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Legal Notice

TITLE OF NOTICE

Idaho Dept of Water Resources S. Region

BILL TO

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DEC 16 2024

DEPARTMENT OF WATER RESOURCES

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 4 day of December, 20 24, and the date of the last publication was on the 11 day of December, 20 24, and, in addition thereto, the annexed advertisement was published beginning on the 2 day of December, 20 24, digitally on the website "idnewspaper.idahopublicnotices.com" as provided by Idaho Code 60-160A.

Pam Morris PUBLISHER

Subscribed and sworn to before me this 11 day of Dec., 20 24.

Corinne N. Johnson NOTARY PUBLIC

Residing at Hailey, Idaho. My commission expires on 7/10/2030

RECEIVED DEC 19 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.

COST OF PUBLICATION

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131 Subsequent lines at \$105.46 7.0 cents/pica

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DM 12-19-2024

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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