

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. 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
First publication: February 22, 2017
Last publication: March 1, 2017

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DEPT OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
State of Idaho

I, **Brenda M. Fincher**, do solemnly swear that I am the Publisher of the:

Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for 2 consecutive weeks, the first publication having been made on the 22nd day of Feb, 2017, and the last publication having been made on the 1st day of March, 2017; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

Brenda M Fincher

Publisher

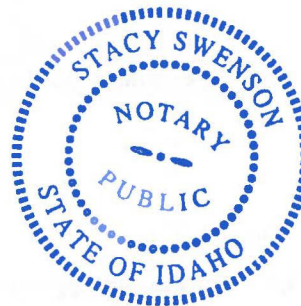
Subscribed and sworn to me this 8th day of March 2017.

[Signature]

Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-17-2017**.



✓ OK AM 3/14/2017

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DEPARTMENT OF
WATER RESOURCES