

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-22624) **ORDER MODIFYING MEASURING**
IN THE NAME OF INDIAN CREEK RANCH) **DEVICE REQUIREMENT**
OWNERS ASSN INC)

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

FINDINGS OF FACT

1. On May 5, 2011, the Department issued Permit 37-22624 (permit) to Indian Creek Ranch Owners Assn Inc. (permit holder) with a condition of approval requiring the installation of a flow measurement device and lockable controlling works as part of the diverting works.
2. On March 26, 2012, A letter was received by the Department from Ben Hoff, President of the Indian Creek Homeowners Assn Inc., requesting the measuring device and lockable controlling works requirement be waived.

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 37-22624 at this time, but it may be necessary in the future.

ORDER

The condition of approval requiring the permanent installation of a measuring device and lockable controlling works as part of the diversion works for the permit is **MODIFIED**.

Upon specific notification by the Department, the right holder shall install measuring devices and lockable controlling works in accordance with Department specifications.

Dated this 26th day of March, 2012.



Allen Merritt,
Southern Region Manager

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER MODIFYING MEASURING DEVICE REQUIREMENT** to the person(s) listed below:

RE: WATER RIGHT NO. 37-22624

**INDIAN CREEK RANCH OWNERS ASSN INC
PO BOX 3411
HAILEY, ID 83333-3411**

A handwritten signature in cursive script, reading "Denise Buffington", is written over a horizontal line.

**Denise Buffington
Administrative Assistant**