

IN THE MATTER OF PERMIT NO. 47-7700) **ORDER GRANTING PETITION**
IN THE NAME OF H K HYDRO LLC) **TO REMOVE MEASURING**
_____) **DEVICE REQUIREMENT**

FINDINGS OF FACT

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CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.035.02.d.) provides for the waiver of a measuring device requirement by the Department.
2. The Department should waive the measuring device requirement for the permitted water use.

ORDER

On Permit No. 47-7700 approval condition no.1. d., which requires the permanent installation of measuring devices as part of the diversion works of the permit, is **MODIFIED** as follows:

When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

Dated this 23rd day of June, 2010.



SHELLEY W. KEEN

Manager, Water Rights Section