

SEP 11 2019

**SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO
ROBERT AND SANDRA HENRIKSEN'S WATER RIGHT APPLICATION
#86-12064**

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #86-12064 made by Robert and Sandra Henriksen ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #86-12064. This Settlement Agreement by and between Applicant and County sets forth such terms and conditions.

SECTION 2. OBJECTIVE:

County seeks to ensure that the amounts withdrawn from groundwater are not harmful to surrounding properties which might utilize the same aquifer for drinking water.

SECTION 3. TERMS AND CONDITIONS:

- a. The Applicant agrees that the following terms and conditions shall attach to Water Right #86-12064, and be binding upon Applicant as agreed to by and permitted by the Idaho Department of Water Resources.
 - i. The instantaneous flow rate/amount of water to be appropriated for "diversion to storage" from groundwater to Applicant under Water Right #86-12064 shall be no more than .05 cubic feet per second (cfs).
 - ii. The total quantity of water to be appropriated from groundwater to Applicant under Water Right #86-12064 shall be no more than 1.2 acre-feet per year (af).
- b. The Parties agree that the above terms and conditions shall inure to the benefit of, and be binding upon, the Parties and any of their successors and/or assigns.
- c. Following execution by the Parties of this Agreement, the Idaho Department of Water Resource's acceptance of this agreement, and the Agreement's attachment to Water Right #86-12064, County agrees to withdraw its protest of Water Right #86-12064.

SECTION 4. EFFECTIVE DATE:

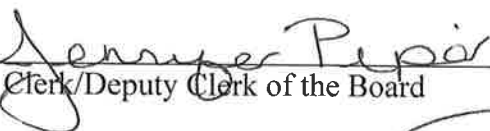
This Agreement shall be effective upon its acknowledgement by the Parties below.

COUNTY:

DATED this 4 day of September, 2019.

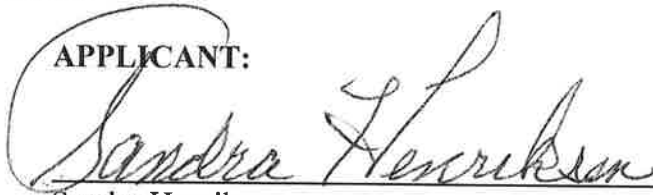


Thomas C. Lamar, Chairman
David McGraw, *Ady dms*

Attest: 

Clerk/Deputy Clerk of the Board

APPLICANT:



Sandra Henriksen Date 8/30/19



Robert Henriksen Date 8-30-19