

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE SECOND)	
MITIGATION PLAN FILED BY THE)	CM-MP-2014-003
IDAHO GROUND WATER)	
APPROPRIATORS FOR THE)	NOTICE OF HEARING, ORDER
DISTRIBUTION OF WATER TO)	AUTHORIZING DISCOVERY,
WATER RIGHT NOS. 36-02551 AND)	AND SCHEDULING ORDER
36-07694 IN THE NAME OF)	
RANGEN, INC.)	
_____)	

On March 10, 2014, the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed *IGWA’s Second Mitigation Plan and Request for Hearing* (“Second Mitigation Plan”) with the Idaho Department of Water Resources (“Department”) in response to the Department’s January 29, 2014, *Final Order Regarding Rangen, Inc.’s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962*.

On April 30, 2014, a Status Conference was held on IGWA’s Second Mitigation Plan and attended by all parties.

NOTICE OF HEARING

The Director of the Department hereby provides notice that a hearing on IGWA’s Second Mitigation Plan is set for **June 4, 5 & 6, 2014, beginning at 9:00 a.m.**, at the Department’s State Office, located at 322 E. Front Street, 6th Floor Conference Rooms B, C and D, Boise, Idaho. The presiding officer at the hearing will be Director Gary Spackman.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the Department’s Rules of Procedure requires that a copy be provided to each party and the presiding officer whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0098.

The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department, IDAPA 37.01.01. A copy of the Rules of Procedure may be obtained from the Department upon request.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please contact Deborah Gibson at (208) 287-4803, no later than five (5) days prior to the hearing.

During the course of the hearing, all parties appearing in this matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to IGWA's Second Mitigation Plan.

ORDER AUTHORIZING DISCOVERY

At the Status Conference, the parties requested authorization to conduct discovery in preparation for the hearing on IGWA's Second Mitigation Plan.

IT IS HEREBY ORDERED that the parties are authorized to conduct and engage in discovery.

SCHEDULING ORDER

IT IS HEREBY ORDERED that the parties in this matter shall adhere to the following deadlines:

May 1, 2014 – Discovery to begin

May 12, 2014 – Deadline for IGWA's submittal of witness and exhibit lists.

May 12, 2014 – Deadline for IGWA's submittal of evidentiary details of its mitigation plan, including engineering, rights-of-way, water availability and associated water rights, and construction and delivery schedules.

May 19, 2014 – Deadline for Rangen's submittal of witness and exhibit lists

June 4-6, 2014 – Hearing

DATED this 2nd day of May, 2014.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of May, 2014, the above and foregoing document was served on the following by providing a copy of the *NOTICE OF HEARING, ORDER AUTHORIZING DISCOVERY, SCHEDULING ORDER, AND ORDER AUTHORIZING SERVICE BY EMAIL* in the manner(s) selected:

Randall C. Budge
Thomas J. Budge
RACINE OLSON NYE BUDGE &
BAILEY CHARTERED
201 E. Center St.
P.O. Box 1391
Pocatello, ID 83204
rcb@racinelaw.net
tjb@racinelaw.net

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Fritz X. Haemmerle
Haemmerle Haemmerle
P.O. Box 1800
Hailey, ID 83333-1800
fxh@haemlaw.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Robyn Brody
Brody Law Office, PLLC
P.O. Box 554
Rupert, ID 83350-0554
robynbrody@hotmail.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

J. Justin May
May Browning & May PLLC
1419 W Washington
Boise, ID 83702-5039
jmay@maybrowning.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Leo E. Ray
Big Bend Trout, Inc.
P.O. Box 479
Hagerman, Idaho 83330
fpi@fishbreedersofidaho.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Michael J. Henslee, V.P.
Salmon Falls Land & Livestock Co.
95-A Bell Rapids Road
Hagerman, Idaho 83332
mjhenslee@gmail.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Timothy J. Stover
WORST FITZGERALD & STOVER PLLC
P.O. Box 1428
Twin Falls, Idaho 83303
tjs@magicvalleylaw.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

John K. Simpson
Paul Arrington
BARKER ROSHOLT & SIMPSON, LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029
jks@idahowaters.com
pla@idahowaters.com
jlw@idahowaters.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail

Almer Huntley, Jr., President
Big Bend Irrigation & Mining Co., Ltd.
2721 South 900 East
Hagerman, Idaho 83332
plspe@hotmail.com

U.S. Certified Mail, Postage Prepaid
 Hand Delivery
 Facsimile
 E-mail



Deborah Gibson
Administrative Assistant for the Director