

Proof of Publication The Post Register

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Department of Water Resources
Eastern Region

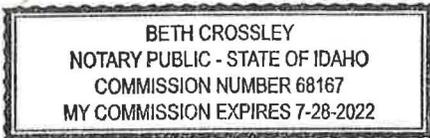
State of Idaho
County of Bonneville

I, Dawn Giannini or Taylor Winger, first being duly sworn, depose and say: That I am the Classified 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 ad number: 139823 for 2 consecutive (days) weeks, between 03/14/2019 and 03/21/2019, 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.

T. Winger

Subscribed and sworn to before me, this 21st day of March 2019



Beth Crossley

Notary Public
My commission expires: ~~06/28/2023~~

_____ attached jurat _____

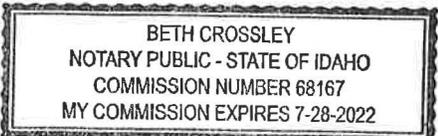
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 21st day of March 2019, before me, the undersigned, a Notary public for said state, personally appeared Dawn Giannini or Taylor Winger, 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.



Beth Crossley

Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires: ~~06/28/2023~~

**NOTICE OF JOINT STIPULATED MITIGATION
PLAN SUBMITTED BY THE COALITION OF
CITIES, CITY OF IDAHO FALLS, AND CITY OF
POCATELLO IN RESPONSE TO THE SURFACE
WATER COALITION DELIVERY CALL**

Notice is hereby given that, on February 25, 2019, 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 and Candice McHugh, 380 S. 4th St., Ste. 103, Boise; ID 83702; the City of Idaho Falls (Idaho Falls), through counsel Robert L. Harris, P.O. Box 50130, Idaho Falls, ID 83405; and the City of Pocatello (Pocatello), through counsel Sarah A. Klahn, Somach, Simmons & Dunn, 2701 Lawrence St, Ste. 113, Denver, CO 80205, submitted to the Idaho Department of Water Resources (Department) the Coalition of Cities, City of Idaho Falls, and City of Pocatello Joint Mitigation Plan with an attached Settlement Agreement between the Surface Water Coalition (SWC), Participating Members of Idaho Ground Water Appropriators, Inc. (IGWA), and Signatory Cities (collectively, Joint Stipulated Mitigation Plan).

The Coalition of Cities, Idaho Falls, and Pocatello (collectively, Cities) have individually and collectively filed four CM Rule 43 mitigation plans, CM-MP-2015-001, CM-MP-2015-004, CM-MP-2015-005, CM-MP2016-001, to satisfy their mitigation obligations in response to the SWC delivery call, CM-CD-2010-001. The Joint Stipulated Mitigation Plan replaces the previously filed plans.

The Cities assert the Joint Mitigation Plan resolves the Cities collective mitigation obligation under the SWC delivery call. Joint Stipulated Mitigation Plan at 2. The Cities also assert that the SWC and IGWA stipulate to the Joint Mitigation Plan with the Cities, agreeing that the Plan shall be deemed to fully mitigate all impacts caused by the Cities out-of-priority ground water pumping in CM-DC-2010-001 for the term of the mitigation plan. *Id.* at 4-5. The term of the Joint Stipulated Mitigation Plan shall be until the average annual ESPA pumping of the cities referenced in the Agreement reaches 120,000 acre-feet per year as determined by a five-year rolling average, or December 31, 2053, whichever is earlier *Id.* at 4.

The Department will process the Joint Stipulated Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Joint Stipulated 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 following website link:

<https://dwr.idaho.gov/files/legal/CM-MP-2019-001/CM-MP-2019-001-20190225-Coalition-of-Cities-et-al-Joint-Mitigation-Plan.pdf>

The Department has not determined the adequacy of the Joint Stipulated Mitigation Plan. Any protest against approval of the Joint Stipulated Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before **April 1, 2019**. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for the Cities.

Gary Spackman, Director

Published in the Mountain Home News, Idaho Mountain Express, and Power County Press on March 13 and 20, 2019 and the Times News, Post Register (139823 - 42771), Idaho migStatesman, Lewiston Tribune, and Idaho State Journal on March 14 and 21, 2019.

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