

January 5-1995

Dave Tuthill
IDWR 2725 Airport Way
Boise, Idaho 83705-5082

RE: Lateral Manager for MMC Co.

Dear Dave:

I disagree with your May 16-94, appointment of a lateral manager for Murphy Mutual Co. under Idaho Code Section 42-909. Who made a written demand for IDWR to make an appointment?

There was no need for this because a lateral manager had already been chosen by MMC Co.

Murphy Mutual Canal Company owns the canal, and is empowered to deliver water to Stockholders, and under Idaho Code Section 42-909 it has the authority and responsibility to appoint a manager.

If written demand was made to IDWR by a stockholder it is still the responsibility of MMC Co. to make this appointment. As I understand the code it becomes IDWR responsibility only on failure or refusal of MMC C. to do so.

Sincerely,

Jay Hulet

Jay Hulet HC 79 Box 2020 Murphy, Idaho 83650
Majority Stockholder & Canal Supervisor:
also representataive of a group of stockholders
holding more than 2/3 majority of total stock