



PROOF OF PUBLICATION
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DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Counties of Bannock and Caribou

I, Dawn Giannini or Collins Crapo first being duly sworn, depose and say: That I am the Classified
Manager or Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of
Idaho State Journal, a newspaper of general circulation, published 4 days, Tues-Wed-Friday and Satur-
day, at Pocatello, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Idaho State Journal and on IdahoPublicNotices.com for 2 day(s), first publication having
been made on 01/17/2024 last publication having been made on 01/24/2024, 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.

[Handwritten signature]

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

[Handwritten signature: Beth Crossley]

Notary Public
My commission expires:

attached jurat

STATE OF IDAHO

ss.

COUNTIES OF BANNOCK AND CARIBOU

On this 24th day of January, 2024 before me, the undersigned, a Notary public for said state, person-
ally appeared Dawn Giannini or Collins Crapo, known or identified to me to be the person(s) whose
name(s) is/are 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/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.



[Handwritten signature: Beth Crossley]

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

✓ DM 2/5/2024

**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.

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

Published: January 17, 24, 2024 (ISJ40251-468526)

✓ DM 2/5/2024

