



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 28, 2013

WILLIAM ARKOOSH
2005 US HWY 26
GOODING ID 83330

RE: Permit No. 37-21297

Dear Permit Holder:

The Department acknowledges receipt of your request for extension of time. Your request states that the delay in completion of this project was due to federal government delay. The Department requires evidence of delay by federal government that prevented development of the project according to Section 42-204, 1, Idaho Code.

Section 42-204, 1, Idaho Code, reads as follows:

"In cases where the applicant is prevented from proceeding with his work by his failure to obtain necessary consent or final approval or rejection from the federal government because of the pendency of an application for right of way or other matter within the jurisdiction of the United States, or by litigation of any nature which might bring his title to said water in question, the department of water resources upon proper showing of the existence of any such condition, and being convinced that said applicant is proceeding diligently and in good faith, shall extend the time so that the amount of time lost by such delays shall be added to the time given in the original permit for each and every action required."

If your extension request is based on delay due to federal government delay, please provide **documentation evidencing** the date federal government delay began, and the date federal government delay ended which held up the development of the system during the 3 year development period allowed (Nov. 03, 2009 through Jan.01, 2013).

Upon receipt of the evidence showing beginning and ending dates of all delays, your extension could be approved for that amount of time lost during your 3 year development period mentioned above with the possibility in the future of applying for additional time.

If you have no evidence of federal agency delay to provide, your extension could be processed under good cause or due diligence now for 2 years. This would allow you to file one more extension request later for up to 5 more years, and would be considered your last extension allowed for due diligence according to Section 42-204, 5, Idaho Code.

I will hold this matter for **15-days** from the date of this letter to wait for your response. If you have any questions regarding this matter, please contact me at (208) 287-4945.

Sincerely,


Darla Block
Technical Records Specialist