



RECEIVED
MAY 31 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION
AFFIDAVIT
PUBLICATION

COPY OF NOTICE

Legal Notice

TITLE OF NOTICE

IDWR

BILL TO

NOTICE OF MITIGATION PLAN SUBMITTED BY FALLS IRRIGATION DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that, on May 7, 2024, Falls Irrigation District ("FID"), through counsel John K. Simpson, PO Box 2139, Boise, ID 83701-2139, and on behalf of FID members, submitted the Falls Irrigation District's Rule 43 Mitigation Plan ("Mitigation Plan" or "Plan") to the Idaho Department of Water Resources ("Department").

The Plan is intended to satisfy the mitigation obligations of FID 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. FID 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.

State of Idaho
County of Blaine

Pam Morris, being first duly sworn, deposes and says that she is the publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of more than seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by the laws of the State of Idaho, and that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 22 day of May, 2024, and the date of the last publication was on the 29 day of May, 2024, and, in addition thereto, the annexed advertisement was published beginning on the 17 day of May, 2024, digitally on the website "idahopublicnotices.com" as provided by Idaho Code 60-160A.

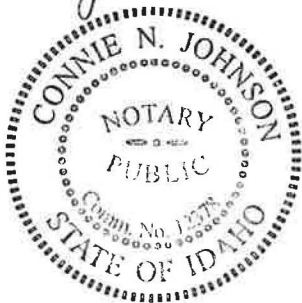
Pam Morris
PUBLISHER

Subscribed and sworn to before me this 29 day of May, 2024.

Connie N. Johnson
NOTARY PUBLIC

Residing at Hailey, Idaho.

My commission expires
on 7/10/2024



COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 114
Number of Insertions 2

Lines tabular at _____ 9.0 cents/pica
114 Lines straight at 104.88 8.0 cents/pica
114 Subsequent lines at 91.77 7.0 cents/pica

\$ 196.65

TOTAL COST

✓ OK DM 6/13/2024

RECEIVED

MAY 31 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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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/fid/>.

The Department has not determined the adequacy of the Mitigation Plan. Any protest concerning approval of the Mitigation Plan must be filed with the Department, together with a protest fee of \$25, on or before June 10, 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 FID.

Mathew Weaver, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 22 & 29, 2024

✓ DM

RECEIVED
JUN 03 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT OF PUBLICATION

NOTICE OF MITIGATION PLAN SUBMITTED BY FALLS IRRIGATION DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

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Mathew Weaver,
Director

First Publication:
May 22, 2024
Second Publication:
May 29, 2024

County of Elmore }
} ss
State of Idaho }

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 2 consecutive weeks, the first publication having been made on the 22 day of May, 2024, and the last publication having been made on the 29 day of May, 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.

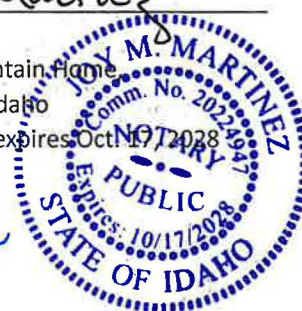
The attached notice was also posted online at IdahoPublicNotices.com on the 17 day of May, 2024.

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

Swana Stokes
Legal Clerk

Subscribed and sworn to me this 30th day of May, 2024

Jay Martinez
Notary Public
Residing in Mountain Home
Elmore County, Idaho
My commission expires Oct 17, 2028



✓ OK DM
6/13/2024

*** Proof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Administrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 151320

Sherrri Davis

(Legals Clerk)

STATE OF IDAHO)
SS
COUNTY OF TWIN FALLS)

On this 31 day of May in the year of 2024 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

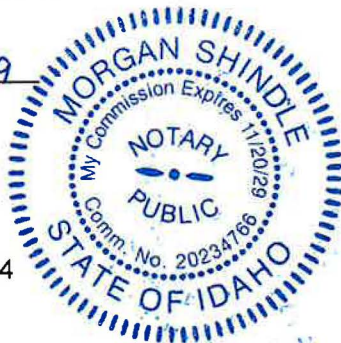
Morgan Shindle

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 11/20/2029

Section: Legals

Category: 50 Legal

PUBLISHED ON: 05/23/2024, 05/30/2024



TOTAL AD COST: 252.88

FILED ON: 5/30/2024

RECEIVED

JUN 05 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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IRRIGATION DISTRICT IN RESPONSE TO THE SURFACE
WATER COALITION WATER DELIVERY CALL

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Mathew Weaver, Director

Published in the Idaho Statesman, Mountain Home News, Idaho Mountain Express, Post Register & Idaho State Journal on May 22nd & 29th, 2024, and Times News & Lewiston Tribune on May 23rd & 30th, 2024, and Rexburg Standard Journal on May 24th & 31st, 2024.

Publish: May 23, 30, 2024

✓ ok DM 6/13/2024

IDWR

**Proof of Publication
The Post Register**

RECEIVED

JUN 07 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

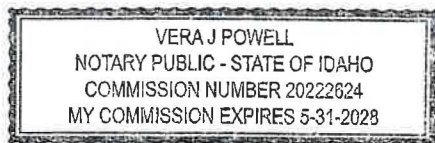
State of Idaho
County of **Bonneville**

I, Collins Crapo, first being duly sworn, depose and declare: That I am a Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publisher of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, in Idaho Falls, Bonneville County, ID.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 day(s), first publication having been made on **5/22/2024** and last publication having been made on **5/29/2024**, and that 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 **29th** day of **May 2024**

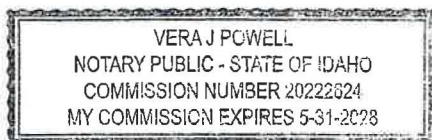




Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO
COUNTY OF **BONNEVILLE**

On this **29th** day of **May 2024**, before me, the undersigned, a Notary public for said state, personally appeared 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:

