

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

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

Docket No. CM-MP-2014-001

SCHEDULING ORDER

On February 26, 2015, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) held a status conference in the above-captioned matter to discuss issues remanded to the Director in the *Memorandum Decision and Order on Petition for Judicial Review* (“Memorandum Decision”) entered on December 3, 2014, in the Fifth Judicial District in Case No. CV-2014-2446. In its Memorandum Decision, the Court reversed the Director’s approval of mitigation credit for future aquifer enhancement activities performed by the Idaho Ground Water Appropriators, Inc. (“IGWA”) and its member Southwest Irrigation District (“SWID”). *Memorandum Decision* at 6-10. The Court also reversed the Director’s method of calculating mitigation credit for the Morris exchange agreement. *Id.* at 10-15. The Court remanded these two issues to the Director “for further proceedings as necessary” consistent with the Memorandum Decision. *Id.* at 16.

At the status conference, the parties agreed to the following:

1. IGWA must submit to the Department a motion for mitigation credit toward its mitigation obligation to Rangen, Inc. (“Rangen”), from April 1, 2015, through March 31, 2016, as a result of documented aquifer enhancement activities conducted by IGWA and SWID. On February 26, 2015, IGWA submitted to the Department *IGWA’s Motion for Mitigation Credit for Aquifer Enhancement Activities (2015)* (“Motion for Aquifer Enhancement Activity Credit”).
2. IGWA should submit to the parties a proposal regarding method(s) for calculating mitigation credit for the Morris exchange agreement (“Informal Proposal”) prior to March 5, 2015.

3. The Director should order that the parties meet to discuss the Informal Proposal on March 5, 2015, after conclusion of the hearing set for Rangen's delivery call in Docket No. CM-DC-2014-004.
4. After the parties meet to discuss the Informal Proposal, IGWA must submit to the Department a *Proposal for Calculating Morris Exchange Agreement Mitigation Credit* ("Formal Proposal"). The parties will have two weeks from the date of submission to respond to the Formal Proposal.

SCHEDULING ORDER

Based upon and consistent with the foregoing, the Director hereby ORDERS as follows:

1. In accordance with the Department's Rule of Procedure 270, the parties must file responses, if any, to the Motion for Aquifer Enhancement Activity Credit by March 12, 2015.
2. IGWA must submit the Informal Proposal to the parties prior to March 5, 2015.
3. The parties must meet to discuss the Informal Proposal on March 5, 2015, after conclusion of the hearing set for Rangen's delivery call in Docket No. CM-DC-2014-004.
4. IGWA must submit the Formal Proposal to the Department by March 12, 2015. The parties must submit responses, if any, to the Formal Proposal by March 26, 2015.

DATED this 27th day of February 2015.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of February 2015, the above and foregoing, was served by the method(s) indicated below, and addressed to the following:

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