OF BASIN 37
 ADMINISTRATIVE PROCEEDING

Docket No. AA-WRA-2021-001

**DECLARATION OF CANDICE M.
 MCHUGH IN SUPPORT OF MOTION
 FOR MORE DEFINITE STATEMENT,
 MOTION FOR CLARIFICATION AND
 MOTION TO POSTPONE HEARING**

I, Candice McHugh hereby declare and state as follows:

1. I am over the age of 18 and state the following based upon my own personal knowledge.
2. I am the attorney who represents the City of Bellevue in the above captioned matter scheduled for hearing June 7-11, 2021 in Boise Idaho. I am a partner in a two partner firm, McHugh Bromley, PLLC, we have no staff except for a file clerk who does our filing for a couple hours each week.
3. I am the main attorney for the City of Bellevue for their water rights related work and have been for the past several years. The City of Bellevue has been an active participate in IDWR administrative proceedings to protect its interests and water rights in Basin 37, defending itself in the last two delivery calls. I was the city's lead attorney in those cases.

4. My partner Chris Bromley is the lead attorney for Sun Valley Company, who is a party to the above action as well. Sun Valley Company has been an active participant to protect its interest and water rights in Basin 37. Mr. Bromley has been the Company's lead attorney for the past three years.
5. While the City of Bellevue and Sun Valley Company have consistent and complimentary interests, they each have a right to have the attorney who knows their issues best in order to represent them in any action that threatens their property and due process rights. They each have a right to have the law firm of McHugh Bromley, PLLC have its full resources available to assist them in protecting their property and due process interests. As attorneys, we have a duty to protect our practice and assist each other as necessary in order to protect the interests of all of our clients.
6. As set forth in my *Motion For More Definite Statement, Motion For Clarification And Motion To Postpone Hearing*, I will be out of the country starting June 1, 2021, on a trip that has been scheduled and for the past few months. I will not be arriving back in the United States until late night on June 7, 2021. I arrive in Las Vegas at approximately 10:00 p.m. June 7, 2021. I will not be able to reasonably be in Boise until the early afternoon of June 8, 2021.
7. I am out of the country in Mexico, with two other people who will not be able to continue on the trip without me and we cannot get a refund of our money.
8. I will be unable to properly prepare for any hearing that starts June 7, 2021 as I will not have email or cell coverage for most of the week prior. I will be unable to assist Mr. Bromley in preparing for any unique issues with the City of Bellevue or work with our

expert and witnesses in order to fairly prepare for the hearing. I will miss the first two days of the hearing.

9. Not only will Mr. Bromley now have to prepare for hearing on behalf of two clients without any assistance, but he will be the sole attorney in our office to provide legal assistance to all of our other clients during the week leading up to and including the first two days of hearing.
10. The hearing as currently schedule conflicts with my schedule and if the hearing goes on as scheduled prejudices the interest of my practice, the practice of our law firm and most especially our clients.

I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct.

Dated this 18th, day of May, 2021

MCHUGH BROMLEY, PLLC



Candice M. McHugh
Attorney for the City of Bellevue

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of May, 2021, I served a true and correct copy of the foregoing document on the person(s) whose names and addresses appear below by the method indicated:

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