



United States Department of the Interior



FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
FWS/R1/ABA-EN

September 5, 2014

Idaho Department of Water Resources
Post Office Box 83720
Boise, Idaho 93720

Dear Ms. Gibson:

The Amended Third Mitigation Plan was filed by the Idaho Ground Water Association on June 10, 2014. The plan was originally intended to apply to all water users in Water District 36A but after discussion at a pre-hearing status conference on July 22, 2014, an Order was issued by Idaho Department of Water Resources (IDWR) limiting the application of the plan to the Rangen water rights only.

The U.S. Fish and Wildlife Service (Service) had protested the plan on the basis that it was intended to provide mitigation to all water users in Water District 36A, without any explicit means of doing so. Since the IDWR Order has limited the scope of the plan, the Service would like to withdraw its protest. We will not be participating in the hearing on September 8-10, 2014.

We are sending this notice to all the parties listed in the Certificate of Service, dated August 27th 2014 from the most recent Order Denying Joint Motion To Amend And Continue Hearing Schedule.

Please contact Tim Mayer, Water Resource Branch Chief, at (503) 231-2395, with any questions or if you need further information.

Sincerely,

Tim Mayer
Water Resource Branch Chief

Gibson, Deborah

From: Mayer, Tim [tim_mayer@fws.gov]
Sent: Friday, September 05, 2014 11:07 AM
To: Gibson, Deborah
Cc: Frank Wilson; Craig Eaton; Randall C. Budge; TJ Budge; Fritz Haemmerle; Robyn Brody; Justin May; jks@idahowaters.com; tlt@idahowaters.com; pla@idahowaters.com; jf@idahowaters.com; jlw@idahowaters.com; pat@pblaw.com; tom.arkoosh@arkoosh.com; knbmac@q.com; glemmon@northrim.net
Subject: Withdrawal of Protest by USFWS
Attachments: 2014_09_Letter_FWS to IDWR_RE Withdrawal of Protest_signed.pdf

Deborah,

Please see the attached letter withdrawing our protest of the IGWA Amended Third Mitigation Plan. I wanted to get this notification to you before the hearing next week. We are sending you a hard copy of this letter as well.

I have notified, via email, all the other parties on the Aug 27th, 2014 Certificate of Service of our withdrawal. The one exception was Jamie and Katherine Martin (delivered by U.S. postage instead).

Tim

Tim Mayer, Ph.D.
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