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Affidavit of Publication

DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the Publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 22nd day of February 2017 and the date of the last publication being the 1st day of March 2017.

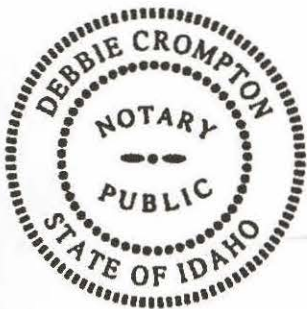
Signed

Brett Crompton

State of Idaho

County of Power

On this 1st day of March in the year of 2017, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Debbie Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: July 25, 2022

✓ OK AM 5-1-2017

Amended water mitigation plan submitted

Published in The Power County Press Feb. 22, March 1, 2017.

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

Published in the Idaho Mountain Express, Mountain Home News, and Power County Press on February 22nd & March 1st, 2017; the Times News, Idaho Statesman, Post Register, and Idaho State Journal on February 23rd & March 2nd, 2017; and the Rexburg Standard Journal on February 24th & March 3rd, 2017.