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DEPT OF WATER RESOURCES
SOUTHERN REGION

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

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 1st day of January, 2015 and ending with the issue dated 8th day of January, 2015

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

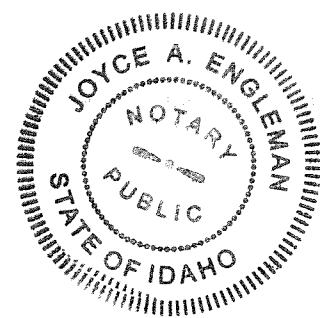
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 8th day of January, 2015, before me,
Joyce Engleman
a Notary Public, personally appeared Ruby Aufderheide,
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. 6/8/19
My commision expires: _____

*✓ OK DM
1/14/2015*



**NOTICE OF FIFTH 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 December 18, 2014, the Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Randy C. Budge, Racine Olson Nye Budge & Bailey, PO Box 1391, Pocatello, ID, 83204-1391, and on behalf of its members and non-member participants in mitigation activities (collectively the "Ground Water Users"), submitted IGWA's Fifth Mitigation Plan ("Mitigation Plan") to the Idaho Department of Water Resources ("Department"). The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11).

The Mitigation Plan is intended to provide mitigation water to Rangen, Inc. ("Rangen"), as a result of the 2011 delivery call filed with the Department by Rangen. The Mitigation Plan proposes an alternate means of providing mitigation to Rangen in addition to those authorized under IGWA's first mitigation plan (CM-MP-2014-001) and IGWA's fourth mitigation plan (CM-MP-2014-006).

The Mitigation Plan may be viewed online at the following website link:

<http://www.idwr.idaho.gov/News/MitigationPlan/Rangen/IGWA5th.htm>

Rangen holds water rights for fish propagation 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-de minimis 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 the Mitigation Plan to mitigate material injury to any water rights now owned or hereafter acquired by Rangen from the Martin-Curren Tunnel. The Mitigation Plan proposes to deliver water to Rangen under water right no. 36-16976. Permit to Appropriate Water no. 36-16976 ("Permit"), which is owned by IGWA's member groundwater districts North Snake Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, and Magic Valley Ground Water District (collectively, the "Districts"), was issued by the Department on November 18, 2014, pursuant to a preliminary order. The Permit authorizes the Districts to divert up to twelve cfs from Billingsley Creek for mitigation purposes from two alternative points of diversion. One point of diversion is commonly known as the Bridge Diversion which may be used to divert mitigation water to Rangen's Large Raceways. The other consists of a pump station which may be used to pump water from Billingsley Creek to Rangen's Hatch House, Green House, and/or Small Raceways.

The Department has not determined the adequacy of the proposed Mitigation Plan. A complete copy of the Mitigation 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 Mitigation 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 upon IGWA and its counsel.

Gary Spackman, Director

Published in the Mountain Home News and Idaho Mountain Express on December 31st, 2014 & January 7th, 2015; and the Times News on January 1st & 8th, 2015.

✓ OK DM

1/14/2015

2015-01-14