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MAR 06 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT of PUBLICATION

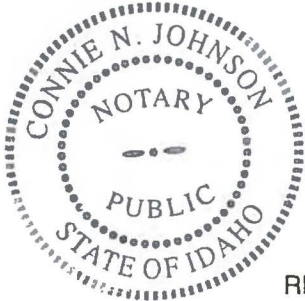
State of Idaho
County of BlainePam Morris

, being the first duly sworn, deposes and says that she is the printer (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 seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; 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 22nd day of February, 20 17, and the date of the last publication was on the 1st day of March, 20 17

Subscribed and sworn to before me this 1st day of March, 20 17.



Pam Morris
1st

Connie N. Johnson
NOTARY PUBLIC

RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 100
Number of Insertions 2

Lines tabular at _____ 9.0 cents/pica
100 Lines straight at \$92.00 8.0 cents/pica
100 Subsequent lines at \$80.50 7.0 cents/pica

TOTAL COST \$172.50

COPY OF NOTICE

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MAR 22 2017

DEPARTMENT OF
WATER RESOURCES

Legal Notice

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

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

Notice is hereby given that, on February 7, 2017, 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, "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, 163 Second Ave. West, P.O. Box 63, Twin Falls, Idaho 83303-0063; 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 Amended Mitigation Plan and Request for Order ("Request for Order"). Attached to the Request for Order as Exhibit A is the Second Addendum to Settlement Agreement ("Second Addendum").

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

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DEPARTMENT OF
WATER RESOURCES

The Second Addendum "provides further details concerning implementation" of the mitigation plan that IGWA and the Surface Water Coalition previously submitted in response to the delivery call and the Director of the Department ("Director") approved on May 2, 2016. *Request for Order* at 2. Specifically, the Second Addendum amends four sections of the approved mitigation plan: "Sections 3.a (Consumptive Use Volume Reduction); 3.e (Ground Water Level Goal and Benchmarks), 3.m (Steering Committee), and 4.a (Adaptive Water Management)." *Id.* IGWA and the Surface Water Coalition request that the Director issue an order approving the Second Addendum "as an amendment to the previously approved" mitigation plan. *Id.*

The Department will process the Request for Order and Second Addendum (collectively, "Amended Mitigation Plan") pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). The Amended Mitigation Plan and documents regarding the previously approved mitigation plan may be viewed online at the following website link:

<https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/IGWA.html>

The Department has not determined the adequacy of the Amended Mitigation Plan. A complete copy of the Amended 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 Amended Mitigation Plan must be filed with any Department office, together with a protest fee of \$25, on or before **March 13, 2017**. 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

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IDAHO MOUNTAIN EXPRESS
FEB. 22 & MAR. 1, 2017

✓ OK DM 3/6/2017