

Affidavit of Publication

RECEIVED

JUN 01 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 15th day of April 2015 and the date of the last publication being the 22nd day of April 2015.

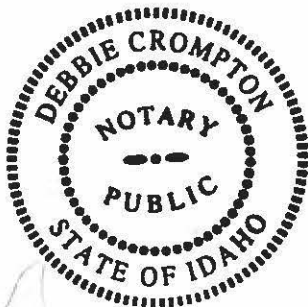
Signed

Brett Crompton

State of Idaho

County of Power

On this 22nd day of April in the year of 2015, 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 she executed the same.



Debbie Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: July 19, 2016

Notice of Pocatello
mitigation plan

Published in The Power County
Press April 15, 22, 2015.

NOTICE OF MITIGATION PLAN
SUBMITTED BY THE
CITY OF POCATELLO

Notice is hereby given that, on April 7, 2015, the City of Pocatello ("Pocatello"), through its counsel A. Dean Tranmer, City of Pocatello Attorney's Office, P.O. Box 4169, Pocatello, ID, 83201, and Sarah A. Klahn, White & Jankowski, LLP, 511 Sixteenth Street, Suite 500, Denver, CO, 80202, submitted to the Idaho Department of Water Resources ("Department") the City of Pocatello's Rule 43 Mitigation Plan ("Mitigation Plan"). The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). The Mitigation Plan may be viewed online at the following website link: http://www.idwr.idaho.gov/legal_actions/City_of_Pocatello.html

Pocatello holds water rights that are subject to potential curtailment in Snake River delivery calls before the Department. A list of these water rights is attached to the Mitigation Plan as Exhibit 2. The Mitigation Plan is intended to benefit senior water rights held by the members of the Surface Water Coalition ("SWC") (comprised of Twin Falls Canal Company, North Side Canal Company, A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, and Minidoka Irrigation District) and involved in the SWC delivery call. The Mitigation Plan is also intended to benefit unidentified senior surface water rights upstream of Milner Dam that may make a future delivery call against Pocatello. Pocatello holds a contract with the United States Bureau of Reclamation for 50,000 acre-feet of storage in Palisades Reservoir on the Snake River ("Palisades Contract"). In the event the Director of the Department issues an order finding material injury that will result in curtailment of Pocatello's ground water rights, Pocatello proposes to provide mitigation water

from its Palisades Contract water to mitigate for its proportionate share of the shortage to the senior calling water right caused by junior pumping in the curtailment area.

The Department has not determined the adequacy of the proposed Mitigation Plan. A complete copy of the 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 website link above.

Any protest against approval of the Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before May 4, 2015. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon Pocatello and its counsel.

Gary Spackman, Director
Published in The Power County
Press on April 15th & 22nd, 2015;
and the Idaho State Journal, Times
News, Idaho Statesman, Post Register
and Lewiston Tribune on April
16th & 23rd, 2015.

✓ OK DM
6/1/2015

TRIBUNE PUBLISHING COMPANY, INC

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

Date: 04/23/2015 INVOICE NO. 108750
Account No. 446620
Description 108750 NOTICE O
Times 2 Lines 58
Tab. lines
\$ 169.65

**LEGAL ADVERTISING
INVOICE**

Sold To: DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED

APR 30 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

PO# Pocatello

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.

**NOTICE OF MITIGATION PLAN SUBMITTED BY THE
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AFFIDAVIT OF PUBLICATION

Karen J. Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 108750 NOTICE O attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

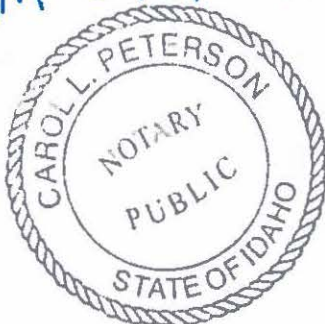
2 time(s). Publication being on 04/16, or once a Week for 2 consecutive Week, the first publication thereof being on the 04/16/2015, and the last publication thereof being on the 04/23/2015, and said 108750 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

State of Idaho
S.S.
County of Nez Perce

On this 24th day of April in the year of 2015, before me, a Notary Public, personally appeared Karen J. Lewis, 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 he executed the same.

Carol Peterson
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 8-1-2017



✓ OK DM 5/6/2015

RECEIVED

APR 15 2015

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Gary Spackman, Director
Published in the Power County Press on April 15th & 22nd, 2015; and the Idaho State Journal, Times News, Idaho Statesman, Post Register and Lewiston Tribune on April 16th & 23rd, 2015.

