

*** Proof of Publication ***

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

RUBY AUFDERHEIDE, 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

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 100014

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 2nd day of April in the year of 2020 before me, a Notary Public, personally appeared before me Ruby Aufderheide 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.

Reba M Davis
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5/8/2020



Section: Legals

Category: 50 Legal

PUBLISHED ON: 03/26/2020, 04/02/2020

TOTAL AD COST: 131.22
FILED ON: 4/2/2020

NOTICE OF PETITION FOR DECLARATORY RULING
REGARDING NEED FOR A WATER RIGHT TO DIVERT
WATER UNDER REUSE PERMIT

Notice is hereby given that, on February 24, 2020, Riverside Irrigation District ("Riverside"), through its counsel Albert P. Barker of the firm Barker, Rosholt and Simpson LLP, PO Box 2139, Boise, ID, 83701-2139, submitted a Petition for Declaratory Ruling Regarding Need for a Water Right to Divert Water Under Reuse Permit No. M-255-01 ("Petition") to the Idaho Department of Water Resources ("Department").

The Petition may be viewed at any of the Department's offices or online at:

<https://idwr.idaho.gov/legal-actions/administrative-actions/M-255-01-Nampa.html>

Riverside petitions the Department for a declaratory ruling as to the applicability of Idaho Code § 42-201(2) to Reuse Permit No. M-255-01, issued by Idaho Department of Environmental Quality to the City of Nampa ("City"). The Petition alleges that under the permit, the City intends to deliver reuse water to Pioneer Irrigation District ("Pioneer") and that Pioneer intends to deliver the reuse water to its water users. Riverside seeks a declaratory ruling that:

- 1) Pioneer cannot divert or accept reuse water from the City or apply the City's reuse water to land in the Pioneer boundaries under the reuse permit without first obtaining a water right.
- 2) Any attempt by Pioneer or the City to divert water under the permit to Pioneer without first applying for a water right is in contravention to Idaho law.

The Director has issued an order setting April 23, 2020, as the deadline to intervene in this matter. Any petition to intervene must be filed by this day to be considered timely. Petitions to intervene should comply with the Department's Rules of Procedure, IDAPA 37.01.01. A copy of the Department's Rules of Procedure may be obtained from any of the Department's offices or online at:

<https://adminrules.idaho.gov/rules/current/37/370101.pdf>. A \$25-.00 filing fee per person seeking to intervene must be submitted at the time of filing a petition to intervene with the Department. See Idaho Code § 42-221.L.

Gary Spackman, Director

Published in the Times News, Post Register, Lewiston Tribune and the Idaho Press Tribune on March 26 & April 2, 2020.

RECEIVED

APR 06 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

✓ DM 4-9-2020

TRIBUNE PUBLISHING COMPANY, INC

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

Date: 04/02/2020 INVOICE NO. 157468
Account No. 446620
Description 157468 NOTICE O
Times 2 Lines 44
Tab. lines
\$ 128.70

**LEGAL ADVERTISING
INVOICE****RECEIVED****APR 06 2020**

PO#

Maline, DeniseDEPT OF WATER RESOURCES
SOUTHERN REGION

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

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.

157468

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DIVERT WATER UNDER REUSE PERMIT**

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Gary Spackman, Director
Published in the Times News, Post Register, Lewiston Tribune and the Idaho Press Tribune on March 26 & April 2, 2020.

AFFIDAVIT OF PUBLICATION

Hollie K Posey, 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 157468 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 03/26, or once a Week for 2 consecutive Week, the first publication thereof being on the 03/26/2020, and the last publication thereof being on the 04/02/2020, and said 157468 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.

Hollie K Posey
State of Idaho
S.S.

County of Nez Perce

On this 2 day of April in the year of 2020, before me, a Notary Public, personally appeared Hollie K Posey, 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 2/23/22



✓ dm
4-9-2020

373165 2003665

1 IDWR - TWIN FALLS

650 ADDISON AVENUE W. #500
TWIN FALLS ID 83301

RECEIVED

APR 08 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

LEGAL NOTICE

NOTICE OF PETITION FOR DECLARATORY RULING
REGARDING NEED FOR A WATER RIGHT TO DIVERT
WATER UNDER REUSE PERMIT

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Gary Spackman, Director

March 26, April 2, 2020

2003665

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO

County of Canyon and Ada

SS.

Sharon Jessen
of the State of Idaho, being of first
duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the Counties of Canyon and Ada, State of Idaho; that the said newspaper is in general circulation in the said Counties of Canyon and Ada, and in the vicinity of Nampa, Caldwell, and Boise, and has been uninterruptedly published in said Counties during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
03/26/2020 04/02/2020

Sharon Jessen
Sharon Jessen
STATE OF IDAHO)
County of Canyon and Ada)

On this 2nd day of April in the year of 2020 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen R. Nielsen
Notary Public for Idaho
My Commission expires 06/28/2023



✓ DM 4-9-2020