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The Post Register

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MAR 28 2016

State of Idaho
Bonneville County:

APR 06 2016

DEPARTMENT OF
WATER RESOURCES

DEPT OF WATER RESOURCES
SOUTHERN REGION

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: 775414, for 2 consecutive (days) weeks, between 03/17/2016 and 03/24/2016,

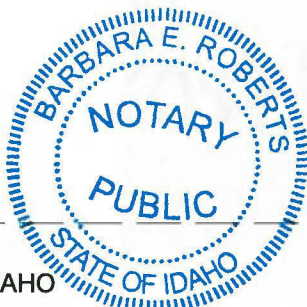
and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 24 day of March 2016

Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019



attached jurat

STATE OF IDAHO

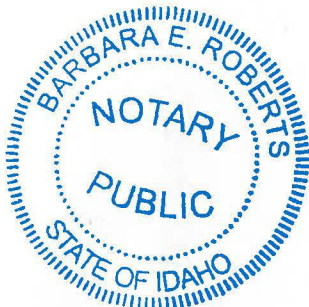
ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 24 day of March 2016, 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.

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



✓ OK AM
4-4-2016

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DEPT OF WATER RESOURCES
SOUTHERN REGION

**NOTICE OF MITIGATION PLAN
SUBMITTED BY THE IDAHO GROUND WATER
APPROPRIATOR'S, INC., IN RESPONSE TO
THE SURFACE WATER COALITION WATER
DELIVERY CALL**

Notice is hereby given that, on March 9, 2016, the Idaho Ground Water Appropriators, Inc. ("IGWA"), and A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company (collectively the "Surface Water Coalition"), through counsel of the firms Racine Olson Nye Budge & Bailey, Chtd., P.O. Box 1391, Pocatello, Idaho 83204-1391; Barker Rosholt & Simpson LLP, 195 River Vista Place, Suite 204, Twin Falls, Idaho 83301-3029; and Fletcher Law Office, P.O. Box 248, Burley, Idaho 83318, submitted to the Idaho Department of Water Resources ("Department") the Surface Water Coalition's and IGWA's Stipulated Mitigation Plan and Request for Order ("Request for Order"). Attached to the Request for Order as Exhibits B and C respectively are the Settlement Agreement Entered into June 30, 2015, Between Participating Members of the Surface Water Coalition and Participating Members of the Idaho Ground Water Appropriator's, Inc. and the Addendum to Settlement Agreement (collectively the "SWC-IGWA Settlement Agreement"). Attached to the Request for Order as Exhibit D is the October 7, 2015, Agreement between A&B Irrigation District and the IGWA members who entered into the SWC-IGWA Settlement Agreement (the "A&B-IGWA Agreement"). The Surface Water Coalition and IGWA submit the SWC-IGWA Settlement Agreement and the A&B-IGWA Agreement (collectively the "Mitigation Plan") as a stipulated mitigation plan in response to the Surface Water Coalition delivery call. Request for Order at 3.

The Department will process the Mitigation Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). The Mitigation Plan may be viewed online at the following website link:

<http://www.idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/IGWA.html#CM-MP-2016-001>

IGWA represents numerous ground water right holders whose ground water rights have priority dates junior to the priority dates of surface water rights held by the Surface Water Coalition and are subject to potential curtailment in the Surface Water Coalition delivery call. The Mitigation Plan intends to benefit senior water rights held by members of the Surface Water Coalition involved in the Surface Water Coalition delivery call.

The Mitigation Plan seeks approval of long term practices commencing 2016 including a total ground water diversion reduction of 240,000 ac-ft annually, annual delivery of 50,000 ac-ft of storage water to the Surface Water Coalition through private lease(s) of water from the Upper Snake Reservoir system, a reduction in irrigation season, contributions to the State sponsored recharge program, ground water to surface water conversions and/or fallow land projects, and adaptive water management measures if benchmarks or the ground water level goal identified in the SWC-IGWA Settlement Agreement are not met. See Exhibit B at 2-5.

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 April 4, 2016. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon counsel for IGWA and the Surface Water Coalition.

GARY SPACKMAN, Director

Published in the Idaho Mountain Express & Mountain Home News on March 16th & 23rd; and the Times News, Post Register, Idaho State Journal, and Idaho Statesman on March 17th & 24th, 2016. (775414)

✓ OK DM 4-4-2016