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RECEIVED
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 DEPT OF WATER RESOURCES
 SOUTHERN REGION

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 Conjointive 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
 IPL0155370
 Jan 17, 24 2024

✓ OK DM 2/7/2024

Stefani Beard, 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 insertion(s) published on:
 01/17/24, 01/24/24

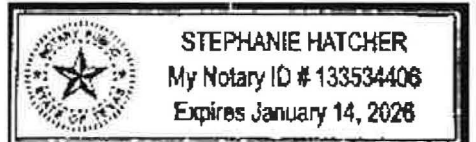
Stefani Beard

(Legals Clerk)

On this 7th day of February in the year of 2024 before me, a Notary Public, personally appeared before me Stefani Beard 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.

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



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