

Idaho Statesman

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LEGAL ADVERTISING PROOF OF PUBLICATION

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Account # 100632	DTI# 468271	Identification LEGAL NOTICE NOTICE OF MITIGATION PLAN	Amount \$140.00
Attention: MARY BALDWIN	P.O. #	Run Dates OCTOBER 22, 29, 2009	
IDAHO DEPARTMENT OF WATER RESOURCES 1341 FILLMORE STREET, STE 200 TWIN FALLS ID 83301		Number of Lines 75	
		Affidavit 1	Legal #

LEGAL NOTICE NOTICE OF MITIGATION PLAN

Notice is hereby given that on October 6, 2009, the Idaho Ground Water Appropriators, Inc. ("IGWA"), c/o Randall C. Budge or Candice McHugh, Racine Olson Nye Budge & Bailey, 101 S. Capitol Blvd., Suite 208, Boise, ID 83702, submitted IGWA's Mitigation Plan for Conversions, Dry-Ups and Recharge ("plan or mitigation plan") to the Department of Water Resources ("Department").

The Department will process this plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37, Title 03, Chapter 11).

The members of IGWA hold numerous ground water rights for domestic, municipal, commercial and industrial uses, and for irrigation in excess of 220,000 acres within Southern Idaho. Certain of these ground water rights have priority dates junior to the priority dates of certain water rights from spring sources that discharge to various reaches of the Snake River. The ground water and the springs are interconnected sources of water.

IGWA has proposed the mitigation plan to mitigate injury to earlier priority surface water rights that may result from depletions under later priority ground water rights. Pursuant to this plan, IGWA proposes to mitigate material injury by converting ground water irrigated acres to surface water; voluntarily drying up ground water irrigated acres through programs such as the Conservation Reserve Enhancement Program and the Agricultural Water Enhancement Program; and by early or late season recharge through canal conveyance systems or recharge sites.

The plan is intended to seek advanced approval of these mitigation activities to mitigate for existing or future water calls.

The Department has not determined the adequacy of the proposed plan. A complete copy of the proposed plan is available for review at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or may be viewed online at the following website along with other related documents:

http://www.idwr.idaho.gov/News/WaterCalls/1000Spring%20Users%20Calls/ESPA_MitPlan.htm

Any protest against approval of the plan must be filed with the Department, together with a protest fee of \$25.00 on or before November 9, 2009. The protest must include a certificate of service showing that a copy of the protest has been mailed to IGWA's counsel.

Gary Spackman, Interim Director

Pub. Oct. 22, 29, 2009

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

consecutive weekly single
 consecutive daily odd skip
insertion(s)

beginning issue of: OCTOBER 22, 2009

ending issue of: OCTOBER 29, 2009

Janice Hildreth

STATE OF IDAHO)

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COUNTY OF ADA)

On this 29 day of OCTOBER in the year of 2009

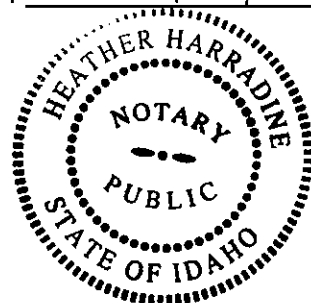
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 2/08/2014



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