

**Proof of Publication
The Post Register**

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NOV 16 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Bonneville County:

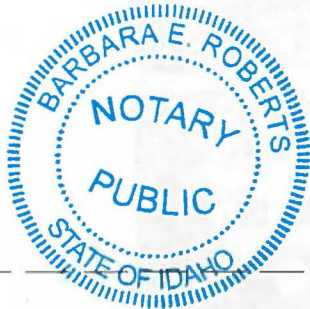
I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: 753947, for 2 consecutive (days) weeks, between 11/05/2015 and 11/12/2015,

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.

Staci Dockery

Subscribed and sworn to before me, this 12 day of November 2015



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

----- attached jurat -----

STATE OF IDAHO

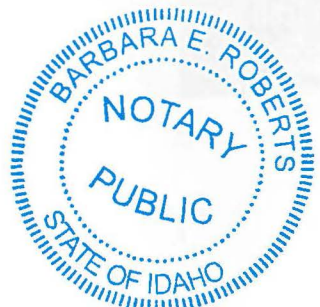
ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 12 day of November 2015, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me 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.

✓ OK DW
11/20/2015



Barbara E. Roberts
Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/9/2019

2108/20/11 JMK 20 ✓

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NOV 18 2015

DEPT. OF WATER RESOURCES
BOISE, IDAHO

**NOTICE OF MITIGATION PLAN SUBMITTED
BY THE CITY OF IDAHO FALLS**

Notice is hereby given that, on October 19, 2015, the City of Idaho Falls ("City"), through counsel Michael A. Kirkham, Assistant City Attorney, City of Idaho Falls, P.O. Box 50220, Idaho Falls, ID, 83405, and Robert L. Harris, Esq. of the firm Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, 1000 Riverwalk Drive, Suite 200, Idaho Falls, ID, 83405, submitted to the Idaho Department of Water Resources ("Department") the *City of Idaho Falls Conjunctive Management Rule (CMR) 43 Mitigation Plan* ("Mitigation Plan"). The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules ("CM Rules") (IDAPA 37.03.11). The Mitigation Plan may be viewed online at the following website link:

<http://ldwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/City-of-Idaho-Falls.htm>

The City holds water rights subject to potential curtailment in Snake River delivery calls before the Department. See *Mitigation Plan* at Exhibits 1 & 2. The Mitigation Plan intends 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. The Mitigation Plan "is being submitted to avoid any disruption in the City's operations and to ensure the necessary approvals are in place to mitigate-without procedural delay-for the SWC's senior water rights determined to be impacted by exercise of the City's ground water rights." *Id.* at 6.

The Mitigation Plan seeks pre-approval for the following activities: (1) discharge into the Snake River from the City's wastewater treatment facility; (2) assignment of storage water allocated to its 1,180 shares of Palisades Water Users, Inc., stock, up to the mitigation amount required, to the Water District 1 storage water accounts of the injured SWC members; (3) future ground water recharge activities; (4) assignment of unused water allocated to City-owned property by virtue of its membership in irrigation districts to the Water District 1 storage water accounts of the injured members of the SWC; (5) lease of surface water from the Idaho Water Supply Bank or the Water District 1 Rental Pool; (6) a petition to participate as a non-member of the Bonneville-Jefferson Ground Water District and/or Idaho Ground Water Appropriators, Inc., to receive the benefits of an approved mitigation plan; (7) entry into leases with private water right holders of either surface or ground water to be used for mitigation purposes.

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 November 23, 2015. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for the City.

Gary Spackman, Director

Published in the Times News, Post Register,
Idaho Statesman & Idaho State Journal on
November 5th & 12th, 2015. (753947)

✓ OK DM 11/20/2015