Ad # 515958

✓ OK DM 6/13/2024

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WATER COALITION WATER DELIVERY CALL**

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Mathew Weaver
Director

Published: May 22, 29, 2024 (PR12622-515958)

✓ dm

TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 05/30/2024 INVOICE NO. 178546
Account No. 446620
Description 178546 NOTICE O
Times 2 Lines 79
Tab. lines
\$ 241.08

**LEGAL ADVERTISING
INVOICE**

Sold To: IDAHO DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED**JUN 10 2024**PO# Maline, DeniseDEPT. OF WATER RESOURCES
SOUTHERN REGION

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

178546

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SURFACE WATER COALITION WATER DELIVERY CALL**

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AFFIDAVIT OF PUBLICATION

S KELLAM, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 178546 NOTICE O attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

2 time(s). Publication being on 05/23, or once a week for 2 consecutive weeks, the first publication thereof being on the 05/23/2024, and the last publication thereof being on the 05/30/2024, and said 178546 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Skellam

State of Idaho
S.S.
County of Nez Perce

On this 31 day of may in the year of 2024, before me, a Notary Public, personally appeared S KELLAM, known or identified to me to be the person whose name 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 executed the same.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 1/23/28



✓ OK dm
6/13/2024

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/fid/>.

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Mathew Weaver, Director

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✓ sm

Falls Irrigation

**Proof of Publication
Idaho State Journal**

RECEIVED

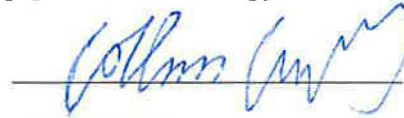
JUN 14 2024

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

State of Idaho
County of **Bannock**

I, Collins Crapo, first being duly sworn, depose and declare: That I am a Classified Manager or Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publisher of the Idaho State Journal, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, in Pocatello, Bannock County, ID.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal for 2 day(s), first publication having been made on **5/22/2024** and last publication having been made on **5/29/2024**, and that 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 **31st** day of **May 2024**

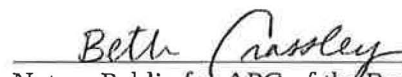

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO
COUNTY OF **BANNOCK**

On this **31st** day of **May 2024**, before me, the undersigned, a Notary public for said state, personally appeared 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:

Ad # **515965**

✓ OK DM 6/14/2024

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WATER COALITION WATER DELIVERY CALL**

Notice is hereby given that, on May 7, 2024, Falls Irrigation District ("FID"), through counsel John K. Simpson, PO Box 2139, Boise, ID 83701-2139, and on behalf of FID members, submitted the *Falls Irrigation District's Rule 43 Mitigation Plan* ("Mitigation Plan" or "Plan") to the Idaho Department of Water Resources ("Department").

The Plan is intended to satisfy the mitigation obligations of FID 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. FID 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.

FID proposes five ways to mitigate injury to the SWC members. First, FID states that "[a]pproximately 812 acres within the District are no longer irrigated with ground water diverted under junior priority ground water rights due to voluntary reduction in pumping, subdivisions being built, the interstate running through the well area, etc." Plan, at 4. FID indicates that lands of certain patrons are not being irrigated and that certain lands around American Falls reservoir are no longer irrigated because the land has been lost to erosion. Id. Second, FID proposes to "reduce/eliminate" return flows and "recharge storage water not otherwise consumed." Id. at 5. Third, FID "seeks credit" for the historical reductions taken as part of the 2015 SWC/IGWA settlement agreement and future reductions due to an Ageing Infrastructure Grant. Id. Fourth, FID states through "[r]eduction in wastewater (holding ponds)" it "may provide direct delivery of storage water to those materially injured members of the SWC." Id. Finally, FID states that FID "holds rights to storage water in American Falls Reservoir" and proposes that "[a]vailable storage, if necessary, can be delivered to injured Coalition members to mitigate any shortfalls caused by the District's junior priority ground water deliveries that are subject to curtailment." Id. at 6.

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/fid/>.

The Department has not determined the adequacy of the Mitigation Plan. Any protest concerning approval of the *Mitigation Plan* must be filed with the Department, together with a protest fee of \$25, on or before **June 10, 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 FID.

Mathew Weaver
Director

Published: May 22, 29, 2024 (ISJ40251-515965)

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Attention: Denise Malin

ID Dept Water Res-South

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TWIN FALLS, ID 83301

idwrpayable@idwr.idaho.gov

RECEIVED

JUN 14 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF MITIGATION PLAN SUBMITTED BY FALLS IRRIGATION DISTRICT IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL

Notice is hereby given that, on May 7, 2024, Falls Irrigation District ("FID"), through counsel John K. Simpson, PO Box 2139, Boise, ID 83701-2139, and on behalf of FID members, submitted the Falls Irrigation District's Rule 43 Mitigation Plan ("Mitigation Plan" or "Plan") to the Idaho Department of Water Resources ("Department").

The Plan is intended to satisfy the mitigation obligations of FID 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. FID 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.

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Mathew Weaver, Director

IPL0173992
May 22, 2024

✓ OK DM 6/14/2024

Mary Castro, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 insertion(s) published on:

05/22/24, 05/29/24

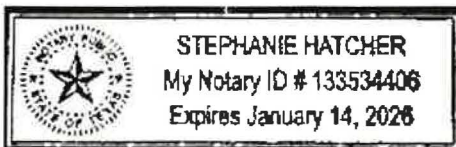
Mary Castro

(Legals Clerk)

On this 14th day of June in the year of 2024 before me, a Notary Public, personally appeared before me Mary Castro known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
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