

NOTICE OF MITIGATION PLAN
SUBMITTED BY THE
IDAHO GROUND WATER
APPROPRIATORS, INC.

IN RESPONSE TO THE RANGEN, INC.
WATER DELIVERY CALLS

Notice is hereby given that, on April 5, 2018, the Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Randy C. Budge and Thomas J. Budge, Racine Olson Nye Budge & Bailey, PO Box 1391, Pocatello, ID, 83204-1391, on behalf of American Falls-Aberdeen Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, Henry's Fork Ground Water District, Jefferson-Clark Groundwater District, Madison Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District, and Southwest Irrigation District (collectively the "Districts"), submitted a mitigation plan to the Idaho Department of Water Resources ("Department") in response to the Rangen, Inc. ("Rangen"), water delivery calls. The Department will process the mitigation plan pursuant to the Department's Conjunctive Management ("CM") Rules (IDAPA 37.03.11).

The Mitigation Plan may be viewed at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or online at the following website link:

<https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/rangen-2011-delivery-call/IGWA-2018.html>

Rangen's water delivery calls are based on injury to water right nos. 36-02551, 36-07694, and 36-15501 for fish propagation from the Martin-Curren Tunnel, which is hydrologically connected to the Eastern Snake Plain Aquifer. Many of the ground water rights owned by members of the Districts are subject to curtailment pursuant to a Department order that curtailed ground water rights junior to July 13, 1962 (see Final Order Regarding Rangen, Inc.'s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962, CM-DC-2011-004 (Jan. 29, 2014)).

IGWA's mitigation plan states that the "Districts purchased the Rangen fish hatchery and the Rangen Rights in 2017 as an alternative to providing mitigation under" other mitigation plans that IGWA had submitted to the Department. The mitigation plan states that "[t]he Districts desire to have their ownership of the Rangen Rights approved as a mitigation plan under the CM Rules to protect the water rights of District members from curtailment, with the Rangen delivery calls remaining in place as against water rights that do not belong to or are not in good standing with the Districts." The Districts ask the Director of the Department to approve the mitigation plan.

The Department has not determined the adequacy of the proposed mitigation plan. Any protest against approval of the mitigation plan must be filed with the Department, together with a protest fee of \$25, on or before May 14, 2018. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon IGWA's counsel.

Gary Spackman, Director
First Publication: April 25, 2018
Second Publication: May 2, 2018

AFFIDAVIT OF PUBLICATION

County of Elmore }
State of Idaho }ss

I, **Joy Martinez**, do solemnly swear that I am the Legal Clerk 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 25 day of April, 2018, and the last publication having been made on the 2 day of May, 2018; 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.

Joy Martinez
Legal Clerk

Subscribed and sworn to me this 2nd day of May 2018.

Brenda M. Fincher
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires 11-17-2022.

RECEIVED

MAY 04 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION



✓ OK AM 5-11-2018