Week
Week

✓ OK DM 5/6/2015

APR 29 2015**LEGAL PROOF OF PUBLICATION**DEPT OF WATER RESOURCES
SOUTHERN REGION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263982	0001673431	LEGAL NOTICE NOTICE OF MITIGATION	City Pocatello	\$157.48	2	47

Attention: DENISE MALINEIDAHO DEPT WATER RESOURCE / SOUTH
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301**LEGAL NOTICE
NOTICE OF MITIGATION PLAN SUBMITTED BY THE
CITY OF POCATELLO**

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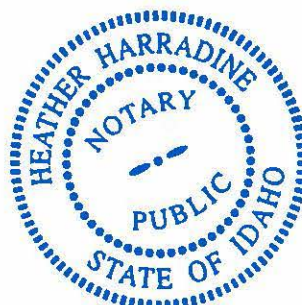
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Gary Spackman, Director

Pub. Apr. 16, 23, 2015

0001673431-01

✓ OK DM 5/6/2015



JANICE HILDRETH, being duly sworn, deposes and says: That 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 Insertions

Beginning issue of: 04/16/2015

Ending issue of: 04/23/2015

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 23rd day of April in the year of 2015 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine

Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 2/11/2020

Proof of Publication
The Post Register

RECEIVED

APR 27 2015

State of Idaho
Bonneville County:

DEPT OF WATER RESOURCES
SOUTHERN REGION

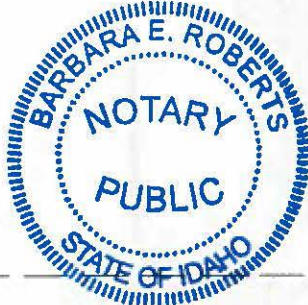
I, ~~Donna Nims~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published 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 this ad number: 716795, for 2 consecutive (days) weeks, between 04/16/2015 and 04/23/2015,

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.

Staci Dockery

Subscribed and sworn to before me, this 23 day of April 2015



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

attached jurat

STATE OF IDAHO

ss.

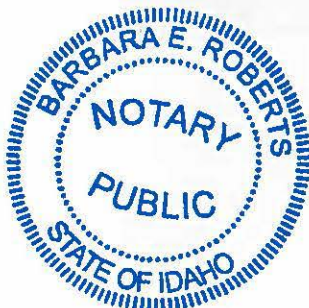
COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 23 day of April 2015, before me, the undersigned, a Notary public for said state, personally appeared ~~Donna Nims~~ or Staci Dockery, 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.

Barbara E. Roberts

Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/9/2019



✓ OK DM
4-29-2015

**NOTICE OF MITIGATION PLAN SUBMITTED
BY THE CITY OF POCATELLO**

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Gary Spackman, Director

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(716795)

✓ OK DM 4-29-2015

RECEIVED

APR 27 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 16th day of April, 2015 and ending with the issue dated 23rd day of April, 2015

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 23rd day of April, 2015, before me,
Joyce Engleman

a Notary Public, personally appeared Ruby Aufderheide,
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 he executed the same.

Joyce A. Engleman
Notary Public for Idaho
Residing at Twin Falls, Idaho.

6/28/19

My commission expires: _____

✓ OK DM
4-29-2015



RECEIVED
APR 1 1 2015
OFFICE OF THE DIRECTOR
DEPARTMENT OF WATER RESOURCES

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CITY OF POCATELLO**

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OK DM 4-29-2015

RECEIVED

APR 27 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

LN 22402

KAREN MASON

being first duly sworn on oath deposes and says:
that SHE was at all times herein mention a citizen
of the United States of America more than 21
years of age, and the Principal Clerk of the Idaho
State Journal, a daily newspaper, printed and
published at Pocatello, Bannock County Idaho and
having a general circulation therein.

That the document or notice, a true copy of which
is attached, was published in the said IDAHO
STATE JOURNAL, on the following dates, to-
wit:

<u>Apr</u>	<u>16</u>	<u>2015</u>	<u>Apr</u>	<u> </u>	<u>2015</u>
<u>Apr</u>	<u>23</u>	<u>2015</u>	<u>Apr</u>	<u> </u>	<u>2015</u>
<u> </u>	<u> </u>	<u>2015</u>	<u>Apr</u>	<u> </u>	<u>2015</u>
<u> </u>	<u> </u>	<u>2015</u>	<u>Apr</u>	<u> </u>	<u>2015</u>

That said paper has been continuously and
uninterruptedly published in said County for a
period of seventy-eight weeks prior to the
publication of said notice of advertisement and is a
newspaper within the meaning of the laws of
Idaho.

STATE OF IDAHO
COUNTY OF BANNOCK

On this 23rd of Apr. in the year of 2015, before me, a
Notary Public, personally appeared KAREN MASON
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 acknowledge to me that he executed the same.

Notary of Public

Lori A. Sekot
Residing at Arimo exp. 3/3/2021



✓ OK DM
4-29-2015

RECEIVED
APR 1 2 2015

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LN22402

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