



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 9, 2013

**RE: Notice of Petition for Appointment of Lateral Manager for the Emmett Lateral (Head Gate No. 120)**

Dear Water User:

The enclosed Petition for Appointment of Lateral Manager (petition) was submitted to the Idaho Department of Water Resources (Department or IDWR) on June 28, 2013. The petition requests that the Director of IDWR (Director) appoint a lateral manager for the Emmett Lateral for the remainder of this year to avoid imminent injury in the distribution of water. Pursuant to Idaho Code §42-1308, the Director of the Department may appoint and fix the compensation of a lateral manager upon the written petition of a water user alleging that water is not being distributed properly. Additionally, the lateral manager appointed may exercise the duties of the association officers to make and collect assessments to achieve the proper allocation and distribution of water on the lateral. The petition did not request or suggest any candidates that may be appointed by IDWR.

If the lateral is located within a water district established pursuant to Chapter 6, Title 42, Idaho Code, the Director shall advise the district watermaster of the petition and invite the watermaster to make recommendations concerning the need for appointment of a lateral manager and the person to be appointed. By copy of this letter to Rex Barrie, watermaster of State Water District 63, the Director requests the recommendation(s) of the watermaster in this matter.

The Director of IDWR is also required to make a reasonable effort to notify all persons having rights to the use of water from the lateral and provide fourteen (14) days for written response to the petition. The list of entities and water users receiving this notice is attached. The attached list was provided with the petition and is presumed to be complete. Please provide written comments to me on or before Monday, July 22, 2013.

Respectfully,

A handwritten signature in black ink, appearing to read 'Rob Whitney', is written over a horizontal line.

Rob Whitney  
Water Compliance Bureau

Encl: Petition for Appointment of Lateral Manager & List of Water Users