

**Affidavit of Publication**  
STATE OF IDAHO )  
COUNTY OF TWIN FALLS) SS.

RECEIVED  
NOV 13 2009  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 5th day of November, 2009 and ending with the issue dated 12th day of November, 2009

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

*Ruby Aufderheide*  
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO  
COUNTY OF TWIN FALLS

On this 12th day of November, 2009, before me,

a Notary Public, personally appeared Ruby Aufderheide, 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.

*Linda Capps McGuire*  
Notary Public for Idaho  
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15

LINDA CAPPS-McGUIRE  
NOTARY PUBLIC  
STATE OF IDAHO

OK  
MB  
11/17/09

*(See Reverse Side)*

SCANNED  
NOV 17 2009

SCANNED  
NOV 17 2009

**NOTICE OF MITIGATION PLAN SUBMITTAL BY  
SOUTHWEST AND GOOSE CREEK IRRIGATION DISTRICTS  
IN RESPONSE TO BLUE LAKES AND SNAKE RIVER FARM  
WATER DELIVERY CALLS**

Notice is hereby given that on October 20, 2009, Southwest Irrigation District ("SWID"), and Goose Creek Irrigation District ("GCID"), through their counsel, Parsons, Smith and Stone, LLP, PO Box 910, Burley, ID, 83318, submitted the Southwest and Goose Creek Irrigation District Mitigation Plan 2010 ("plan" or "mitigation plan") to the Idaho Department of Water Resources ("Department"). The Department will process this plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37, Title 03, Chapter 11).

SWID and GCID represent numerous landowners who hold ground water rights for irrigation uses located within Cassia and Twin Falls Counties. Certain of these ground water rights have priority dates junior to the priority dates of certain water rights from spring sources that discharge to various reaches of the Snake River. The ground water and springs are interconnected sources of water.

SWID and GCID have proposed the mitigation plan to mitigate injury to specific senior priority surface water rights that may result from depletions under junior priority ground water rights held by SWID and GCID members. The surface water rights that the plan proposes to benefit are: 36-2356A, 36-7210 and 36-7427 held by Blue Lakes Trout Farm, Inc. for use at its hatchery facility near Blue Lakes; and 36-4013A, 36-4013B, and 36-7148 held by Clear Springs Foods, Inc. for use at its hatchery facility near Clear Lakes. The plan provides for continued and new conversions of irrigated land from ground water to surface water and waste water supplies, the ongoing enrollment of ground water irrigated lands in the Conservation Reserve Enhancement Program, the ongoing voluntary curtailment of specific ground water irrigated acres under ground water rights held by SWID and GCID members, and seasonal aquifer recharge through injection of surface water to ground water wells and/or open ditches.

The Department has not determined the adequacy of the proposed plan. A complete copy of the proposed plan is available for review at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or may be viewed online at the following website along with other related documents:

[http://www.idwr.idaho.gov/News/WaterCalls/1000Spring%20Users%20Calls/blue\\_lakes.htm](http://www.idwr.idaho.gov/News/WaterCalls/1000Spring%20Users%20Calls/blue_lakes.htm)

Any protest against approval of the plan must be filed with the Department, together with a protest fee of \$25, on or before November 23, 2009. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served on SWID and GCID, and their counsel.

Gary Spackman, Interim Director

PUBLISH: Times-News November 5 and 12, 2009

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11/17/09