

Robertson & Slette, p.l.l.c.

ATTORNEYS AT LAW

J. EVAN ROBERTSON
GARY D. SLETTE

Robin L. Moore, PLS - Paralegal

134 Third Avenue East
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 933-0700
FAX (208) 933-0701GARY D. SLETTE
gslette@rsidahoalaw.com

July 7, 2010

RECEIVED

JUL 07 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGIONVIA EMAIL Allen.Merritt@idwr.idaho.gov
VIA FACSIMILE 736-3037Allen D. Merritt, PE
Southern Region Manager
IDWR - Southern Region
1341 Fillmore Street - Suite 200
Twin Falls, Idaho 83301

RE: Jon & Wei Christianson (Application for Permit No. 71-7170)

Dear Allen:

Please consider this letter the Applicants' Status Report regarding processing related to the above-numbered pending application. I have spoken with Troy Warburton of the U.S. Forest Service today, and he is attempting to locate the file regarding the Forest Service's designation of the right-of-way pursuant to R.S. 2339. The historical documentation needed by the Forest Service to establish this right-of-way is apparently not satisfied by the early priority water rights, even though it appears they predated the reservation of the SNRA by decades. I continue to attempt to work through these issues with the Forest Service, and am advising my client of judicial alternatives in order to bring finality to this issue.

My clients and I recognize that this matter has been pending for some time, but we are doing our best to try to bring finality to the right-of-way issue in order to allow processing of the above-numbered permit application. On behalf of the Christiansons, I would request an additional six (6) month time period in which to either gain approval of the R.S. 2339 designation, or to institute a declaratory judgment proceeding regarding the right-of-way. Thank you for your consideration.

Yours truly,

GARY D. SLETTE

GDS:rlm

cc: John & Wei Christianson
Chuck Brockway, Jr.
Corey Skinner
rlm\gds\letter-IDWR_merritt.8