

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-16299)
IN THE NAME OF VALLEY SCHOOL)
DISTRICT #262)

**ORDER MODIFYING MEASURING
DEVICE REQUIREMENT**

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

FINDINGS OF FACT

1. On April 4th, 2006, the Department issued Permit 36-16299 (permit) to Valley School District #262 (permit holder) with a condition of approval requiring the installation of measuring device(s), including data logger(s) in accordance with Department specifications and the recommendations of the watermaster of Water District 130.

2. On April 11, 2011, a Department field examiner reported that the permit holders were diverting and using water in connection with the permit, but that the required data logger(s) had not been installed. The examiner also reported that the installation of the data logger(s) is currently unnecessary and impractical and waived by the watermaster.

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 data logger(s) is not necessary for administration of the diversion of water by the holder of Permit 36-16299 at this time, but it may be necessary in the future.

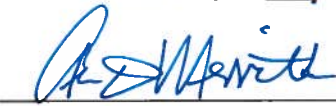
ORDER

The condition of approval requiring the permanent installation of data logger(s) as part of the diversion works for the permit is **MODIFIED** as follows:

The right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Dated this 25th day of April, 2011



Allen Merritt, PE
Southern Region Manager