

NOTICE OF MITIGATION PLAN SUBMITTED BY MCCAIN FOODS USA, INC.

Notice is hereby given that, on April 23, 2015, McCain Foods USA, Inc. ("McCain Foods"), through its counsel Candice M. McHugh, McHugh Bromley, PLLC, 380 S. 4th St., Ste. 103, Boise, ID, 83702, submitted to the Idaho Department of Water Resources ("Department") *McCain Foods USA, Inc. Rule 43 Mitigation Plan for Pre-Approved Mitigation Activities* ("Mitigation Plan"). The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11) ("CM Rules"). The Mitigation Plan may be viewed online at the following website link:

http://idwr.idaho.gov/legal_actions/McCain_Foods.html

McCain Foods holds water rights that are subject to potential curtailment in water right delivery calls before the Department. These water rights are listed on page three of the Mitigation Plan. The Mitigation Plan is intended to benefit senior water rights held by Rangen, Inc. ("Rangen"), involved in the Rangen delivery calls, and senior water rights held by 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) involved in the SWC delivery call. The Mitigation Plan is also intended to benefit unidentified senior water rights found to be materially injured under the CM Rules. McCain Foods submitted the Mitigation Plan to secure advanced approval for: 1) direct delivery of water to senior water users who are found to be materially injured under the CM Rules, 2) conversion of acres irrigated from groundwater to surface water irrigation, 3) reduced or foregone pumping, and 4) groundwater recharge.

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 June 1, 2015. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon McCain Foods and its counsel.

Gary Spackman, Director

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