

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>.

AFFIDAVIT OF PUBLICATION

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 4 day of December, 2024, and the last publication having been made on the 11 day of December, 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.

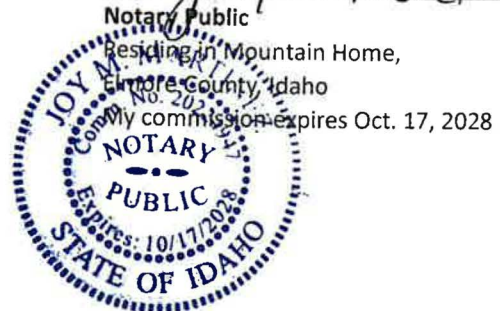
The attached notice was also posted online at IdahoPublicNotices.com on the 4 day of December, 2024.

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 12th day of Dec, 2024

Joey M. Martien
 Notary Public



RECEIVED

DEC 16 2024

**DEPT. OF WATER RESOURCES
 SOUTHERN REGION**

✓ DM 12/19/2024