

# PROOF OF PUBLICATION Post Register

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JAN 26 2024

DEPT OF WATER RESOURCES  
SOUTHERN REGION

State of Idaho  
County of Bonneville

I, ~~Dawn Giannini~~ or Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register and on IdahoPublicNotices.com for 2 day(s), first publication having been made on 01/17/2024 last publication having been made on 01/24/2024, 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.

  
\_\_\_\_\_

Subscribed and sworn to before me, on this 24th day of January, 2024

  
\_\_\_\_\_

Notary Public  
My commission expires:

\_\_\_\_\_ attached jurat \_\_\_\_\_

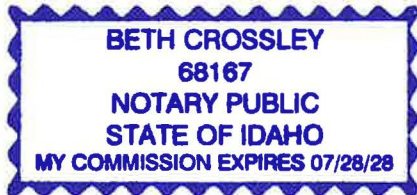
STATE OF IDAHO

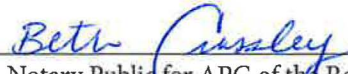
ss.

COUNTY OF BONNEVILLE

On this 24th day of January, 2024 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first 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.



  
\_\_\_\_\_  
Notary Public for APG of the Rockies  
Residing: Idaho Falls, Idaho  
Commission expires:

✓ sm 2/6/2024

**NOTICE OF MITIGATION PLAN SUBMITTED BY MADISON GROUND WATER DISTRICT AND HENRY'S FORK GROUND WATER DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL**

Notice is hereby given that, on December 18, 2023, Madison Ground Water District and Henry's Fork Ground Water District ("MHFGWDs" or "GWDs"), through their counsel Jerry R. Rigby, PO Box 250, Rexburg, ID 83440, and on behalf of the GWDs' members, submitted the Petition for Approval of Madison Ground Water District and Henry's Fork Ground Water District's Storage Water Mitigation Plan for the Surface Water Coalition ("Mitigation Plan" or "Plan") to the Idaho Department of Water Resources ("Department").

The Plan is intended to satisfy the mitigation obligations of the GWDs for the Surface Water Coalition ("SWC") Water Delivery Call administered by the Department and watermasters of state water districts who administer ground water rights within the Eastern Snake Plain Aquifer ("ESPA"). The SWC consists of irrigation water delivery entities that hold senior surface water rights diverted from the Snake River above Milner Dam. The SWC members include 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. MHFGWDs represent members who hold ground water rights within a portion of the ESPA that are junior in priority to the SWC's senior priority Snake River water rights.

The GWDs propose to offset the amount of water the SWC would receive from curtailment of ground water rights held by members of MHFGWDs by 1) annual delivery or assignment of 1,500 acre-feet of storage water to the SWC members from reservoirs in the Water District 1 reservoir system, and 2) recharge, on an average annual basis, of 3,000 acre-feet of water in the Henry's Fork basin. If this provides less water to the SWC than is required to fully offset the amount of water the SWC would receive from curtailment of ground water rights held by members of the GWDs, the GWDs will secure and assign storage to the SWC members or recharge such further volume of water as may be required by the Department.

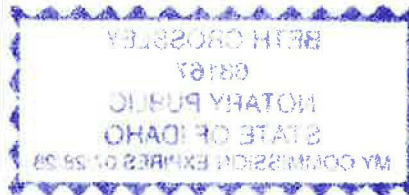
The Plan proposes that if the GWDs secure and deliver less storage than is required to fully offset the amount of water the SWC would receive from curtailment of ground water rights held by the GWDs' members, the GWDs may be subject to curtailment to make up the shortfall, unless the GWDs provide mitigation under another approved mitigation plan.

The Department will process the Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Mitigation Plan is available for review at either the Department's State Office in Boise, the Department's Regional Offices in Twin Falls and Idaho Falls, or at the following website link: <https://idwr.idaho.gov/legal-actions/delivery-call-actions/swc/mgwd-hfgwd/>.

The Department has not determined the adequacy of the Mitigation Plan. Any protest against approval of the Mitigation Plan must be filed with the Department, together with a protest fee of \$25, on or before **February 5, 2024**. Rule 53 of the Department's Rules of Procedure (IDAPA 37.01.01.053) outlines how documents may be filed with the Department and when they are considered filed. A copy of the Rules of Procedure may be obtained from the Department upon request or at <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. The protest must include a certificate of service showing that a copy of the protest has been mailed or delivered personally to counsel for MHFGWDs.

Mathew Weaver  
Director

Published: January 17, 24, 2024 (PR12622-468419)



✓ sm 2/6/2024