

MAY 1 1956

Department of Water Resources

*[Handwritten signature]*

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF REQUIRING MEASURING DEVICES  
AND ORDERING WATERMASTER CONTROL OVER ALL  
HEADGATES, CONTROLLING WORKS AND OUTLET GATE  
CONTROLS ON THE BEAR RIVER WHICH COMPRISES  
WATER DISTRICT 11.

PETITION

COMES NOW Tracey Baxter, 3000 Pegram Road, Montpelier, Idaho, through his attorney A. Bruce Larson, respectfully petitions the director of the Idaho Department of Water Resources, R. Keith Higginson, for an extension of time within which to comply with the provisions of Idaho Code 42-701, which requires the installation of a measuring device on the various diversions used by the said Tracy Baxter.

BASIS OF REQUEST FOR EXTENTION OF TIME:

(1) The Notice sent to petitioner allows less than ten (10) days with which to construct a measuring devise, the letter was dated April 29, mailed April 30 from Boise and not received until May 1 by petitioner.

(2) The diversion works, headgates, and lateral ditches are in a state of dis-repair, due to the neglect of prior owner, which will require petitioner a substancial length of time, not less than sixty (60) days to repair.

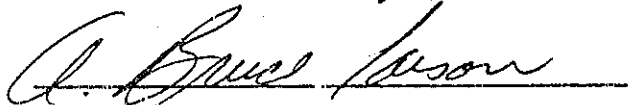
(3) The present order does not allow petitioner sufficient time to construct a measuring devise as required by the Idaho Department of Water Resources.

(4) Petitioner has been singled out from numerous other water users in the same area and required to construct measuring devises that are not on other ditches and diversions in the area.

**NON-WAIVER:**

Petitioners request is not intended as a waiver of any rights petitioner may have to challenge the propriety of the Order dated April 28, 1992.

RESPECTFULLY SUBMITTED this 8<sup>th</sup> day of May, 1992.

A handwritten signature in cursive script, reading "A. Bruce Larson", written over a horizontal line.

A. Bruce Larson  
Attorney At Law

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I mailed a true and correct copy of the foregoing document, postage prepaid, to:

R. Keith Higginson  
Director  
STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES  
1301 North Orchard St.,  
Boise, Idaho 83706-2237

on this 8<sup>th</sup> day of May, 1992.

By: A. Bruce Larson  
A. Bruce Larson

ALSO:

VIA FAX: 327-7866 May 8, 1992.