



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709
<http://www.id.blm.gov>



RECEIVED

In Reply Refer To:
7250 (933b)

SEP 27 2010

September 23, 2010

WATER RESOURCES
WESTERN REGION

John Westra, Western Regional Manager
Idaho Department of Water Resources (IDWR)
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

Dear Mr. Westra:

RE: Response to Amended Application for transfer:
Application for Transfer No. 74962 (Lake Reservoir Co.)

After review of the Amended Application for Transfer No. 74962 (Lake Reservoir Co.) it has been determined that BLM's protest has not been fully satisfied. The BLM protested the inclusion of a Place of Use (POU) in Lot 3 (SWSW), S25, T08N, R04W. In the amended transfer, the description of the proposed POU for 65-02923E (Part 3a) still contains Lot 3 which is BLM land. BLM's protest is clearly not resolved. This POU should be described as Lot 1 (SWSW) as this is the private portion of the nominal QQ that is the SWSW. For 65-02923C (Part 3a) this same POU is described as the entire nominal quarter-quarter (SWSW) which contains both public (Lot 3) and private land (Lot 1). This POU should be described as Lot 1 (SWSW).

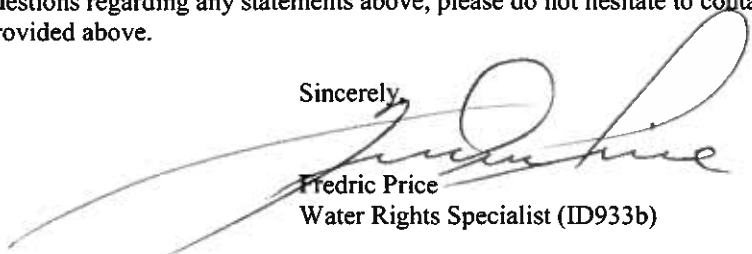
In Part 3 of 65-02923C, the following legal land descriptions are not noted with an "*" as was done for 65-02923E (Part 3a). The asterisk denoted a mixed ownership issue.

NWSE, S02, T08N, R05W
NWNW, S12, T08N, R05W
SENW, S12, T08N, R05W.

In 65-02923E, an asterisk was used to signify mixed ownership and that a comment would be included that states "Place of Use does not include federal public lands." Irrespective of whether the mixed ownership POUs described in 65-02923C are properly marked with an asterisk, BLM's protest with regard to the mixed ownership portion of BLM's protest is resolved by the inclusion of the "no fed land" remark.

In conclusion, BLM's protest has not been resolved as BLM land is still described in the Amended Application for Transfer No. 74962. If there are questions regarding any statements above, please do not hesitate to contact me at (208) 373-3831 or at the address provided above.

Sincerely,


Fredric Price
Water Rights Specialist (ID933b)

cc Lake Reservoir Company; 102 N Main ST; Payette, ID 83661