

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

Notice is hereby given that, on April 5, 2018, the Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Randy C. Budge and Thomas J. Budge, Racine Olson Nye Budge & Bailey, PO Box 1391, Pocatello, ID, 83204-1391, on behalf of American Falls-Aberdeen Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, Henry's Fork Ground Water District, Jefferson-Clark Groundwater District, Madison Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District, and Southwest Irrigation District (collectively the "Districts"), submitted a mitigation plan to the Idaho Department of Water Resources ("Department") in response to the Rangen, Inc. ("Rangen"), water delivery calls. The Department will process the mitigation plan pursuant to the Department's Conjunctive Management ("CM") Rules (IDAPA 37.03.11).

The Mitigation Plan may be viewed at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or online at the following website link:

<https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/rangen-2011-delivery-call/IGWA-2018.html>

Rangen's water delivery calls are based on injury to water right nos. 36-02551, 36-07694, and 36-15501 for fish propagation from the Martin-Curren Tunnel, which is hydrologically connected to the Eastern Snake Plain Aquifer. Many of the ground water rights owned by members of the Districts are subject to curtailment pursuant to a Department order that curtailed ground water rights junior to July 13, 1962 (see *Final Order Regarding Rangen, Inc.'s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962*, CM-DC-2011-004 (Jan. 29, 2014)).

IGWA's mitigation plan states that the "Districts purchased the Rangen fish hatchery and the Rangen Rights in 2017 as an alternative to providing mitigation under" other mitigation plans that IGWA had submitted to the Department. The mitigation plan states that "[t]he Districts desire to have their ownership of the Rangen Rights approved as a mitigation plan under the CM Rules to protect the water rights of District members from curtailment, with the Rangen delivery calls remaining in place as against water rights that do not belong to or are not in good standing with the Districts." The Districts ask the Director of the Department to approve the mitigation plan.

The Department has not determined the adequacy of the proposed mitigation plan. Any protest against approval of the mitigation plan must be filed with the Department, together with a protest fee of \$25, on or before **May 14, 2018**. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon IGWA's counsel.

Gary Spackman, Director

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