

**NOTICE OF AMENDED THIRD 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 May 29, 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 members, and its non-member participants for mitigation purposes (collectively the "Ground Water Users"), submitted IGWA's Third Mitigation Plan for the Rangen, Inc. delivery call ("call"), to the Idaho Department of Water Resources ("Department"). Notice of IGWA's Third Mitigation Plan was suspended when, on June 10, 2014, IGWA filed an Amended Third Mitigation Plan.

IGWA's Amended Third Mitigation Plan ("mitigation plan") replaces the Third Mitigation Plan and is intended to mitigate for the call and other delivery calls made to the Department by other water users in Water District 36A (Hagerman Valley area). The Department will process IGWA's mitigation plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11).

The mitigation plan is intended to satisfy the Ground Water Users' mitigation obligations related to the call as defined in the following orders issued by the Director: January 29, 2014, *Final Order Regarding Rangen, Inc's Petition For Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962*; April 11, 2014, *Order Approving in Part and Rejecting in Part IGWA's Mitigation Plan; Order Lifting Stay Issued February 21, 2014; Amended Curtailment Order*; and May 16, 2014, *Amended Order Approving in Part and Rejecting in Part IGWA's Mitigation Plan; Order Lifting Stay Issued February 21, 2014; Amended Curtailment Order* ("orders"). The plan is also intended to satisfy the Ground Water Users' additional mitigation obligations related to pending or future calls from surface water and spring users in the Hagerman Valley area.

The orders, mitigation plan, and other related documents may be viewed online at the following website link:

<http://www.idwr.idaho.gov/News/MitigationPlan/Rangen/IGWA3rd.htm>

Rangen, Inc. ("Rangen") holds water rights for fish propagation from the Martin-Curren Tunnel which is hydrologically connected to the Eastern Snake Plain Aquifer ("ESPA"). Other water users in the Hagerman Valley area hold water rights from various springs or creeks also connected to the 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 and others in the Hagerman Valley area.

The Ground Water Users have proposed the mitigation plan to mitigate injury to Rangen's senior water rights and other senior water right holders in the Hagerman Valley area caused by pumping pursuant to junior priority ground water rights held by the Ground Water Users. The plan contains multiple components including:

- Sandy Pond Recharge;
- Improvements to Martin-Curren Tunnel Diversion;
- Direct delivery of water to Rangen pursuant to pending application to appropriate water no. 36-16976 if and when approved;
- Recirculation of Rangen water rights via a proposed pump-back system operated by IGWA;
- Lease or purchase of the right to deliver water from the Aqua Life Hatchery to Rangen's place of use or to other water users in the Hagerman Valley Area.

The Department has not determined the adequacy of the proposed plan. A complete copy of the 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 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

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