

SEP 11 2019

**SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO
NORMAN METZKER'S WATER RIGHT APPLICATION #86-12060**

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #86-12060 made by Norman Metzker ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #86-12060. 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County seeks to ensure that the amounts withdrawn from groundwater are not harmful to surrounding properties which might utilize the same aquifer for drinking water.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 #86-12060, 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 #86-12060 shall be no more than .02 cubic feet per second (cfs).
- 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 #86-12060, County agrees to withdraw its protest of Water Right #86-12060.

SECTION 4. EFFECTIVE DATE:

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

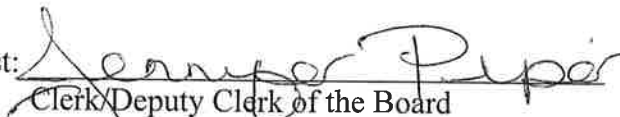
COUNTY:

DATED this 19 day of August 2019.



Thomas C. Lamar, Chair

Attest:


Clerk/Deputy Clerk of the Board

APPLICANT:

Norman Metzker 8-23-19
Norman Metzker Date