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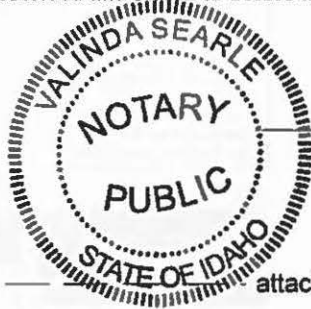
I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: 777739, for 2 consecutive (days) weeks, between 03/31/2016 and 04/07/2016,

and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 07 day of April 2016



Valinda Searle
Notary Public

My Commission expires: 11/10/2017

attached jurat

STATE OF IDAHO

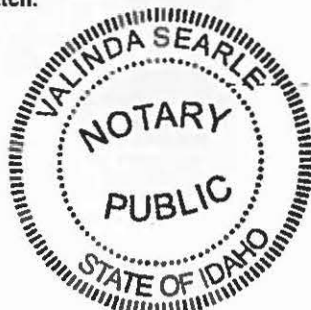
ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 07 day of April 2016, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

over
✓ OK BW
4-15-2016



Valinda Searle
Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 11/10/2017

**NOTICE OF INTERIM MITIGATION PLAN
SUBMITTED BY THE CITY OF POCATELLO,
COALITION OF CITIES, CITY OF IDAHO FALLS,
AND SURFACE WATER COALITION**

Notice is hereby given that, on March 15, 2016, the City of Pocatello ("Pocatello"), through counsel A. Dean Tranmer, P.O. Box 4169, Pocatello, ID 83205, and Sarah A. Klahn, 511 Sixteenth Street, Ste. 500, Denver, CO 80202; the cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell ("Coalition of Cities"), through counsel Chris Bromley, 380 S. 4th St., Ste. 103, Boise, ID 83702, and Robert E. Williams, P.O. Box 168, Jerome, ID 83338; the City of Idaho Falls ("Idaho Falls"), through counsel Randall D. Fife, P.O. Box 50220, Idaho Falls, ID 83405, and Robert L. Harris, P.O. Box 50130, Idaho Falls, ID 83405; 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 Travis L. Thompson, 195 River Vista Place, Ste. 204, Twin Falls, ID 83301-3029, and W. Kent Fletcher, P.O. Box 248, Burley, ID 83318, submitted to the Idaho Department of Water Resources ("Department") a *Joint Motion for Order Entering Settlement Between Pocatello, Coalition of Cities, Idaho Falls and Surface Water Coalition* ("Motion"). Attached to the Motion as Exhibit A is an *Interim Mitigation Agreement* ("Interim Mitigation Plan") entered into

by Pocatello, the Coalition of Cities, Idaho Falls, and the Surface Water Coalition ("SWC").

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

<http://www.idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/Cities.html>

Prior to submitting the Motion and Interim Mitigation Plan, Pocatello, the Coalition of Cities, and Idaho Falls each submitted a proposed individual mitigation plan intended to benefit senior water rights held by members of the SWC involved in the SWC water delivery call. Each individual plan generally proposed to directly deliver some volume of storage water. The Coalition of Cities' and Idaho Falls' plans also proposed unspecified ground water recharge activities. The Department previously published notice of these individual plans. The Interim Mitigation Plan was submitted following negotiations between Pocatello, the Coalition of Cities, Idaho Falls, and the SWC to resolve "their differences" regarding the proposed individual plans. *Motion* at 2.

The Interim Mitigation Plan specifies details of mitigation activities that Pocatello, the Coalition of Cities, Idaho Falls, and the SWC agree will "constitute full mitigation" for any injury to members of the SWC in 2016 associated with ground water pumping by Pocatello, the Coalition of Cities, and Idaho Falls. *Interim Mitigation Plan* at 2. Specifically, the Interim Mitigation Plan proposes delivery of 2,600 acre-feet of storage water to storage accounts selected by the SWC from "Pocatello's or Idaho Falls' (through its Palisades Water Users, Inc. shares) storage space in Palisades Reservoir or the Water District 01 Rental Pool(s)." *Id.* The Interim Mitigation Plan also seeks credit for past recharge activities "that are estimated to benefit the Near Blackfoot to Neeley and Neeley to Minidoka Reaches of the Snake River in the amount of 515 acre-feet of water during the 2016 irrigation season." *Id.* In addition, the Interim Mitigation Plan states that other municipal corporations who pump ground water from the Eastern Snake Plain Aquifer Area of Common Ground Water Supply defined by CM Rule 50 "may become a participant" and that the delivery of 2,600 acre-feet of storage water "will mitigate injury to the SWC" caused by pumping under junior ground water rights held by those municipal corporations. *Id.*

The Department has not determined the adequacy of the proposed Interim Mitigation Plan. A complete copy of the Interim 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 Interim Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before **April 18, 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 Pocatello, the Coalition of Cities, Idaho Falls, and the SWC.

Gary Spackman, Director

Published in the Mountain Home News, Idaho Mountain Express, and Power County Press on March 30th & April 6th, 2016; and the Times News, Post Register, Idaho Statesman, Lewiston Tribune, and Idaho State Journal on March 31st & April 7th, 2016. (777739)

✓ OK DM 4-15-2016