

**Proof of Publication
The Post Register**

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NOV 29 2017

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
County of Bonneville

I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classified 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 ad number: 67250 for 2 consecutive (days) weeks, between 11/16/2017 and 11/23/2017, 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 23rd day of November 2017

BAMBI L FERGUSON
Notary Public
State of Idaho

Bambi Ferguson
Notary Public
My commission expires: 06/28/2023

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 23rd day of November 2017, 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 DM 12/4/2017.

BAMBI L FERGUSON
Notary Public
State of Idaho

Bambi Ferguson
Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires: 06/28/2023

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**NOTICE OF MITIGATION PLAN
SUBMITTED BY THE UPPER BIG LOST
RIVER GROUND WATER ASSOCIATION**

Notice is hereby given that, on October 13, 2017, the Upper Big Lost River Ground Water Association ("Association") submitted to the Idaho Department of Water Resources ("Department") a *Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users* ("Mitigation Plan") pursuant to Rule 50.04 of the Department's Water Distribution Rules for Water District 34 (IDAPA 37.03.12.050.04) and the Department's Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11).

The Mitigation Plan states the Association "functions mainly for the purpose of mitigation" and "the purpose of mitigation is to augment the natural flow of the Big Lost River downstream from Mackay Dam to replace water that would be available in the river absent the diversion and use of ground water." *Mitigation Plan* at 1. The Mitigation Plan also states "it is intended to meet the requirements of mitigation by augmentation of the natural flow of the Big Lost River" and that "Association Users ground water rights currently represent 12.67% of the total licensed Ground Water CFS in Basin 34." *Id.*

The Mitigation Plan "describes categories from which water supplies may be obtained to mitigate withdrawal and use of ground water for consumptive purposes," including "stored water in the Mackay Reservoir" and "[a]ll of part of the water available from a valid existing right to divert the flow of the Big Lost River." *Id.* at 2. The Mitigation Plan states the Association may "use other means of mitigation including, but not limited to, consumption reduction by crop management, irrigation pivot end gun use reduction or non-use, diversion limitation or other creative means." *Id.* The Mitigation Plan describes "current aquifer stabilization/enhancement efforts" such as "managed recharge efforts," "potential and future stabilization/enhancement methods," and "other means and methods to achieve ground water demand reductions" such as "[g]round water to surface water conversions." *Id.* at 5.

The Department will process the Mitigation Plan pursuant to Rule 50.04 of the Department's Water Distribution Rules for Water District 34 (IDAPA 37.03.12.050.04) and pursuant to the Department's Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11). A copy of the Mitigation Plan is available for review at either the Department's State Office in Boise or at the following website link:

<https://ldwr.idaho.gov/legal-actions/mitigation-plan-actions/upper-big-lost.html>

The Department has not determined the adequacy of the proposed Mitigation Plan. 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 **December 4, 2017**. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon the Upper Big Lost River Ground Water Association, P.O. Box 122, Mackay, Idaho 83251.

GARY SPACKMAN, Director
Published: November 16, and 23, 2017 (67250)

✓ OK DM
12/4/2017