



PROOF OF PUBLICATION
Idaho State Journal

RECEIVED
JAN 26 2024
DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Counties of Bannock and Caribou

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 Idaho State Journal, a newspaper of general circulation, published 4 days, Tues-Wed-Friday and Saturday, at Pocatello, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal 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.

[Handwritten signature of Dawn Giannini]

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

[Handwritten signature of Beth Crossley]

Notary Public
My commission expires:

attached jurat

STATE OF IDAHO

ss.

COUNTIES OF BANNOCK AND CARIBOU

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.



[Handwritten signature of Beth Crossley]

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

✓ DM 2/5/2024

**NOTICE OF MITIGATION PLAN SUBMITTED BY BONNEVILLE-JEFFERSON GROUND WATER DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL**

Notice is hereby given that, on December 19, 2023, Bonneville-Jefferson Ground Water District ("BJGWD"), through counsel Skyler C. Johns, PO Box 3005, Idaho Falls, ID 83403, and on behalf of BJGWD members, submitted the Petition for Approval of Bonneville-Jefferson Ground Water District's Conservation 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 BJGWD 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. BJGWD represents 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.

BJGWD proposes a five-year plan to mitigate its proportionate share of injury to all the SWC members. BJGWD proposes a quantification of the "BJGWD Obligation from the Total Obligation" in part by using "a steady-state rendition of the ESPAM2.2 aquifer model, ..." BJGWD proposes to meet the "BJGWD Obligation" implementing the following efforts:

1) Aquifer Recharge: the Plan states that "Recharge under this plan refers to intentional processes that measure and convey surface water to underground storage in the ESPA. ... Under the Mitigation Plan, the BJGWD may assign its Recharge to any location within the ESPA...."

2) Pumping Reductions: the Plan states that "Pumping Reductions refer to any reduction in ground water pumping from the BJGWD's established Baseline Value," which is recommended as 2.30 acre-feet per acre pursuant to calculations attached as Exhibit A to the proposed Mitigation Plan.

3) Fallowing Acres: the Plan states that "Fallowing Acres refers to the intentional withholding of ground water from a defined section of land that is otherwise authorized to divert ground water under a valid water right."

4) Delivery of Storage Water (or Wet Water Delivery): the Plan states that "Wet Water Delivery refers to the direct delivery of storage water to the SWC that is acquired from surface water sources."

The Plan further proposes that by May 1 of each year, BJGWD will certify to the Department BJGWD's commitments for reductions or fallowing, commitments for recharge including water supply, conveyance and use of facilities, and commitments for wet water delivery.

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/mitigation-plan-actions/swc/bjgwd/>.

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 BJGWD.

Mathew Weaver  
Director

Published: January 17, 24, 2024 (ISJ40251-468485)

✓ DM 2/5/2024

