

**NOTICE OF MITIGATION PLAN
SUBMITTED BY SOUTHWEST AND
GOOSE CREEK IRRIGATION DIS-
TRICTS AND THE SURFACE WATER
COALITION**

Notice is hereby given that, on January 4, 2018, Southwest Irrigation District and Goose Creek Irrigation District (collectively, "SWID"), and A&B Irrigation District, American Falls Reservoir District #2, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company (collectively, the "Surface Water Coalition"), through counsel of the firms Parsons, Smith, Loveland, Stone & Shirley LLP, 137 West 13th St., P.O. Box 910, Burley, Idaho, 83318; Barker Rosholt & Simpson LLP, P.O. Box 63, Twin Falls, Idaho 83303-0063; and Fletcher Law Office, P.O. Box 248, Burley, Idaho 83318, submitted to the Idaho Department of Water Resources ("Department") a Joint Motion for Approval of Mitigation Agreement ("Motion"). Attached to the Motion as Exhibit A is a Mitigation Agreement executed by SWID and the Surface Water Coalition.

SWID represents numerous landowners who hold ground water rights for irrigation, commercial, and other non-de minimis consumptive uses located within the Eastern Snake Plain Aquifer and other areas of Cassia and Twin Falls Counties. Certain of these ground water rights have priority dates junior to the priority dates of surface water rights held by the Surface Water Coalition. The Mitigation Agreement intends to benefit senior water rights held by members of the Surface Water Coalition involved in the Surface Water Coalition delivery call.

In the Mitigation Agreement, SWID agrees to undertake "aquifer mitigation actions during the years 2018-2026" including groundwater recharge, conversions, and voluntary curtailment "to meet the groundwater level benchmarks and the groundwater level goal set forth" in paragraph seven of the agreement. SWID also agrees that landowners within SWID will not irrigate with any ground water prior to April 1 or after October 31 within a given irrigation season. In exchange, the Surface Water Coalition "agrees that junior priority ground water rights held by SWID members . . . shall not be subject to curtailment in response to" the Surface Water Coalition delivery call during the term of the agreement. The Mitigation Agreement "is a perpetual agreement." SWID and the Surface Water Coalition ask that the Director "approve the Mitigation Agreement" and "recognize that [SWID's] members' junior priority ground water rights are not subject to curtailment or any further mitigation requirements in response to" the Surface Water Coalition delivery call "during the term of the Mitigation Agreement."

The Department will process the Motion and Mitigation Agreement pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Motion is available for review at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or at the following website link:

<https://idwr.idaho.gov/files/legal/CM-MP-2010-001/CM-MP-2010-001-20180104-Joint-Motion-for-Approval-of-Mitigation-Plan.pdf>

The Department has not determined the adequacy of the proposed Mitigation Agreement. Any protest against approval of the Mitigation Agreement must be filed with any Department office, together with a protest fee of \$25, on or before February 5, 2018. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for SWID and the Surface Water Coalition.

Gary Spackman, Director
First Publication: January 17, 2018
Last Publication: January 24, 2018

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
State of Idaho

I, **Joy Martinez**, do solemnly swear that I am the Legal Clerk of the:

Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for 2 consecutive weeks, the first publication having been made on the 17 day of Jan, 2018, and the last publication having been made on the 24 day of Jan, 2018; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

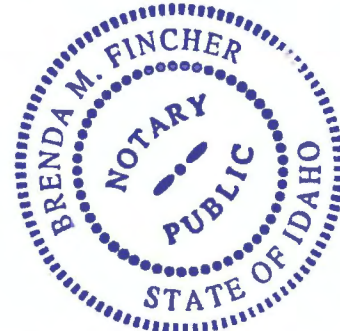
Joy Martinez
Legal Clerk

Subscribed and sworn to me this 24th day of Jan, 2018.

Brenda M Fincher
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-17-2022**.



✓ OK DM
2/5/2018

RECEIVED

JAN 26 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION