

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
46608	IPL0346682	Legal Ad - IPL0346682	Bingham Mitigation	2.0	64.0L

ATTENTION: IDAHO DEPT OF WATER RESOURCE / EAST IP
900 N SKYLINE DR SUITE A
IDAHO FALLS, ID 83402-1700
Christina.henman@idwr.idaho.gov

NOTICE OF JERRY D. BINGHAM AND VALERIE H. BINGHAM'S FIFTH MITIGATION AND CURTAILMENT PLAN FOR 2026 SUBMITTED IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that on May 28, 2026, Jerry D. Bingham and Valerie H. Bingham (the "Binghams"), through their counsel Reed W. Larsen, PO Box 4229, Pocatello, ID 83205-4229, submitted *Binghams' Fifth Mitigation and Curtailment Plan* ("Mitigation Plan") to the Idaho Department of Water Resources ("Department").

The Binghams intend for their *Mitigation Plan* to mitigate the impacts of their junior priority ground water pumping on the Snake River as part of the Surface Water Coalition ("SWC") Water Delivery Call during the 2026 irrigation seasons. *Mitigation Plan*, at 1. The SWC Delivery Call is administered by the Department and watermasters of state water districts who administer ground water rights within the Eastern Snake Plain Aquifer ("ESPA"). The SWC consists of irrigation water delivery entities with senior surface water rights diverted from the Snake River above Milner Dam.

In their Mitigation Plan, the Binghams propose reducing their ground water pumping by 41% during the 2026 irrigation season. *Mitigation Plan*, at 2. The Binghams propose achieving this reduction by curtailing three of their six water rights, Water Right No.'s 35-12226, 35-2266, and 36-2269G, for the entirety of the 2026 irrigation season. *Id.* Additionally, the Binghams propose limiting pumping under their remaining three water rights, Water Right No.'s 35-2202B, 35-2202E, and 35-2183D, to 1.7 acre-feet-per-acre, 1.7 acre-feet-per-acre, and 1.72 acre-feet-per-acre respectively, for the 2026 irrigation season. *Id.*

The Department will process the *Mitigation Plan* under the Department's CM Rules (IDAPA 37.03.11). A complete copy of the *Mitigation Plan* is available for review at the following website link: <https://idwr.idaho.gov/mitigation-actions/swc-binghams-2026/>.

This notice does not represent analysis or approval of the proposed plan by the Department. Any party desiring to protest the approval of the *Mitigation Plan* must file their protest with the Department, together with a protest fee of \$25, on or before 6/29/2026. Rule 53 of the Department's Rules of Procedure (IDAPA 37.01.01.053) outlines how documents may be filed with the Department and when they are considered filed. A copy of the Rules of Procedure may be obtained at the following website link: <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. The protest must include a certificate of service showing that a copy of the protest has been mailed or delivered personally to counsel for the Binghams.

Mathew Weaver, Director.

Published in the Idaho Statesman, Mountain Home News, Idaho Mountain Express, Post Register, & Idaho State Journal on 6/10/2026 and 6/17/2026; in the Times News & Lewiston Tribune on 6/11/2026 and 6/18/2026; and in the Rexburg Standard Journal on 6/12/2026 and 6/19/2026.

IPL0346682

Jun 10,17 2026

the undersigned, being duly sworn, deposes and says: That he/she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2.0 insertion(s) published on:
06/10/26 Print, 06/17/26 Print

RECEIVED
JUN 17 2026
DEPT. OF WATER RESOURCES
EASTERN REGION

[Print Tearsheet Link](#)

[Marketplace Link](#)

Kathy Wilson



Kathy Wilson

Amanda Rodela

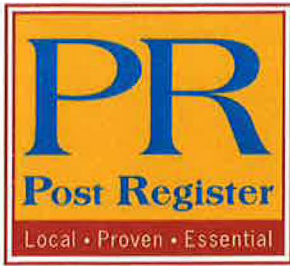


Sworn to and subscribed before
me on

Jun 17, 2026, 10:24 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®



PROOF OF PUBLICATION Post Register

RECEIVED

JUN 22 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

State of Idaho
County of Bonneville

I, Collins Crapo, first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register and on IdahoPublicNotices.com for 2 day(s), first publication having been made on 06/10/2026 last publication having been made on 06/17/2026, 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.



Collins Crapo
Idaho Falls, ID

attached jurat

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 17th day of June, 2026 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, known or identified to me to be the person(s) whose name(s) is/are 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/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.





Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/2028

NOTICE OF JERRY D. BINGHAM AND VALERIE H. BINGHAM'S FIFTH MITIGATION AND CURTAILMENT PLAN FOR 2026 SUBMITTED IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

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The Department will process the Mitigation Plan under the Department's CM Rules (IDAPA 37.03.11). A complete copy of the Mitigation Plan is available for review at the following website link: <https://idwr.idaho.gov/mitigation-actions/swc-binghams-2026/>.

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Mathew Weaver
Director

Published: June 10, 17, 2026 (PR10591-750466)



PROOF OF PUBLICATION Idaho State Journal

RECEIVED

JUN 22 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

State of Idaho
County of Bonneville

I, Collins Crapo, first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Idaho State Journal, a newspaper of general circulation, published 4 days, Tues-Wed-Friday and Saturday, at Pocatello, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal and on IdahoPublicNotices.com for 2 day(s), first publication having been made on 06/10/2026 last publication having been made on 06/17/2026, 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.



Collins Crapo
Idaho Falls, ID

attached jurat

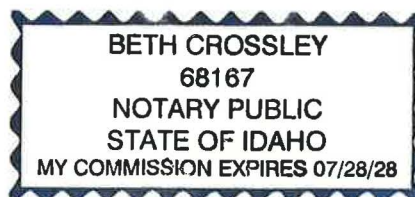
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 17th day of June, 2026 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Idaho State Journal, a newspaper of general circulation, 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/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.





Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/2028

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Mathew Weaver
Director

Published: June 10, 17, 2026 (ISJ2497-750457)

JUN 22 2026 IDAHO MOUNTAIN

DEPT. OF WATER RESOURCES
EASTERN REGION



AFFIDAVIT of PUBLICATION

COPY OF NOTICE

Legal Notice

TITLE OF NOTICE

IDWR / Eastern Region
BILL TO

State of Idaho
County of Blaine

Pam Morris, being first duly sworn, deposes and says that she is the publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of more than seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by the laws of the State of Idaho, and that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 10 day of June, 2026, and the date of the last publication was on the 17 day of June, 2026 and, in addition thereto, the annexed advertisement was published beginning on the 8 day of June, 2026, digitally on the website "idnewspaper.idahopublicnotices.com" as provided by Idaho Code 60-160A.

Pam Morris
PUBLISHER

Subscribed and sworn to before me this 17 day of June, 2026.

Connie N Johnson
NOTARY PUBLIC

Residing at Hailey, Idaho.

My commission expires on 7/10/2030



COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 89

Number of Insertions 2

89 Lines tabular at \$81.88 9.0 cents/pica

89 Lines straight at \$71.65 8.0 cents/pica

89 Subsequent lines at \$153.53 7.0 cents/pica

\$153.53
TOTAL COST

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Mathew Weaver, Director.

PUBLISH
IDAHO MOUNTAIN EXPRESS
JUNE 10 & 17, 2026

State of Idaho
County of Bonneville

I, Collins Crapo, first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Standard Journal, a newspaper of general circulation, published 2 days, Tuesday and Friday at Rexburg, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Standard Journal and on IdahoPublicNotices.com for 3 day(s), first publication having been made on 06/12/2026 last publication having been made on 06/19/2026, 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.



Collins Crapo
Idaho Falls, ID

attached jurat

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 19th day of June, 2026 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Standard Journal, a newspaper of general circulation, 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/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.





Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/2028

NOTICE OF JERRY D. BINGHAM AND VALERIE H. BINGHAM'S FIFTH MITIGATION AND CURTAILMENT PLAN FOR 2026 SUBMITTED IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

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Mathew Weaver
Director

Published: June 12, 19, 2026 (SJ9319-750467)

RECEIVED

JUN 24 2026

DEPT. OF WATER RESOURCES

NOTICE OF JERRY D. BINGHAM AND VALERIE H. BINGHAM'S FIFTH MITIGATION AND CURTAILMENT PLAN FOR 2026 SUBMITTED IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

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Mathew Weaver, Director.

First Publication: June 10, 2026
Second Publication: June 17, 2026

AFFIDAVIT OF PUBLICATION

County of Elmore}

} ss

State of Idaho }

I, **Reece Garner**, do solemnly swear that I am the Legal Clerk of the:
Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for 2 consecutive weeks, the first publication having been made on the **10th** day of **June** 2026 and the last publication having been made on the **17th** day of **June** 2026 every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the publication of the attached notice.

The attached notice was also posted online at
IdahoPublicNotices.com on the **5th** day of **June** 2026

Reece Garner

Legal Clerk

Subscribed and sworn to me this 18th day of June 2026.

Joy M. Martinez

Notary Public

Residing in Mountain Home, Elmore County, Idaho.
My commission expires **10-17-2028**.



