RECEIVED
MAR 05 2024
DEPT. OF WATER RESOURCES

IDAHO DEPARTMENT OF
WATER RESOURCES

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

February 28, 2024

MICHAEL F AND NICHOLE CRUSER
2185 NE BELL COUNTRY COURT
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): **61-12176 and 61-12179** / Authorized Irrigable Acres: **5.4 acres combined**

Acknowledgment of Applicant:

The undersigned agrees to prevent the diversion of ground water for irrigation of more than 5.0 acres from the identified well unless an approved measuring device is installed. IDWR agrees that the water user can only physically irrigate 4.7 acres out of the 5.4-acre place of use (POU). The non-irrigated acres (0.7 acres) consist of gravel, concrete, or asphalt surfaces associated with the home site within the POU. 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 of more than 5.0 acres under water rights 61-12176 and 61-12179 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 of more than 5.0 acres under water rights 61-12176 and 61-12179, 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 Michael F. Cruser (print name), understand that if ground water is diverted under water rights 61-12176 and 61-12179 for irrigation of more than 5.0 acres 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 2 day of March 2024.

x Michael F. Cruser (signature)
Owner or Operator (*please circle appropriate title*)

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