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OCT 23 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson

I, Gerri McMinn of The Jefferson Star, published weekly at Rigby, Jefferson County, Idaho, do solemnly swear that the

Petition Milner
Irrigation

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on 10/11/2017 and the last publication having been made on 10/18/2017 Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Gerri McMinn

On this 18th day of October in the year of 2017, before me, a Notary Public, personally appeared

Gerri McMinn

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 acknowledged to me that she executed the same.

Beth Crossley
Notary Public of Idaho
Residing at Idaho Falls
My commission expires 7-28-22



NOTICE OF PETITION FILED BY MILNER IRRIGATION DISTRICT REGARDING STORAGE RESET IN WATER DISTRICT 01 AND INITIATION OF FORMAL PROCEEDINGS

Notice is hereby given that, on August 18, 2017, Milner Irrigation District ("Milner") submitted a letter to the Idaho Department of Water Resources ("Department") asserting the "fall storage 'reset' for purposes of water right administration" in Water District 01 "is not authorized in the current storage water right partial decrees, including the Lake Walcott storage right (1-219)" and "has in effect curtailed Milners natural flow water right 1-17 (November 14, 1916 priority date) in recent years." Milner requests "the Water District and Director ensure Milner receives the appropriate natural flow as required by Idaho law."

Milners letter is a petition as defined by the Departments Rule of Procedure 230. See IDAPA 37.01.01.230. The letter is available at the Departments website for this matter at <https://idwr.idaho.gov/legal-actions/administrative-actions/milner-petition.html>.

The Director will conduct formal proceedings to address the above-described petition in accordance with the Departments Rule of Procedure 104 (IDAPA 37.01.01.104). A copy of the Rules of Procedure may be obtained from the Department or at the following website link: <https://adminrules.idaho.gov/rules/current/37/0101.pdf>.

The Director will hold a prehearing conference on **November 13, 2017, at 1:30 p.m. (MDT) at the Departments State Office, located at 322 E. Front Street, 6th Floor, Directors Conference Room, Boise, Idaho 83720.** Parties and those seeking to intervene must be represented at the prehearing conference in person or by telephone. The prehearing conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the Departments Rules of Procedure.

Milner is a party to this matter. **Others who want to formally participate must file petitions to intervene with the Department by November 12, 2017, in accordance with the Departments Rules of Procedure 350-352. See IDAPA 37.01.01.350-352.**

Gary Spackman, Director
Published in the Jefferson Star, Rigby, Idaho, October 11 and 18, 2017.
(61583)

✓ OK DM 10/25/2017