

Moffatt Thomas

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OCT 17 2007

WATER RESOURCES
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Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

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October 16, 2007

via E-mail

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and U.S. Mail

John Westra
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: Water Right Application 65-23037 in the Name of Emmett School District No. 221
MTBR&F File No. 18-743.0012

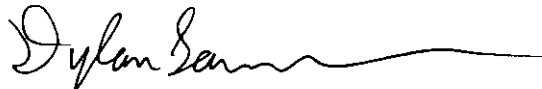
Dear John:

I am writing on behalf of the Emmett School District ("ESD") to confirm our conversation earlier today regarding the above-referenced matter.

As you know, the Emmett Irrigation District ("EID") has protested ESD's water right application. In order to settle that protest, EID has requested that ESD obtain written easements from adjacent landowners for an existing concrete conveyance ditch. It is my understanding that, from the Department's perspective, there is no particular deadline before which those executed agreements must be provided to the Department. Rather, you have indicated that the Department will schedule a hearing on the protested application only if sufficient progress has not been made by the end of 2007, or if a hearing is specifically requested by ESD.

Please contact me at your earliest convenience if I have mischaracterized our conversation or the Department's position. Thank you for your attention to this matter.

Very truly yours,



Dylan B. Lawrence

DBL/llw

cc: Sue Beitia
Mike Roe