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DEPARTMENT OF
WATER RESOURCES

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263982	0002935287	LEGAL NOTICE NOTICE OF AMENDED MITIG/	AmendedMitigationPlan	\$215.98	2	87

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Attention: DENISE MALINE

IDAHO DEPT OF WATER RESOURCES / SOUTH
650 ADDISON AVE W SUITE 500
TWIN FALLS, ID 83301

LEGAL NOTICE

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

Notice is hereby given that, on February 7, 2017, 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, "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, 163 Second Ave. West, 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") the Surface Water Coalition's and IGWA's Stipulated Amended Mitigation Plan and Request for Order ("Request for Order"). Attached to the Request for Order as Exhibit A is the Second Addendum to Settlement Agreement ("Second Addendum").

IGWA represents numerous ground water right holders whose rights have priority dates junior to the priority dates of surface water rights held by members of the Surface Water Coalition and are subject to potential curtailment in the Surface Water Coalition delivery call. The Second Addendum "provides further details concerning implementation" of the mitigation plan that IGWA and the Surface Water Coalition previously submitted in response to the delivery call and the Director of the Department ("Director") approved on May 2, 2016. Request for Order at 2. Specifically, the Second Addendum amends four sections of the approved mitigation plan: "Sections 3.a (Consumptive Use Volume Reduction); 3.e (Ground Water Level Goal and Benchmarks), 3.m (Steering Committee), and 4.a (Adaptive Water Management)." Id. IGWA and the Surface Water Coalition request that the Director issue an order approving the Second Addendum "as an amendment to the previously approved" mitigation plan. Id.

The Department will process the Request for Order and Second Addendum (collectively, "Amended Mitigation Plan") pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). The Amended Mitigation Plan and documents regarding the previously approved mitigation plan may be viewed online at the following website link:

<https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/IGWA.html>

The Department has not determined the adequacy of the Amended Mitigation Plan. A complete copy of the Amended 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 Amended Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before March 13, 2017. 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

Pub. Feb. 23, Mar. 2, 2017

0002935287-01

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 uninterrupted 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:

2 Insertions

Beginning issue of: 02/23/2017

Ending issue of: 03/02/2017

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 2nd day of March in the year of 2017 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 first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna Gomm

Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 08/17/2022

✓ OK DM 3/6/2017

