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Legal Notice
TITLE OF NOTICE
Idaho Dept of Water
BILL TO Resources

State of Idaho
County of Blaine

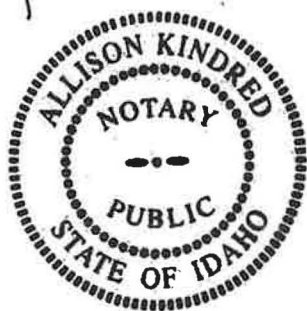
Pam Morris, being first duly sworn, deposes and says that she is the publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of more than seventy-eight 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 17 day of January, 2024, and the date of the last publication was on the 24 day of January, 2024, and, in addition thereto, the annexed advertisement was published beginning on the 12 day of January, 2024 digitally on the website "idahopublicnotices.com" as provided by Idaho Code 60-160A.

Pam Morris
PUBLISHER

Subscribed and sworn to before me this 24 day of January, 2024.

AK
NOTARY PUBLIC

Residing at Hailey, Idaho.
My commission expires on 5/26/29



RECEIVED

JAN 26 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

COST OF PUBLICATION

Number of Picas per Line	<u>11.5</u>	
Number of Lines in Notice	<u>113</u>	
Number of Insertions	<u>2</u>	
Lines tabular at		9.0 cents/pica
<u>113</u> Lines straight at	<u>\$103.96</u>	8.0 cents/pica
<u>113</u> Subsequent lines at	<u>\$90.97</u>	7.0 cents/pica
<u>\$194.93</u>		TOTAL COST

NOTICE OF STIPULATION REGARDING A&B IRRIGATION DISTRICT'S AMENDED MITIGATION PLAN IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that, on December 27, 2023, A&B Irrigation District ("A&B"), Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company, through their counsel Travis L. Thompon, PO Box 63, Twin Falls, ID 83303-0063, and the American Falls' Reservoir District #2 and Minidoka Irrigation District, through their counsel, Kent Fletcher, PO Box 248, Burley, ID 83318, submitted a Stipulation Regarding A&B Irrigation District's Amended Rule 43 Mitigation Plan ("Stipulation Mitigation Plan" or "Stipulation") to the Idaho Department of Water Resources ("Department"). The irrigation entities listed herein who submitted the Stipulation are collectively known as the "Stipulating Parties."

The Stipulation is intended to satisfy A&B's mitigation obligations for the Surface Water Coalition ("SWC") Water Delivery Call 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 that hold senior surface water rights diverted from the Snake River above Milner Dam. The SWC members include all of the Stipulating Parties referenced above in this notice. A&B holds ground water rights within a portion of the ESPA that are junior in priority to the SWC's senior priority Snake River water rights.

✓ DM 2/5/2024

A&B filed an amended mitigation plan on May 21, 2015. The Department issued a Final Order Approving Plan on December 16, 2015. The Stipulating Parties have filed the new Stipulation "so that A&B does not have to submit new documentation every year showing that it can mitigate for its proportionate share of a predicted demand shortfall." The Stipulation proposes that A&B will continue to mitigate injury to all the SWC members by curtailing ground water diversions to approximately 3,574 acres within Unit B of A&B's irrigation service area and replacing the ground water with surface water (commonly referred to as "conversions"). The Stipulation further proposes to deliver available storage water held or obtained by A&B to injured SWC members if the benefits of the conversions do not satisfy the injury caused by A&B's ground water rights that are found to be subject to curtailment in any given year.

The Department will process the Stipulation Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Stipulation 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/legal-actions/mitigation-plan-actions/swc/abi/>.

The Department has not determined the adequacy of the Stipulation Mitigation Plan. Any protest against approval of the Stipulation must be

filed with the Department, together with a protest fee of \$25, on or before February 5, 2024. 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 from the Department upon request or at <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 Stipulating Parties.

Mathew Weaver, Director

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