



State of Idaho

DEPARTMENT OF WATER RESOURCES

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September 26, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LEE F COLE
DORA V COLE
2565 COUNCIL CUPRUM RD
COUNCIL ID 83612-2009

Subject: Objection to recommendation 67-10637

Dear Mr. and Ms. Cole,

The Idaho Department of Lands (IDL) objected to 67-10637 (Lakey Creek) because the POD and part of the POU was recommended on their property. I have enclosed a map for your review. *This is a totally separate issue from what we have previously met about regarding 67-383.*

The Idaho Department of Lands (IDL) suggests resolving the objection by either adding them to the water right as an owner (joint ownership of the right), or to remove the acres and point of diversion that were recommended on federal ground from the recommendation. The problem with removing the acres and point of diversion from their ground is that if we were to do that, there would not be a valid POD for the water right.

There could also be other valid options.

I know you have been notified by IDL of their objection, however I just wanted to contact you and let you know that I am available for questions.

If you feel that adding IDL as a joint owner to your water right is acceptable, then I can probably start processing that change after the end of the response period (October 22nd) and possibly resolve the objection before it goes to a hearing.

Feel free to contact me if you have questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)