

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the Publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 17th day of January 2018 and the date of the last publication being the 24th day of January 2018

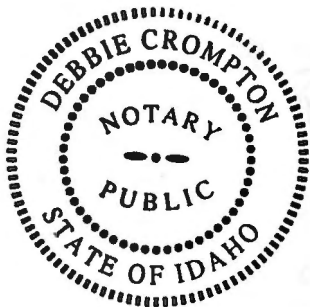
Signed

Brett Crompton

State of Idaho

County of Power

On this 24th day of January in the year of 2018, before me, a Notary Public, personally appeared Brett Crompton, 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 executed the same.



Debbie Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: July 25, 2022

Mitigation plan for irrigation districts

Published in The Power County Press Jan. 17, 24, 2018.

NOTICE OF MITIGATION PLAN SUBMITTED BY SOUTHWEST AND GOOSE CREEK IRRIGATION DISTRICTS AND THE SURFACE WATER COALITION

Notice is hereby given that, on January 4, 2018, Southwest Irrigation District and Goose Creek Irrigation District (collectively, "SWID"), and A&B Irrigation District, American Falls Reservoir District #2, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company (collectively, the "Surface Water Coalition"), through counsel of the firms Parsons, Smith, Loveland, Stone & Shirley LLP, 137 West 13th St., P.O. Box 910, Burley, Idaho, 83318; Barker Rosholt & Simpson LLP, P.O. Box 63, Twin Falls, Idaho 83303-0063; and Fletcher Law Office, P.O. Box 248, Burley, Idaho 83318, submitted to the Idaho Department of Water Resources ("Department") a Joint Motion for Approval of Mitigation Agreement ("Motion"). Attached to the Motion as Exhibit A is a Mitigation Agreement executed by SWID and the Surface Water Coalition.

SWID represents numerous landowners who hold ground water rights for irrigation, commercial, and other non-de minimis consumptive uses located within the Eastern Snake Plain Aquifer and other areas of Cassia and Twin Falls Counties. Certain of these ground water rights have priority dates junior to the priority dates of surface water rights held by the Surface Water Coalition. The Mitigation Agreement intends to benefit senior water rights held by members of the Surface Water Coalition involved in the Surface Water Coalition delivery call.

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DEPT OF WATER RESOURCES
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In the Mitigation Agreement, SWID agrees to undertake "aquifer mitigation actions during the years 2018-2026" including groundwater recharge, conversions, and voluntary curtailment "to meet the groundwater level benchmarks and the groundwater level goal set forth" in paragraph seven of the agreement. SWID also agrees that landowners within SWID will not irrigate with any ground water prior to April 1 or after October 31 within a given irrigation season. In exchange, the Surface Water Coalition "agrees that junior priority ground water rights held by SWID members . . . shall not be subject to curtailment in response to" the Surface Water Coalition delivery call during the term of the agreement. The Mitigation Agreement "is a perpetual agreement." SWID and the Surface Water Coalition ask that the Director "approve the Mitigation Agreement" and "recognize that [SWID's] members' junior priority ground water rights are not subject to curtailment or any further mitigation requirements in response to" the Surface Water Coalition delivery call "during the term of the Mitigation Agreement."

The Department will process the Motion and Mitigation Agreement pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Motion 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://idwr.idaho.gov/files/legal/CM-MP-2010-001/CM-MP-2010-001-20180104-Joint-Motion-for-Approval-of-Mitigation-Plan.pdf>

The Department has not determined the adequacy of the proposed Mitigation Agreement. Any protest against approval of the Mitigation Agreement must be filed with any Department office, together with a protest fee of \$25, on or before February 5, 2018. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for SWID and the Surface Water Coalition.

Gary Spackman, Director

Published in the Idaho Mountain Express, Mountain Home News, and Power County Press on January 17th & 24th, 2018; and the Times News, Idaho Statesman, Post Register, and Idaho State Journal on January 18th & 25th, 2018; and the Rexburg Standard Journal on January 19th & 26th, 2018.

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