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E035176

June 29, 2009

I, Reed Capell, owner of water rights in the Garden Creek Water District; do hereby file formal notice that I do not agree with the petition filed to divert water by Klaine Christensen. At no time have I agreed or been aware of the Garden Creek Water Board (or members of the district) approving a petition or a motion by Klaine Christensen to do so. I therefore respectfully request that the State Water Board deny his petition (which Mr. Christensen has based on false pretenses; stating that the Garden Creek Water Board gave formal approval to do so). At no time has this occurred.

Currently, Klaine Christensen already has two laterals to receive his water. The diversion that Mr. Christensen is proposing will adversely affect the property owner at the sight of the proposed diversion; as well as the water users on the additional stream he is requesting the diversion from.

Respectfully,



Reed Capell
P.O. Box 271
McCammon, ID 83250

208-254-9358

Receipt
E035176

RECEIVED
JUL 02 2009
Department of Water Resources
Eastern Region