## NOTICE OF MITIGATION PLAN SUBMITTED BY MADISION GROUND WATER DISTRICT AND HENRY'S FORK GROUND WATER DISTRICT IN RESPONSE TO THE SUR-FACE 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. MH-FGWDs 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 MHFG-WDs 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.

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## AFFIDAVIT OF PUBLICATION

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County of Elmore}

JAN 2 9 2024

State of Idaho

DEPT OF WATER RESOURCES

I, Swana Stokes, do solemnly swear that I am the legal clerk 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 part of publication thereof; was published in print, in said newspaper for \_\_\_\_\_\_ consecutive weeks, the first publication having been made on the \_\_\_\_\_\_ day of

\_\_\_\_\_, 2024, and the last publication having been made on the

34 day of 3an, 2024, in 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 a supplement thereof.

I further swear that the said Mountain Home News has been continuously an uninterruptedly published in said Elmore County during the period of 52 consecutive weeks prior to the first publication of the attached notice.

Legal Clerk

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Subscribed and sworn to me this 2441 day of\_

M- Martine Notary Public C ding in Mountain Home, OTElmore County, Idaho commission expires Oct. 17, 2028 E OF

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 MH-FGWDs.

Mathew Weaver, Director First Publication: January 17, 2024 Second Publication: January 24, 2024

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