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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Agreement in principle for Settlement of Protest of 47-17127

Conditions of withdrawal of protest.

1. Domestic use under this right is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. Domestic use under this right may include heating of 1 house and ancillary buildings as long as all water used for heating is maintained in a closed system (not open to air or contamination) and returned/injected into the same source aquifer at similar pressure and depth. This may be accomplished by injection of spent water in the source well or separate injection well.
3. Injection of spent heating water when discharged to a subsurface system must be authorized by a separate injection well permit. A prospectus of the injection plan shall be reviewed and approved by IDWR during the injection well permitting process.
4. The right holder shall install and maintain a measuring device, pressure gauge and spigot in a straight length of conduit suitable to allow measurement of the entire flow of water being diverted, the pressure and temperature. Additionally the right holder shall install and maintain a separate measuring device, pressure gauge and spigot in a straight length of conduit suitable to measure the entire flow of water being injected, the pressure and the temperature in connection with this right. The straight length of conduit shall be at least ten times the diameter of the conduit and shall be above ground or otherwise easily accessible.
5. The right holder shall routinely monitor and record the volumes of water diverted and water injected, the supply and return temperatures, and the wellhead pressures on a monthly basis for two years. These records shall be provided to IDWR upon request.
6. This right and all other rights used for domestic purpose are limited to 13,000 gallons per day.

Acceptance of conditions of withdrawal of protest:

Nick Nieffenegger, Applicant

Date

Leo Ray
Leo Ray, Protestant

Feb. 24 2009
Date