

The *Plan* proposes that if NSGWD provides less water to the SWC than is required to fully offset the amount of water the SWC would receive from curtailment, NSGWD members may be subject to curtailment to make up the shortfall, unless NSGWD provides mitigation under another approved mitigation plan that fully mitigates material injury to the SWC.

The Department will process the *Plan*, pursuant to the Department's Conjunctive Management Rules (IDAPA 37.03.11). A complete copy of the *Mitigation Plan* is available for review at either the Department's State Office in Boise, the Department's Regional Offices in Twin Falls and Idaho Falls, or at the following website link: <https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/SWC/nsgwd/>.

The Department has not determined the adequacy of the *Mitigation Plan*. Any protest against approval of the *Mitigation Plan* must be filed with the Department, together with a protest fee of \$25, on or before February 5, 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 from the Department upon request or at <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. The protest must include a certificate of service showing that a copy of the protest has been mailed or delivered personally to counsel for NSGWD.

Mathew Weaver,
Director

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