

NOTICE OF MITIGATION PLAN  
SUBMITTED BY  
A&B IRRIGATION DISTRICT

Notice is hereby given that, on May 21, 2015, A&B Irrigation District ("A&B"), through its counsel Travis Thompson and Paul Arrington of the firm Barker Rosholt & Simpson LLP, 195 River Vista Pl, Ste 204, Twin Falls, ID 83301-3029, submitted to the Idaho Department of Water Resources ("Department") A&B Irrigation District's Amended 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) ("CM Rules"). The Mitigation Plan may be viewed online at the following website link:

<http://www.idwr.idaho.gov/News/MitigationPlan/SWC/ABI.html>

A&B holds water rights that are subject to potential curtailment in a water right delivery call before the Department. The water rights to be mitigated are listed on page three of the Mitigation Plan. The Mitigation Plan is intended to benefit 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. A&B seeks approval of the Mitigation Plan, which A&B asserts "will completely mitigate for the depletions resulting from the use of any ground water rights subject to curtailment." Mitigation Plan at 4. The Mitigation Plan proposes the following activities: (1) conversion of 1,378 acres from groundwater to a surface water supply and enrollment of 121 acres in the federal Conservation Reserve Enhancement Program, (2) development of a pumping plant and pipeline project to deliver available surface water to lands served by senior ground water right no. 36-2080, and (3) rental and delivery of available storage water in American Falls Reservoir and Palisades Reservoir.

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 22, 2015. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon A&B and its counsel.

Gary Spackman, Director  
First Publication: June 3, 2015  
Last Publication: June 10, 2015

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.  
State of Idaho

I, **Brenda M. Fincher**, do solemnly swear that I am the Publisher 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 3rd day of June, 2015, and the last publication having been made on the 10th day of June, 2015; 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 first publication of the attached notice.

Brenda M Fincher

Publisher

Subscribed and sworn to me this 15th day of June, 2015.

[Signature]

Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-17-2017**.



RECEIVED

JUN 17 2015

DEPT OF WATER RESOURCES  
SOUTHERN REGION

✓ ok DM 6/22/2015



\*\*\* Proof of Publication \*\*\*

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301  
Twin Falls County

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, 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:

2 Insertions

RECEIVED

JUN 15 2015

DEPT OF WATER RESOURCES  
SOUTHERN REGION

ORDER NUMBER 1168

Ruby Aufderheide  
(Legals Clerk)

STATE OF IDAHO )  
.SS

COUNTY OF TWIN FALLS )

On this 11th day of June in the year of 2015 before me, a Notary Public, personally appeared before me Ruby Aufderheide 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.

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

My Commission expires: 6/8/14



PUBLISHED ON: 6/4/15 6/11/15

✓ OK DM 6/22/2015

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IRRIGATION DISTRICT

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Gary Spackman, Director

Published in the Mountain Home News and Idaho Mountain Express on June 3rd & 10th, 2015; and the Times News on June 4th & 11th, 2015.



RECEIVED

JUN 15 2015 2015

COPY OF NOTICE

## AFFIDAVIT of PUBLICATION

State of Idaho  
County of BlaineDEPT OF WATER RESOURCES  
SOUTHERN REGION

Pam Morris, being the first duly sworn, deposes and says that she is the printer (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 seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; 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 3 day of

June, 20 15, and the date of the last publication was on the 10 day of June, 20 15

Subscribed and sworn to before me this 10 day of

June, 20 15.

Connie N. Johnson  
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO  
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS  
P.O. Box 1013  
Ketchum, Idaho 83340  
COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 76

Number of Insertions 2

76 Lines tabular at 69.92 9.0 cents/pica

76 Lines straight at 61.18 8.0 cents/pica

76 Subsequent lines at 61.18 7.0 cents/pica

TOTAL COST \$131.10

Legal Notice  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR  
BILL TO

NOTICE OF MITIGATION PLAN  
SUBMITTED BY A&B IRRIGATION  
DISTRICT

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✓ OK DM 6/22/2015

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Gary Spackman, Director

PUBLISH  
IDAHO MOUNTAIN EXPRESS  
JUNE 3 & 10, 2015



✓ OK DM 6/22/2015