TRIBUNE PUBLISHING COMPANY, INC

Date:

06/18/2026

INVOICE NO.

204957

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

RECEIVED

Account No.

446600

JUN 26 2026

Description

204957 NOTICE O

**LEGAL ADVERTISING
INVOICE**DEPT. OF WATER RESOURCES
EASTERN REGION

Times

2

Lines

63

Tab. lines

\$ 194.27

Sold To: IDAHO DEPT/ WATER RESOURCES
900 N. SKYLINE DR, STE A
IDAHO FALLS ID 83402

PO#

Henman, Christina

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

S KELLAM, Legal Clerk being first duly sworn, on oath deposes and says; I am a printer and publisher of The Lewiston Tribune and LMtribune.com, a newspaper and affiliated website of general circulation, published at Lewiston, Nez Perce County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; an official newspaper for Asotin County, Washington as required by R.C.W. 36.72.071 and other provisions of the Revised Code of Washington and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper, and not in a supplement thereto, as well as the websites idahopublicnotices.com and wapublicnotices.com, upon the following date(s):

Print Publication Dates: 06/11/2026, 06/18/2026

the same being the date designated for the publication of said notice.

Skellam

On this 19 day of June in the year of 2026 before me, a Notary Public, personally appeared S Kellam, 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 (s)he executed the same.

Notary Public in and for the State of Idaho,
residing at Lewiston, Idaho therein.
Commission Expires 1/23/28



See Proof on Next Page

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Florida, County of Orange, ss:

I, Edmar Corachia, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Jun 11, 2026
- Jun 18, 2026

Notice ID: 4qXgtotuS4yQgX8xoash

Notice Name: Bingham 5th Mitigation Plan

Publication Fee: \$163.23

Edmar Corachia

Agent

VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 06/19/2026

[Signature]

Notary Public

Notarized remotely online using communication technology via Proof.

RECEIVED

JUN 30 2026

DEPT. OF WATER RESOURCES
EASTERN REGION



PAMELA BAEZ
Notary Public - State of Florida

Commission # HH 732409
Expires on October 19, 2029

NOTICE OF JERRY D. BINGHAM AND VALERIE H. BINGHAM'S FIFTH MITIGATION AND CURTAILMENT PLAN FOR 2026 SUBMITTED IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that on May 28, 2026, Jerry D. Bingham and Valerie H. Bingham (the "Binghams"), through their counsel Reed W. Larsen, PO Box 4229, Pocatello, ID 83205-4229, submitted *Binghams' Fifth Mitigation and Curtailment Plan* ("Mitigation Plan") to the Idaho Department of Water Resources ("Department").

The Binghams intend for their *Mitigation Plan* to mitigate the impacts of their junior priority ground water pumping on the Snake River as part of the Surface Water Coalition ("SWC") Water Delivery Call during the 2026 irrigation seasons. *Mitigation Plan*, at 1. The SWC Delivery Call is administered by the Department and watermasters of state water districts who administer ground water rights within the Eastern Snake Plain Aquifer ("ESPA"). The SWC consists of irrigation water delivery entities with senior surface water rights diverted from the Snake River above Milner Dam.

In their *Mitigation Plan*, the Binghams propose reducing their ground water pumping by 41% during the 2026 irrigation season. *Mitigation Plan*, at 2. The Binghams propose achieving this reduction by curtailing three of their six water rights, Water Right No.'s 35-12226, 35-2266, and 36-2269G, for the entirety of the 2026 irrigation season. *Id.* Additionally, the Binghams propose limiting pumping under their remaining three water rights, Water Right No.'s 35-2202B, 35-2202E, and 35-2183D, to 1.7 acre-feet-per-acre, 1.7 acre-feet-per-acre, and 1.72 acre-feet-per-acre respectively, for the 2026 irrigation season. *Id.*

The Department will process the *Mitigation Plan* under the Department's CM Rules (IDAPA 37.03.11). A complete copy of the *Mitigation Plan* is available for review at the following website link: <https://idwr.idaho.gov/mitigation-actions/swc-binghams-2026/>.

This notice does not represent analysis or approval of the proposed plan by the Department. Any party desiring to protest the approval of the *Mitigation Plan* must file their protest with the Department, together with a protest fee of \$25, on or before 6/29/2026, Rule 53 of the Department's Rules of Procedure (IDAPA 37.01.01.053) outlines how documents may be filed with the Department and when they are considered filed. A copy of the Rules of Procedure may be obtained at the following website link: <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. The protest must include a certificate of service showing that a copy of the protest has been mailed or delivered personally to counsel for the Binghams.

Mathew Weaver, Director.
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