



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 12, 2014

A&B IRRIGATION DISTRICT  
C/O BARKER ROSHOLT & SIMPSON  
ATTN: TRAVIS L THOMPSON  
195 RIVER VISTA PL, STE 204  
TWIN FALLS, ID 83301-3029

RE: Notice of Mitigation Plan submitted by A&B Irrigation District

Gentlemen:

The Department of Water Resources has prepared a legal notice for the above referenced Mitigation Plan, in reference to the Rangen Inc. Water Deliver Call.

A legal notice of said mitigation plan has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** and **MOUNTAIN HOME NEWS** on **3/19/2014** and **3/26/2014**; as well as the **TIMES NEWS** on **3/20/2014** and **3/27/2014**. Protests to this mitigation plan may be submitted for a period ending ten (10) days after the second publication (**April 7, 2014**). If the mitigation plan is protested, you will be sent a copy of each protest.

Please contact this office if you have any questions regarding the publication.

Sincerely,

Denise Maline  
Administrative Assistant

**NOTICE OF MITIGATION PLAN SUBMITTED BY THE  
A&B IRRIGATION DISTRICT  
IN RESPONSE TO THE RANGEN, INC.  
WATER DELIVERY CALL**

Notice is hereby given that on March 7, 2014, the A&B Irrigation District (A&B), through its counsel, c/o Travis L. Thompson, Barker Rosholt & Simpson LLP, 195 River Vista Pl, Ste 204, Twin Falls, ID, 83301-3029, submitted A&B's Mitigation Plan ("plan" or "mitigation plan") for the Rangen Inc. Delivery Call ("call") to the Idaho Department of Water Resources ("Department"). The Department will process this plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11).

The plan is intended to satisfy A&B's mitigation obligation related to the call as defined in the January 29, 2014, "Final Order Regarding Rangen Inc's Petition For Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962" ("order") issued by the Director. The order, plan, and other related documents may be viewed online at the following website link:

**<http://www.idwr.idaho.gov/News/WaterCalls/1000Spring%20Users%20Calls/Rangen.htm>**

Rangen Inc. ("Rangen") holds water rights for fish propagation rights from the Martin-Curren Tunnel which is hydrologically connected to the Eastern Snake Plain Aquifer ("ESPA"). A&B holds numerous ground water rights for irrigation within the ESPA. Certain of these ground water rights have priority dates junior to the priority dates of rights held by Rangen.

A&B has proposed a plan to mitigate injury to Rangen's senior water rights that result from depletions under junior priority ground water rights held by A&B. The plan proposes:

- Curtailment of 1377.8 acres within Unit B irrigated by A&B's senior ground water right 36-2080 that is senior to that of Rangen.
- Conversion of 1378 acres from ground water to surface water supply using stored water in American Falls and Palisades Reservoirs.
- Enrollment of 121 acres in the federal CREP program.

The Department has not determined the adequacy of the proposed plan. A complete copy of the proposed plan is available for review at either the Department's State Office in Boise, the Department's Regional Offices in Twin Falls, or at the website link above.

Any protest against approval of the plan must be filed with the Department, together with a protest fee of \$25, within ten days of the last day of publication of this notice. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served on A&B Irrigation District, and its counsel.

Gary Spackman, Director

Published in the Mountain Home News and Idaho Mountain Express on March 19<sup>th</sup> & 26<sup>th</sup>, 2014; and the Times News on March 20<sup>th</sup> & 27<sup>th</sup>, 2014.