

Candice M. McHugh, Bar No. 5809  
McHugh Bromley, PLLC  
Attorneys at Law  
380 S. 4<sup>th</sup> St., Ste. 103  
Boise, ID 83702  
Telephone: (208) 287-0991  
Facsimile: (208) 287-0864  
[cmchugh@mchughbromley.com](mailto:cmchugh@mchughbromley.com)

*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,

and

SUN VALLEY COMPANY, CITY OF  
BELLEVUE, BIG WOOD CANAL  
COMPANY, BIG WOOD & LITTLE  
WOOD WATER USERS ASSOCIATION,  
CITY OF POCA TELLO, CITY OF  
KETCHUM, and CITY OF HAILEY

Intervenors.

Case No.: CV 07-21-00243

**JOINDER IN SECTIONS II, III, IV AND  
V.A, OF SUN VALLEY COMPANY'S  
RESPONSE BRIEF and IN SECTIONS I,  
II AND III OF PETITIONER'S  
OPENING BRIEF**

The City of Bellevue by and through its attorney of record, hereby files this *Joinder in Sections II, III, IV and V.A of Sun Valley Company's Response Brief and Sections I, II, and III of Petitioner's Opening Brief*. *Sun Valley Company's Response Brief* was filed herein on November 19, 2021. The *Petitioner's Opening Brief* was filed herein on October 22, 2021.

Based on the arguments contained in *Sun Valley Company's Response Brief* and the *Petitioner's Opening Brief* referenced in the foregoing paragraph, the City of Bellevue asks that the Director's *Final Order* issued in IDWR Docket No. AA-WRA-2021-001 be vacated and that the Director be instructed to comply with the procedures and processes as outlined in the *Rules for Conjunctive Management of Surface and Ground Water Resources* (IDAPA 37.03.11, *et seq.*), Idaho Code, and specifically the Ground Water Act contained at Idaho Code I.C. §§ 42-226 – 42-239 and in accordance with constitutional procedural and substantive due process requirements.

DATED this 30<sup>h</sup> day of November, 2021.

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

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2021, the foregoing was filed, served, and copied by iCourt on the following parties:

Albert P. Barker  
Travis L. Thompson  
Michael A. Short  
BARKER ROSHOLT & SIMPSON, LLP  
1010 W. Jefferson St., Ste. 102  
Boise, ID 83701-2139  
apb@idahowaters.com  
tlt@idahowaters.com  
mas@idahowaters.com

Lawrence G. Wasden  
ATTORNEY GENERAL  
Garrick L. Baxter  
Sean H. Costello  
DEPUTY ATTORNEYS GENERAL  
Idaho Dept. of Water Resources  
PO Box 83720  
Boise, ID 83720-0010  
Telephone: (208) 287-4800  
Facsimile: (208) 287-6700  
garrick.baxter@idwr.idaho.gov  
[sean.costello@idwr.idaho.gov](mailto:sean.costello@idwr.idaho.gov)

James R. Laski  
Heather E. O'Leary  
LAWSON LASKI CLARK, PLLC  
675 Sun Valley Rd. Ste. A  
Ketchum, ID 83340  
jrl@lawsonlaski.com  
heo@lawsonlaski.com  
[efiling@lawsonlaski.com](mailto:efiling@lawsonlaski.com)

W. Kent Fletcher  
FLETCHER LAW OFFICE  
PO Box 248  
Burley, ID 83318  
wkf@pmt.com

Chris Bromley  
MCHUGH BROMLEY, PLLC  
380 S. 4th St., Ste. 103  
Boise, ID 83702  
Cbromely@mchughbromley.com

Joseph F. James  
JAMES LAW OFFICE, PLLC  
125 5th Ave. West  
Gooding, ID 83330  
[efile@jamesmvlaw.com](mailto:efile@jamesmvlaw.com)

Michael P. Lawrence  
GIVENS PURSLEY, LLP  
PO Box 2720  
Boise, Idaho 83701-2720  
mpl@givenspursley.com

Jerry R. Rigby  
Chase Hendricks  
RIGBY ANDRUS & RIGBY LAW, PLLC  
PO Box 250  
Rexburg, ID 83440-0250  
jrigby@rex-law.com  
[chendricks@rex-law.com](mailto:chendricks@rex-law.com)

Matthew Johnson  
Brian O'Bannon  
WHITE PETERSON GIGRAY  
& NICHOLS, PA  
5700 E. Franklin Rd., Ste. 200  
Nampa, IDA 83687  
icourt@whitepeterson.com

Sarah A. Klahn  
SOMACH SIMMONS & DUNN  
2033 11th St., Ste. 5  
Boulder, Colorado 80302  
sklahn@somachlaw.com

/s/ Candice McHugh