

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 37-08721 IN THE NAME OF	)	ORDER MODIFYING
INDIAN CREEK RANCH OWNERS	)	CONDITION OF
ASSN INC.	)	APPROVAL
_____	)	

WHEREAS, on January 27, 1992, Indian Creek Ranches Owners Assn Inc. applied to the Department of Water Resources (Department) for a permit to appropriate water from Indian Creek tributary of the Big Wood River for wildlife, recreation and fire protection storage use;

and,

WHEREAS, the Department approved Permit No. 37-08721 with the following condition:

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to the diversion of water under this right.

and,

WHEREAS, the field examiner determined a lockable device would be unnecessary and impractical as the impoundment is on stream storage and requested this condition be waived and modified based on this finding;

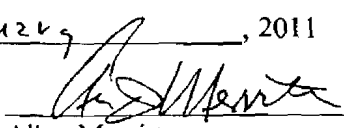
and,

WHEREAS, the Department agrees to waive the requirement for the lockable device prior to diversion of water, the Department retains jurisdiction to require the installation of the lockable device in the future;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a lockable device for Permit No 37-08721 is MODIFIED as follows:

Upon specific notification by the Department, the right holder shall install a measuring device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 7th day of January, 2011


Allen Merritt
Southern Regional Manager