

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE AMENDED THIRD
MITIGATION PLAN FILED BY THE IDAHO
GROUND WATER APPROPRIATORS FOR THE
DISTRIBUTION OF WATER TO WATER RIGHT
NOS. 36-02551 & 36-07694 IN THE NAME OF
RANGEN, INC.

Docket No. CM-MP-2014-005

**ORDER VACATING HEARING; SETTING
DEADLINES TO PROVIDE STATEMENTS
OF INTENT AND STAFF MEMO; NOTICE
OF STATUS CONFERENCE**

On January 9, 2015, a *Stipulation* (“Stipulation”) was submitted to the Idaho Department of Water Resources (“Department”) in the above captioned proceeding. In the Stipulation, the protestants to *IGWA’s Amended Third Mitigation Plan* (“Mitigation Plan”) conditionally stipulated to approval of components of the mitigation plan and stipulated to vacate the hearing currently scheduled for February 18-19, 2015. One condition of the Stipulation relates to the Department’s approval of measuring devices. The Stipulation provides:

The parties agree to the measuring devices recommended by SPF Water Engineering (as outlined in SPF’s July 28, 2014, technical memorandum and January 9, 2015, supplement thereto) so long as they are approved by both IDWR and the Water District 36A Watermaster.

Stipulation at 1.

On January 27, 2015, the Director of the Department held a status conference at the Department’s State Office in Boise, Idaho. In response to the Stipulation and the statements of the parties, the Director agreed to vacate the currently scheduled hearing. The parties discussed the possible need for a hearing at a later date. A question was raised as to the scope of that future hearing. IGWA stated it only intends to pursue the Sandy Ponds recharge component of the Mitigation Plan and would dismiss other components of the Mitigation Plan. The parties agreed IGWA would submit a statement to the Director clarifying which components it will pursue and stating what relief IGWA seeks for the remaining components. The parties also agreed that the protestants could submit statements to the Director stating whether they desire to continue to participate in this proceeding given the modified scope. The parties also agreed Department staff should review the technical memorandum provided with the Stipulation and offer comment on

the proposal. Finally, IGWA requested a hearing for the remaining portion of the Mitigation Plan in early April. No date was agreed upon.

ORDER

Based upon the foregoing, IT IS HEREBY ORDERED the hearing currently scheduled in this matter on **February 18 & 19, 2015** is VACATED.

It is FURTHER ORDERED IGWA shall provide a statement to the Director clarifying which components it intends to continue to pursue by **February 3, 2015**. IGWA shall clarify what relief it is seeking related to the components it intends to pursue.

It is FURTHER ORDERED that on or before February 17, 2015 each protestant shall submit a written statement to the Director stating whether the protestant intends to continue to participate in the matter given the modified scope of the proceeding.

It is FURTHER ORDERED that on or before February 17, 2015, Department staff shall submit a staff memorandum responding to the technical memorandum submitted with the Stipulation shall be filed with the Department by **February 17, 2015**.

NOTICE OF FOURTH STATUS CONFERENCE

The Director of the Department hereby notifies the parties that a status conference in this matter will be held on **March 17, 2015 at 10:00 a.m. at the Department's State Office, located at 322 E. Front Street, 6th Floor, Director's Conference Room, Boise, Idaho.**

All parties to the matter must be represented at the status conference in person or by telephone. If participating by telephone, please dial **215-446-0193** and provide participant code: **275568#**.

The purpose of the status conference will be to discuss the Department's staff memorandum and a hearing date for the Mitigation Plan.

The status conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department, IDAPA 37.01.01. A copy of the Rules of Procedure may be obtained from the Department upon request.

The status conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in

order to attend, participate in or understand the conference, please contact Deborah Gibson at (208) 287-4803, no later than five (5) days prior to the hearing.

Dated this 30th day of January 2015.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January ³¹~~30~~, 2015, I served a true and correct copy of the *Order Vacating Hearing; Setting Deadlines to Provide Statements of Intent and Staff Memo; Notice of Status Conference* on the persons listed below by the method indicated.

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Deborah Gibson
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