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Attention: Denise Malin  
 ID Dept Water Res-South

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DEC 11 2024

DEPT. OF WATER RESOURCES  
 SOUTHERN REGION

**NOTICE OF GROUND WATER DISTRICTS' 2024 STIPULATED MITIGATION PLAN IN RESPONSE TO THE SURFACE WATER COALITION WATER DELIVERY CALL**

Notice is hereby given that, on November 15, 2024, A&B Irrigation District, American Falls Reservoir District No. 2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company (collectively, the "Surface Water Coalition" or "SWC"), and Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, Henry's Fork Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, and North Snake Ground Water District (collectively, the "Districts") fully executed the 2024 Stipulated Mitigation Plan ("Plan") agreement. The entities previously listed herein are collectively known as the "Stipulating Parties." The Stipulating Parties filed the Plan with the Idaho Department of Water Resources ("Department") on November 19, 2024.

The SWC consists of irrigation water delivery entities that hold senior surface water rights diverted from the Snake River at or above Milner Dam. The Districts hold ground water rights within a portion of the Eastern Snake Plain Aquifer ("ESPA") that are junior in priority to the SWC's senior priority Snake River water rights. In 2005, the SWC filed a delivery call against junior ground water users claiming that junior ground water pumping was depleting the ESPA and the hydrologically connected Snake River. The Department subsequently determined that junior ground water users were causing material injury to the SWC. The Plan is intended to satisfy the Districts' obligations under the ongoing SWC water delivery call, which is administered by the Department and the watermasters of certain state water districts.

For ground water users who comply with the Plan, it establishes safe harbor, or protection from curtailment associated with the ongoing SWC water delivery call. Under the Plan, protected ground water users may include the Districts and their patrons, and any other ground water districts or entities representing ground water users that officially join and comply with the Plan. The Plan proposes to mitigate injury to the SWC by requiring participating ground water users to regularly perform certain ground water conservation actions, establish and maintain a reach gain mitigation fund, and annually secure storage water to help meet the irrigation needs of the SWC. If approved, the Plan will supersede and replace previously approved mitigation plans in Department Docket Nos. CM-MP-2009-006, CM-MP-2009-007, and CM-MP-2016-001.

The Department will process the Plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the Plan is available for review at the following website link: <https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/gwd/>.

The Department has not determined the adequacy of the Plan. Protests against approval of the Plan must be filed with the Department, together with a protest fee of \$25, on or before December 23, 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 at the following website link: <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. Protests must include a certificate of service showing that a copy of the protest has been mailed or delivered personally to counsel for the Stipulating Parties, as follows: Sarah Klahn & Maximilian Bricker, 1155 Canyon Blvd, Ste. 110, Boulder, CO 80302-5195; Dylan Anderson, PO Box 35, Rexburg, ID 83440-0035; Skyler Johns & Steven Taggart, PO Box 3005, Idaho Falls, ID 83403-3005; Andrew Waldera, 1101 W. River St., Ste. 110, Boise, ID 83702-7067; Jerry Rigby, PO Box 250, Rexburg, ID 83440-0250; W. Kent Fletcher, PO Box 248, Burley, ID 83318-0248; John Simpson, Travis Thompson & Abby Bitzenburg, PO Box 63, Twin Falls, ID 83303-0063; and Candice McHugh & Chris Bromley, PO Box 107, Boise, ID 83701-0107.

Mathew Weaver, Director

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IPL0206644

Dec 4, 11 2024

✓ DM 12/11/2024

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:  
 12/04/24, 12/11/24

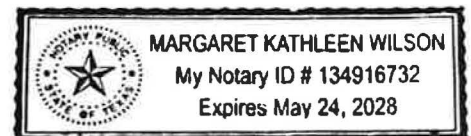
Mary Castro

(Legals Clerk)

On this 11th day of December 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.

Margaret K. Wilson

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



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