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

**IN THE MATTER OF DESIGNATING
THE EASTERN SNAKE PLAIN
AQUIFER GROUND WATER
MANAGEMENT AREA**

AA-GWMA-2016-001

**NOTICE OF CITIES PARTICIPATING
IN SETTLEMENT AGREEMENT
("AGREEMENT") BETWEEN THE
SURFACE WATER COALITION,
PARTICIPATING MEMBERS OF THE
IDAHO GROUND WATER
APPROPRIATORS, INC. AND
SIGNATORY CITIES FOR 2019**

*This Notice of Cities Participating in Settlement Agreement ("Agreement") Between the
Surface Water Coalition, Participating Members of the Idaho Ground Water Appropriators, Inc.
and Signatory Cities for 2019 is being provided as required under Paragraph I. A. and B. of the*

Settlement Agreement (“Agreement”) Between the Surface Water Coalition, Participating Members of the Idaho Ground Water Appropriators, Inc. and Signatory Cities (“Agreement”).

By way of background, the Agreement was negotiated between the cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Idaho Falls, Jerome, Paul, Pocatello, Richfield, Rupert, Shoshone, and Wendell (“Signatory Cities”), the Surface Water Coalition and IGWA in the fall of 2018 with a contemplation that it would be signed by all parties before the end for the year, 2018. It was also contemplated that in addition to the Signatory Cities, other cities would be allowed to participate in a given year and that notice would be provided by January 15 of the year when such city was participating. The Signatory Cities have all signed the Agreement and plan to participate in the 2019 aquifer enhancement activities contemplated in the Agreement.

The Signatory Cities sent a letter at the end of October to all other cities that divert groundwater from the Eastern Snake Plain Aquifer. In response to that letter, an additional six other cities have signed the Agreement and provided notice of their intention to participate in the provisions of the Agreement and the aquifer enhancement activities for the 2019 year. Those cities are Ammon, Atomic City, Blackfoot, Firth, Iona, and Rexburg. Because 2019 is the first year of the Agreement, it has taken longer for other cities to provide their intention to participate. Thus, it is expected that other additional cities may join later in 2019. This Notice will be supplemented with additional cities as soon as the Signatory Cities are made aware of their participation.

The Signatory Cities have been working with the Idaho Water Resource Board and its staff to facilitate recharge efforts for the upcoming 2019 year. It is anticipated that the details of these efforts will be fully developed over the next couple of months.

DATED this 23rd day of January, 2019.



Candice M. McHugh
MCHUGH BROMLEY, PLLC



For Robert L. Harris
**HOLDEN, KIDWELL, HAHN & CRAPO,
P.L.L.C**



For Sarah A. Klahn
SOMACH SIMMONS & DUNN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, I served a true and correct copy of **NOTICE OF CITIES PARTICIPATION** on the person(s) whose names and addresses appear below by the method indicated:

<p>Director Gary Spackman IDAHO DEPARTMENT OF WATER RESOURCES PO Box 83720 Boise, ID 83720</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Robert L. Harris, ISB No. 7018 HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C. P.O. Box 50130 1000 Riverwalk Drive, Suite 200 Idaho Falls, ID 83405 rharris@holdenlegal.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Sarah A. Klahn, ISB #7928 SOMACH SIMMONS & DUNN 2701 Lawrence Street, Suite 113 Denver, CO 80205 Email: sklahn@somachlaw.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED PO Box 1391 Pocatello, ID 83204-1391 rcb@racinelaw.net tjb@racinelaw.net</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>John K. Simpson Travis L. Thompson Al P. Barker BARKER ROSHOLT & SIMPSON, LLP 163 South A venue West P.O. Box 63 Twin Falls, ID 83303-0063 jks@idahowaters.com tlt@idahowaters.com jks@idahowaters.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>

<p>Jerry R. Rigby Hyrum Erickson Robert H. Wood RIGBY, ANDRUS & RIGBY LAW, PLLC PO Box 250 Rexburg, ID 83440-0250 jrigby@rex-law.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 wkf@pmt.org</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Joseph F. James BROWN & JAMES 130 Fourth Avenue West Gooding, ID 83330 joe@brownjameslaw.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Dylan B. Lawrence J. Will Varin VARIN WARDWELL LLC 242 N. 8th Street, Ste. 220 P.O. Box 1676 Boise, Idaho 83701-1676 dylanlawrence@varinwardwell.com willvarin@varinwardwell.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p>Michael C. Creamer GIVENS PURSLEY LLP 601 West Bannock Street P. O. Box 2720 Boise, ID 83701-2720 mcc@givenspursley.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>
<p><i>Courtesy Copy:</i> <i>Sun Valley Company</i> Chris Bromley MCHUGH BROMLEY, PLLC Attorneys at Law 380 S. 4th St., Ste. 103 Boise, ID 83702 cbromley@mcughbromley.com</p>	<p>X Via US Mail, Postage Paid <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Hand-Delivered X Other Email _____</p>



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