

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
MEASURING DEVICE CONDITION OF)
APPROVAL FOR PERMIT NO. 67-14475)
IN THE NAME OF WHITENER RANCHING CO)
_____)

**ORDER WAIVING
PERMIT CONDITION**

The Department of Water Resources ("Department") has issued the above captioned water right permit with a condition of approval requiring the permit holder to install and maintain a measuring device and lockable controlling works as part of the diverting works; and

On August 26, 2009, Brandi Horton, Watermaster of Water District No. 67, sent an email to the Department which stated they had been contacted by the permit holder. The email further stated that they had no problem waiving the condition which required lockable and measuring devices.

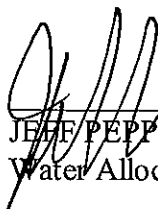
On August 28, 2009, the Department sent a letter to the permit holder notifying permit holder that if they wanted to obtain a waiver the condition which requires the installation of a measuring device and lockable controlling works, that they should notify the Department of such in writing.

On September 17, 2009, the permit holder filed a letter requesting the department waive the lockable diversion and measuring device requirement of the permit.

The department has determined that the measuring device and lockable controlling works is not presently needed to measure the water in question.

IT IS HEREBY ORDERED that the condition of approval requiring the right holder to install and maintain a measuring device and lockable controlling works for the above captioned permit is **WAIVED**. The department retains jurisdiction to reinstate the condition in the future upon a finding of need by the department.

Dated this 22nd of September, 2009.



JEFF PEPPERSACK, Chief
Water Allocation Bureau

ORDER WAIVING PERMIT CONDITION