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DEPARTMENT OF
WATER RESOURCES

SASSER & INGLIS, P.C.

Attorneys at Law

3100 S. VISTA AVENUE, SUITE 200
P.O. BOX 16488
BOISE, IDAHO 83715

Telephone (208) 344-8474
Facsimile (208) 344-8479
www.sasserlinglis.com

M. MICHAEL SASSER
E-mail: mms@sasserlinglis.com

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April 26, 2007

Ms. Deborah J. Gibson
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Application for Permit No. 75-13977 - Formation Capital Corporation

Dear Ms. Gibson:

I acknowledge receipt of your letter dated April 16, 2007, wherein you request unavailable day for the months of September and October, 2007, for the purpose of scheduling a four day hearing in Salmon, Idaho, with regard to the above-referenced application. **Unavailable** dates for the referenced time period for me, Theodore L. Garrett and William Boyd, Covington & Burling, co-counsel for Protestant Intalco Aluminum Corporation, are as follows:

September 3-14, 24-28, 2007
October 1-12, 2007

Please do not hesitate to call me or Carol Heppler, my legal assistant, if you need to clarify or discuss further our availability for purposes of scheduling the hearing. I appreciate your assistance.

Very truly yours,



M. Michael Sasser

MMS:ch
Enc.
cc: Theodore L. Garrett
Bruce Smith
Scott Campbell