

MEMORANDUM

Date: February 19, 2004
To: Transfer 70989
From: Allen Merritt
Re: Recommendation

This application was processed in parallel with the state office. The application was advertised and was protested by the BLM since they wanted the final water right in the name of L & W Stone Corp since that is the entity that has the mining claim on BLM property. The protest was resolved by assigning the application from Forestier to L & W Stone Corp. There was a late protest that was returned. No requests for intervention have been filed. The issues raised in the late protest do not appear to be water related. I recommend that the application be approved as drafted.