

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

|   |   |                          |
|---|---|--------------------------|
| <b>IN THE MATTER OF DISTRIBUTION OF</b>   | ) |                          |
| <b>WATER TO WATER RIGHT NOS. 36-02551</b> | ) | <b>CM-DC-2011-004</b>    |
| <b>AND 36-07694</b>                       | ) |                          |
|   | ) |                          |
| <b>(RANGEN, INC.)</b>                     | ) | <b>ORDER DESIGNATING</b> |
|   | ) | <b>FREMONT-MADISON</b>   |
|   | ) | <b>A RESPONDENT</b>      |
| _____                                     | ) |                          |

On August 21, 2012, Fremont-Madison Irrigation District, Inc. (Fremont-Madison) filed *Fremont-Madison Irrigation District's Petition To Be Designated As Respondent or Alternatively to Intervene* ("Petition") with the Idaho Department of Water Resources ("Department" or "Director"). The Petition requests that Fremont-Madison be designated as a respondent pursuant to the Department's *Rules of Procedure*, IDAPA 37.01.01 *et seq.*, in response to the Rangen, Inc. ("Rangen") conjunctive management delivery call. Alternatively, Fremont-Madison requests to intervene.

A respondent is defined as: "Persons against whom complaints are filed or about whom investigations are initiated . . ." IDAPA 37.01.01.154. Under the Department's *Rules for Conjunctive Management of Surface and Ground Water Resources*, IDAPA 37.03.11 *et seq.*, the Director is authorized to curtail junior ground water rights for the benefit of senior surface or ground water rights. Rangen asserts in its delivery call that, due to pumping by juniors from the Eastern Snake Plain Aquifer ("ESPA"), its senior surface water rights have been materially injured. Fremont-Madison is an irrigation district that diverts ground water from the ESPA. Some of Fremont-Madison's ground water rights are junior to Rangen's surface water rights. If Rangen is successful in its delivery call, Fremont-Madison's junior ground water rights could be subject to curtailment.

**ORDER**

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

Fremont-Madison is designated a respondent in the above-captioned proceeding.

Dated this 11<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
Gary Spackman  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11<sup>th</sup> day of September, 2012, the above and foregoing, was served by the method indicated below, and addressed to the following:

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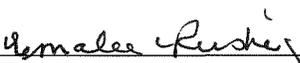
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