



IDAHO DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 22 2024

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 11, 2024

DAVID H KELLERMAN
6050 NE 18TH AVE
MOUNTAIN HOME, ID 83647

Re: Conditional Approval of Extension Request to Install a Measuring Device in Water District No. 161 ("WD161") and Commitment of Applicant Not to Divert

Water Right(s): **61-11928** (IDWR A-Tag A0021064) / Authorized Irrigable Acres: **18.0**

Acknowledgment of Applicant:

The undersigned agrees to prevent any diversion of ground water for irrigation uses from the identified well unless an approved measuring device is installed. This acknowledgment by the owner/operator supplements the request to defer installation of a measuring device as required by the September 2016 Measurement Order (Order) for WD161. The Order requires ground water diversions irrigating more than 5.0 acres to install and maintain on each point of diversion or well, an acceptable flow measuring device by the start of the 2019 irrigation season. The undersigned understands that diversion from the identified well for irrigation purposes under water right 61-11928 shall constitute a violation of Idaho Code §42-701, unless the following requirements are met **prior to diversion**:

1. If the well is developed for irrigation use under water right 61-11928, the owner/operator shall install an approved measuring device selected the Department's *List of Approved Closed Conduit Flow Meters* and the device shall be installed according to the Department's *Minimum Acceptable Standards and Requirements for Open Channel and Closed Conduit Measuring Devices*; and
2. Provide a minimum 10-day notice to the watermaster of WD161 to allow the watermaster or Departmental staff an opportunity to inspect and confirm that the installation of the measuring device meets the Department's Minimum Standards.

I David H. Kellerman (print name), understand that if ground water is diverted under water right 61-11928 for irrigation purposes without meeting the requirements above, I may be subject to formal enforcement action by the Department as per Idaho Code §42-1071B which may include curtailment and the assessment of a civil penalty up to \$10,000 for neglect or refusal to install or maintain the required measuring device(s).

Dated this 18 day of APRIL 2024.

X David H Kellerman (signature)
Owner or Operator (please circle appropriate title)

Cc: WD161 Watermaster, Ed Van Etten (208) 957-3296