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June 20, 2007

Idaho Department of Water Resources
7600 Mineral Drive, Ste. 100
Coeur d'Alene, ID 83815

RE: Request for Extension of Time

Dear Sir or Madam:

This letter is submitted in support of the "Request for Extension of Time" to submit proof of beneficial use for Water Right Permit No. 95-9042.

By way of background, on March 16, 2007, CPM Development Corporation completed installation of a well on its property for the purpose of appropriating water under the above-referenced permit. Water is being withdrawn and used for purposes consistent with the permit. Given the nature of the use, and the significant time and investment CPM has made in the site (to include permitting and infrastructure required by the city and county governments), it simply has not been possible to put this right to its full beneficial use.

As stated in the Application to Appropriate Water, CPM is in the business of mining sand and gravel which includes the mixing of the resource and blending with cement to make concrete. The amount of water requested in the permit was based upon a reasonable estimate of the water necessary to conduct this operation and support the economic growth occurring in Post Falls and Coeur d'Alene.

We respectfully request that the Department of Water Resources issue a two-year extension of the deadline to submit proof of beneficial use for Permit No. 95-9042. We reasonably believe that the extension will allow the onsite activities to achieve a level of operation that reasonably reflects the amount of water to be appropriated.

Thank you for your consideration.

Very truly yours,

WITHERSPOON, KELLEY, DAVENPORT
& TOOLE, PS

By


Stanley M. Schwartz

SMS/ab

c: Mark Murphy
Jana McDonald