

NOTICE OF SECOND MITIGATION PLAN SUBMITTED BY THE COALITION OF CITIES IN RESPONSE TO THE RANGEN, INC. WATER DELIVERY CALLS

Notice is hereby given that, on November 20, 2014, the cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell ("Coalition of Cities"), through their counsel, Robert E. Williams, Williams, Meservy & Lothspeich, LLP, and Candice McHugh and Chris M. Bromley, McHugh Bromley, PLLC, submitted to the Idaho Department of Water Resources ("Department") the Coalition of Cities' Second Mitigation Plan ("Mitigation Plan"). The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11).

The Mitigation Plan is intended to mitigate the Coalition of Cities' out-of-priority ground water pumping in the 2011 delivery call filed with the Department by Rangen, Inc. ("Rangen") (CM-DC-2011-004) and Rangen's 2014 delivery call (CM-DC-2014-004) for the term of the Mitigation Plan.

The Mitigation Plan may be viewed online at the following website link:

<http://www.idwr.idaho.gov/News/MitigationPlan/Rangen/CoalitionofCities2nd.htm>

Rangen holds water rights for fish propagation and other uses from the Martin-Curren Tunnel which is hydrologically connected to the Eastern Snake Plain Aquifer ("ESPA"). Rangen's water rights that will benefit from the Mitigation Plan are water right numbers: 36-135B, 36-135A, 36-15501, 36-2551, and 36-7694. The Coalition of Cities holds numerous ground water rights for 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 Coalition of Cities has proposed the Mitigation Plan to mitigate injury to Rangen's senior water rights caused by depletions pursuant to junior priority ground water rights held by the Coalition of Cities. The Mitigation Plan proposes:

-Managed groundwater recharge through the American Falls Reservoir District No. 2 delivery and conveyance system to an approved recharge site near Gooding, Shoshone, or Box Canyon.

-By stipulation, Rangen agrees the Mitigation Plan shall be deemed to mitigate the Coalitions of Cities' out-of-priority ground water pumping in CM-DC-2011-004 and CM-DC-2014-004 from the date of the Mitigation Plan up to and including March 31, 2016. The Mitigation Plan may be extended by agreement of the parties.

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

Any protest against approval of the Mitigation 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 the Coalition of Cities' counsel.

Gary Spackman, Director

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AFFIDAVIT OF PUBLICATION

County of Elmore }
State of Idaho }55

I, **Brenda M. Fincher**, do solemnly swear that I am the Publisher of the:

Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for 2 consecutive weeks, the first publication having been made on the 3rd day of Dec, 2014, and the last publication having been made on the 10th day of Dec, 2014; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

Brenda M. Fincher

Publisher

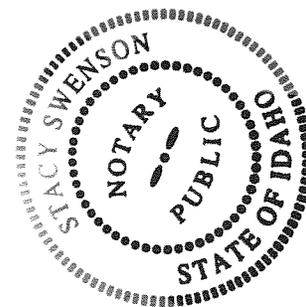
Subscribed and sworn to me this 12th day of Dec, 2014.

[Signature]

Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-17-2017**.



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DEPARTMENT OF
WATER RESOURCES