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February 24, 2015

Director Gary Spackman
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, Idaho 83720-0098
deborah.gibson@idwr.idaho.gov

Sent Via Email and U.S. Mail

Re: ARK Fisheries, Inc. – CM-DC-2014-002

Dear Director Spackman:

The above referenced delivery call of ARK Fisheries, Inc. has been settled pursuant to a Settlement Agreement entered into with North Snake Ground Water District, Magic Valley Ground Water District, Southwest Irrigation District and IGWA. The Settlement Agreement is intended to be a mitigation plan as defined by the CM Rules and is filed as a Stipulated Mitigation Plan with request that the Director issue a final order confirming the Settlement Agreement as a mitigation plan and dismissing the action. The Settlement Agreement is contingent upon the Director entering a final order accepting the Settlement Agreement as a complete and final stipulated mitigation plan and dismissing the delivery call with prejudice in accordance with paragraph 4.2.

Accordingly, please find for filing the Stipulated Mitigation Plan and Request for Order with copy of the Settlement Agreement attached as Exhibit A.

The parties jointly request that the Director enter an order without further notice or hearing, accepting the stipulated mitigation plan and dismissing the delivery call with prejudice in accordance with the parties provisions contained in the Settlement Agreement.

Please contact me if you have any questions. Thank you for your assistance.

Sincerely,

RANDALL C. BUDGE

RCB:ts

Enclosure

c: Lynn and Kathy Babington
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