NOTICE OF MITIGATION PLAN SUBMITTED BY NORTH SNAKE GROUND WATER DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that, on December 20, 2023, North Snake Ground Water District ("NSGWD"), through counsel Thomas J. Budge, PO Box 1391, Pocatello, ID 83204-1391, and on behalf of NSGWD members, submitted the Petition for Approval of NSGWD's 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 NSGWD for the Surface Water Coalition ("SWC") Water Delivery Call administered by the Department and watermasters of state water districts who administer groundwater 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, Mini-doka Irrigation District, North Side Canal Company, and Twin Falls Canal Company. NSGWD 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.

NSGWD proposes to mitigate injury to all the SWC members by providing to the SWC an amount of water equivalent to what the SWC would receive from curtailment under the SWC delivery call pursuant to the Sixth Final Order Regarding, Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable

Carryover or any other Department order. NSGWD proposes to offset all or part of the water the SWC would receive from curtailment of NSGWDs ground water rights by (a) assigning or delivering to the SWC members storage water from reservoirs in the Water District 1 reservoir system, (b) conducting managed aquifer recharge, (c) reducing ground water use, (d) fallowing land that would otherwise be irrigated with ground water, or (e) any combination thereof.

AFFIDAVIT OF PUBLICATION

} ss

County of Elmore)

RECEIVED

State of Idaho	} 33	JAN 2 9 2024
		DEPT OF WATER WESCHIE
I, Swana Stok	es, do solen	nnly swear that I FEGION
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 forconsecutive weeks, the first pub <u>li</u> cation		
having been made on the day of		
	, 2024, an) 0 =
publication h		
		_, 2024, in every
	the state of the s	paper during the
•	-	ation and that
the notice wa	as published	in the paper
proper and n	ot a suppler	nent thereof.
	8	
The attached	notice was	also posted
. 4		ices.com on the
1&	day of <u>ე</u>	2024.
I further swea	ar that the s	aid Mountain
Home News I	nas been co	ntinuously an
uninterrupted	dly publishe	d in said Elmore
County during	g the period	of 52
consecutive v	veeks prior	to the first
publication o	f the attach	ed notice.
Dulan	a Da	BKOL
Legal Clerk		
Subscribed a	ad sworn to	mo this
Allu	day of $\mathcal{L}_{\mathbf{a}}$	n 2024
		2021
Γ	- 4 1	l ladi o
and the state of t	400	Mariney
M. MNofary Public	C	
No. Residing in Mountain Home, Elipore County, Idaho		
NOTA My symmission expires Oct. 17, 2028		
A A A A A A A A A A A A A A A A A A A		
NOTA My Edinmission expires Oct. 17, 2028		
10/17/2010		
OF IDAL BANK		

2/5/2024

The Plan proposes that if NSGWD provides less water to the SWC than is required to fully offset the amount of water the SWC would receive from curtailment, NSGWD members may be subject to curtailment to make up the shortfall, unless NSGWD provides mitigation under another approved mitigation plan that fully mitigates material injury to the SWC.

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/nsgwd/.

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 NS-GWD.

> Mathew Weaver, -Director Director:

First Publication: January 17, 2024 Second Publication: January 24, 2024