

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-16928	)	ORDER MODIFYING MEASURING
IN THE NAME OF US DEPARTMENT OF	)	DEVICE REQUIREMENT
INTERIOR BUREAU OF RECLAMATION	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a petition to remove a measuring requirement, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On March 22, 2012, the Department issued Permit 36-16928 (permit) to US Department of Interior, Bureau of Reclamation (permit holders), with a condition of approval that states:

Prior to diversion and use of water under this permit, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

2. On April 11, 2013, the Department received a memorandum from the watermaster of water district 130. In her memorandum, the watermaster recommended that IDWR honor the water user's request to remove the measuring device requirement from the permit.

3. On April 15, 2013, the Department received a letter from the permit holder requesting that the measuring device condition placed on this permit be removed.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d (IDAPA 37.03.02.35.02.d) provides for the waiver of a measuring device requirement by the Department.

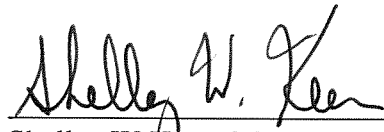
2. Installation of a measuring device and lockable controlling works is not necessary for administration of the diversion of water by the holder of permit 36-16928 at this time, but it may be necessary in the future.

ORDER

The condition of approval requiring the permit holder to install and maintain acceptable measuring device(s) at the authorized point(s) of diversion for the permit is **MODIFIED** as follows:

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

Dated this 23rd of April, 2013.



Shelley W Keen, Manager
Water Rights Section