



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

ALAN G. LANCE

October 14, 1998

RECEIVED

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Department of Water Resources
Eastern Region

Karl Klein
Givens Pursley, LLP
277 North 6th St. Suite 200
PO Box 2720
Boise, ID 83701

RE: Carola Holdings, Domestic and Stockwater Claim Nos. A22-13111 & A22-13112
Your File: 1697-3

Dear Mr. Klein,

Ernie Carlsen of IDWR's Eastern Region office forwarded your letter of September 15, 1998 to me for response. In your letter you asked whether the Department could expedite consideration of Carola Holding's claims, as they were not reported in the 1998 Director's Report issued on Basin 22.

Carola Holding's claims will be reported in the next Director's Report issued on Basin 22. IDWR cannot provide an individual Director's Report for these claims. For various reasons, there are frequently domestic and stockwater claims which are not included in the initial Director's Report for a particular basin. The Department's policy is to report these remaining claims in the subsequent report on that basin.

In your letter you also asked that the Department provide its assessment of the essential elements of Carola Holding's stockwater claims. IDWR's assessment of these claims will be provided in the next Director's Report issued on basin 22. While I understand your client's desire for certainty with regard to its water right, circumstances may change by the time this right is reported, thus IDWR cannot guarantee how it will be reported. Furthermore, IDWR can provide no assurances as to how these rights will ultimately be decreed. The SRBA court alone has the power to make that determination.

If you have any questions, please call me at 327-5404.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sara C. Denniston".

Sara C. Denniston
Deputy Attorney General
Idaho Department of Water Resources