

AFFIDAVIT of PUBLICATION

MAR 28 2014

COPY OF NOTICE

State of Idaho  
County of Blaine

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 19 day of

March, 20 14, and the date of the last publication was

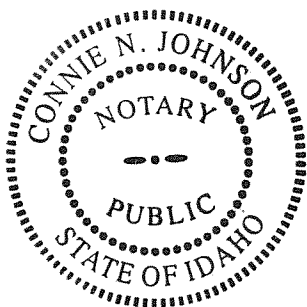
on the 26 day of March, 20 14

Pam Morris

Subscribed and sworn to before me this 26 day of

March, 20 14.

Connie N. Johnson  
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO  
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS  
P.O. Box 1013  
Ketchum, Idaho 83340  
COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 101

Number of Insertions 2

\_\_\_\_\_ Lines tabular at \_\_\_\_\_ 9.0 cents/pica

101 Lines straight at 92.92 8.0 cents/pica

101 Subsequent lines at 81.31 7.0 cents/pica

TOTAL COST \$ 174.23

Legal Notice

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

**NOTICE OF SECOND MITIGATION PLAN SUBMITTED BY THE IDAHO GROUND WATER APPROPRIATORS, INC. IN RESPONSE TO THE RANGEN, INC. WATER DELIVERY CALL**

Notice is hereby given that on March 10, 2014, the Idaho Ground Water Appropriators, Inc. (IGWA), through its counsel, c/o Randy C. Budge, Racine Olson Nye Budge & Bailey, PO Box 1391, Pocatello, ID, 83204-1391, and on behalf of its members, and its non-member participants for mitigation purposes (collectively the "Ground Water Users"), submitted IGWA's Second 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 the Ground Water Users mitigation obligations 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>

See reverse for remainder of legal ad.

✓ ok DM 3/31/2014

RECEIVED  
MAR 5 2014  
DEPT OF WATER RESOURCES  
BOISE

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"). The Ground Water Users consist of numerous landowners who hold ground water rights for irrigation, commercial, municipal, industrial and other non-deminimis consumptive uses located within the ESPA. Certain of these ground water rights have priority dates junior to the priority dates of rights held by Rangen.

The Ground Water Users have proposed a second plan to mitigate injury to Rangen's senior water rights that result from depletions under junior priority ground water rights held by the Ground Water Users. The second plan includes multiple components including:

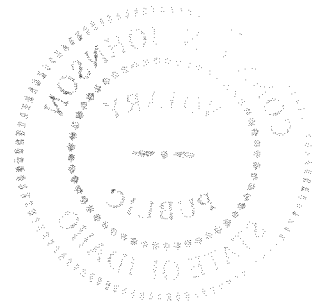
- Acquisition of Tucker Springs water rights owned by the State of Idaho;
- Design and construction of a pump station with pumps, motors, and related equipment to pump water from Tucker Springs to Rangen;
- Design and construction of approximately 1.3 miles of pipeline to deliver water from Crystal Springs to Rangen;
- Acquisition by purchase of condemnation of the necessary rights of way for the above described facilities and pipeline;
- Permission from Rangen to access its property for engineering and design purposes; and
- An easement from Rangen to construct and operate the pipeline and other facilities necessary to deliver water to Rangen property.

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 IGWA, and its counsel.

Gary Spackman, Director

**PUBLISH:**  
**IDAHO MOUNTAIN EXPRESS**  
March 19 & 26, 2014



✓ OK DM  
3/31/2014