

RECEIVED

OCT 30 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

**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 Milner's 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."

Milner's letter is a petition as defined by the Department's Rule of Procedure 230. See IDAPA 37.01.01.230. The letter is available at the Department's 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 Department's 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>

**Legals**

**AFFIDAVIT OF PUBLICATION**  
County of Bingham )

ss

State of Idaho )  
I, Sarah Warner do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive weeks the first publication having been made on the 12 day of October 2017, and the last publication having been made on the 19 day of October 2017; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Sarah Warner

On this 31 day of October, in the year of 2017, before me a Notary Public of the State, personally appeared Sarah Warner known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same.

Melissa Sutton

Melissa Sutton  
Notary Public for the State of Idaho  
Residing at Blackfoot, Idaho  
My Commission Expires:  
October 27, 2020  
Affidavit Processing Fee.....\$5.00

← over

✓ OK DM  
11-1-2017



The Director will hold a prehearing conference on **November 13, 2017, at 1:30 p.m. (MDT) at the**

✓ OK *DM* 11-1-2017