

AFFIDAVIT of PUBLICATION

State of Idaho  
County of Blaine

Pam Morris

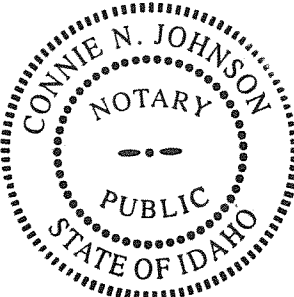
, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive 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 Feb., 20 14, and the date of the last publication was on the 26 day of Feb., 20 14

Subscribed and sworn to before me this 26 day of Feb., 20 14.

Connie N. Johnson  
NOTARY PUBLIC  
**RECEIVED**



**FEB 27 2014**  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

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 99  
Number of Insertions 2  
  
\_\_\_\_ Lines tabular at \_\_\_\_\_ 9.0 cents/pica  
99 Lines straight at 91.08 8.0 cents/pica  
99 Subsequent lines at 79.70 7.0 cents/pica  
TOTAL COST \$ 170.78

COPY OF NOTICE

Legal Notice  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

**NOTICE OF 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 February 11, 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 Ground Water District members, and its other water user members, for and on behalf of their respective members and those ground water users who are non-member participants for mitigation purposes (collectively the "Ground Water Users"), submitted IGWA's 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).

**See reverse for remainder of legal notice**

✓ ok DM  
3/6/2014

The plan is intended to satisfy the mitigation obligations of 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>

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-dominant 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 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 plan includes multiple proposals including:

- Request for credit for current and ongoing mitigation activities
- Mitigation via delivery of senior irrigation water rights from the Martin-Curren Tunnel
- Assignment of Application for Permit No. 36-16976
- Fish Replacement
- Monetary Compensation
- Improvements to Martin-Curren Tunnel diversion
- Horizontal well
- Vertical well(s) with delivery over-the-rim
- Direct Pump-Back

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**  
Feb. 19 & 26, 2014

✓ ok dm  
3/6/2014

