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DEPARTMENT OF
WATER RESOURCES

February 4, 2008

Mr. Shelley W. Keen
Idaho Department of Water Resources
322 E. Front St
PO Box 83720
Boise, Idaho 83720-0098

Re: Permit 37-8894 / Dry Creek Partners

Dear Mr. Keen:

Pursuant to our recent telephone discussion, I am submitting the attached Request for Extension of Time to submit the proof of beneficial use for the above-referenced permit, along with the required fee of \$50.00.

Included is a listing of the work performed to date on the storage pond authorized under the permit. Due to unique conditions at the site, high sub-water prevents construction for most of the year. Typically, work is feasible during late summer and early fall. For this reason, development under the permit has proceeded slowly but diligently.

This request is based on the provisions of I.C. 204, as follows:

1. The permit was originally approved for a 3-year development period, which is 2 years less than the maximum allowable time. The first extension of time was granted on February 20, 2003, which extended the Proof date to March 1, 2008. Since the Idaho Code appears to allow up to two (2) 5-year development periods, but the original development period was less than the maximum, it is requested that the Department grant additional time on this basis.
2. Construction of the project required approval of a 404 permit by the U.S. Army Corps of Engineers. As evidenced by the attached documentation, the permit application was submitted on April 12, 2005. The application was submitted to the Corps by the NRCS, and it appears the application was initially misdirected to Boise and later (May 23, 2005) transmitted to the Corps of Engineers. Corps approval was granted on August 30, 2005.

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All of the authorized pond construction can be completed within one additional construction window in 2008. It is therefore requested that the proof date be extended to November 1, 2008. Please do not hesitate to call if you have any questions.

Cordially,



Charles G. Brockway, P.E.

Enc. Request for Extension of Time to submit proof
Original 404 Permit Application dated April 12, 2005
Memo from Steve Thompson (NRCS) to Rob Brochu (Corps) dated May 23, 2005
Permit approval letter from Corps of Engineers dated August 30, 2005
Listing of work performed and cost to date

Cc: Bill Novinger
Allen Merritt, IDWR-Southern