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DEPARTMENT OF WATER RESOURCES

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MAR 28 2016

DEPT OF WATER RESOURCES SOUTHERN REGION

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

LN 23247

KAREN MASON

**NOTICE OF MITIGATION PLAN
SUBMITTED BY THE IDAHO GROUND
WATER APPROPRIATOR'S, INC., IN
RESPONSE TO THE SURFACE
WATER COALITION WATER
DELIVERY CALL**

Notice is hereby given that, on March 9, 2016, the Idaho Ground Water Appropriators, Inc. ("IGWA"), and A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, 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 Racine Olson Nye Budge & Bailey, Chtd., P.O. Box 1391, Pocatello, Idaho 83204-1391; Barker Rosholt & Simpson LLP, 195 River Vista Place, Suite 204, Twin Falls, Idaho 83301-3029; and Fletcher Law Office, P.O. Box 248, Burley, Idaho 83318, submitted to the Idaho Department of Water Resources ("Department") the *Surface Water Coalition's and IGWA's Stipulated Mitigation Plan and Request for Order* ("Request for Order"). Attached to the Request for Order as Exhibits B and C respectively are the *Settlement Agreement Entered into June 30, 2015, Between Participating Members of the Surface Water Coalition and Participating Members of the Idaho Ground Water Appropriators, Inc. and the Addendum to Settlement Agreement* (collectively the "SWC-IGWA Settlement Agreement"). Attached to the Request for Order as Exhibit D is the *October 7, 2015, Agreement* between A&B Irrigation District and the IGWA members who entered into the SWC-IGWA Settlement Agreement (the "A&B-IGWA Agreement"). The Surface Water Coalition and IGWA submit the SWC-IGWA Settlement Agreement and the A&B-IGWA Agreement (collectively the "Mitigation Plan") as a stipulated mitigation plan in response to the Surface Water Coalition delivery call. Request for Order at 3.

The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). The Mitigation Plan may be viewed online at the following website link:

<http://www.idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/IGWA.html#CM-MP-2016-001>

being first duly sworn on oath deposes and says: that SHE was at all times herein mention a citizen of the United States of America more than 21 years of age, and the Principal Clerk of the Idaho State Journal, a daily newspaper, printed and published at Pocatello, Bannock County Idaho and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

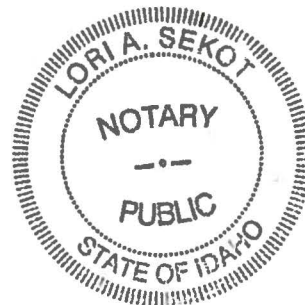
Mar. 17	2016	Mar	2016
Mar. 24	2016	Mar.	2016
Mar	2016	Mar.	2016
Mar.	2016	Mar.	2016

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO
COUNTY OF BANNOCK

On this 24th. of Mar. in the year of 2016, before me, a Notary Public, personally appeared KAREN MASON 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 acknowledge to me that he executed the same.

Notary of Public
Lori A. Sekot
Residing at Arimo exp. 3/3/2021



over
←

✓ OK DM 4-4-2016

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IGWA represents numerous ground water right holders whose ground water rights have priority dates junior to the priority dates of surface water rights held by the Surface Water Coalition and are subject to potential curtailment in the Surface Water Coalition delivery call. The Mitigation Plan intends to benefit senior water rights held by members of the Surface Water Coalition involved in the Surface Water Coalition delivery call.

The Mitigation Plan seeks approval of long term practices commencing 2016 including a total ground water diversion reduction of 240,000 ac-ft annually, annual delivery of 50,000 ac-ft of storage water to the Surface Water Coalition through private lease(s) of water from the Upper Snake Reservoir system, a reduction in irrigation season, contributions to the State sponsored recharge program, ground water to surface water conversions and/or fallow land projects, and adaptive water management measures if benchmarks or the ground water level goal identified in the SWC-IGWA Settlement Agreement are not met. See Exhibit B at 2-5.

The Department has not determined the adequacy of the proposed Mitigation Plan. A complete copy of the Mitigation Plan is available for review at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or at the website link above.

Any protest against approval of the Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before April 4, 2016. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for IGWA and the Surface Water Coalition.

GARY SPACKMAN, Director

March 17, 24, 2016

LN23247

✓ OK DM 4-4 2016

Handwritten notes and stamps at the bottom of the page, including a circular stamp on the left and various scribbles on the right.