

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

RECEIVED
FEB 28 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 20th day of February, 2014 and ending with the issue dated 27th day of February, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 27th day of February, 2014, before me,

a Notary Public, personally appeared Ruby Aufdeheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Joyce A Engleman

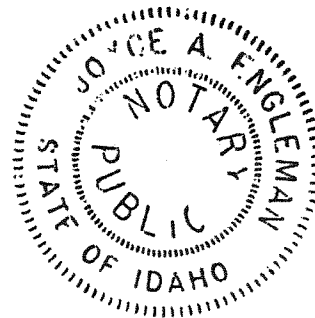
Notary Public for Idaho
Residing at Twin Falls, Idaho.

6/28/14

My commission expires: _____

(ELGWA Mitigation Plan)

✓ OK AM 3/6/2014



**NOTICE OF MITIGATION PLAN SUBMITTED BY THE
IDAHO GROUND WATER APPROPRIATORS, INC.
IN RESPONSE TO THE RANGEN, INC.
WATER DELIVERY CALL**

✓ OK
DM 3/6/2014

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).

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-deminimis 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

Published in the Mountain Home News and Idaho Mountain Express on February 19th & 26th, 2014; and the Times-News on February 20th & 27th, 2014.

