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Governor Brad Little

Director Mathew Weaver

April 11, 2024

RECEIVED

APR 19 2024

DEPARTMENT OF
WATER RESOURCES

BARRY J AND PHYLLIS M PETERSON
1111 POPLAR DR
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): **61-2104** (IDWR A-Tag A0021094) / Authorized Irrigable Acres: **23.0**

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 61-2104 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 61-2104, 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, Barry Peterson (print name), understand that if ground water is diverted under water right 61-2104 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 16 day of April 2024.

X Barry Peterson (signature)
Owner or Operator (please circle appropriate title)

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