

RECEIVED**JUN 27 2005**

Department of Water Resources

Main Identity

From: "Gibson, Deborah" <Deborah.Gibson@idwr.idaho.gov>
To: "MQONENIDAHO" <slmitchell@sandpoint.net>
Sent: Tuesday, June 21, 2005 07:35
Subject: RE: Request for assistance REF: 991100920,

John:

Good Morning and thank you for this message.

Let me clarify one thing that I may not have been clear about yesterday. A maximum extension based on due diligence is five years. However, government delay, or litigation delay is based only on the length of time you have been delayed, and the department needs evidence of the delay to approve this type of request. But, it sounds like the system is established, and you only need approximately one year to prepare the buckets, the cable, place the water lines, and connect the system. I suggest you file a request based on government agency delay for one year, and then if you run into any problems next year you could file a second request for extension based on due diligence. I am sorry that we can't automatically base our extensions on the extensions you've received from the USACE, or IDL. For more information you may refer to Idaho Code Section 42-204(1) for the statute that refers to extensions with IDWR.

If you have any questions, please let me know.

It was a pleasure talking to you. I hope your wife's health is strong and that she overcomes her cancer. I'll watch for your extension.

Deborah Gibson

Deborah Gibson

Administrative Assistant

Water Allocation Bureau

Idaho Department of Water Resources

Phone: (208) 287-4942

Fax: (208) 287-6700

-----Original Message-----

From: MQONENIDAHO [mailto:slmitchell@sandpoint.net]**Sent:** Tuesday, June 21, 2005 12:32 AM**To:** Deborah J Gibson**Subject:** Fw: Request for assistance REF: 991100920,**This is my third try to reach you.****Deborah,****SUBJECT: Justification for Extension of Water Resources Permit # 96-9185**

Per Phonecon 1545hrs, 20 Jun 05, between John T. Polarine & Deborah Gibson concerning the government delay on the completion of referenced project subject line of original message, (USACE< Walla Walla District) and text messages below. The following information is submitted for your reference and use. A copy of this email will be attached to the Request For Extension of Time to meet your requirements.

I am preparing the extension request and it will be in the "snail mail" tomorrow.

I would like to make a suggestion, to preclude Permit Holders from submitting Extensions every year in the event they can't complete what was approved by all the Agencies involved, that all the dates for completion should be the same or close to it. Our USACE Permit gives us 2 years, with the addition of one more year added on if the work starts before the permit is issued. The Idaho Dept of Lands permit indicates 10 June 2007 expiration date, and The Permits your agency grants are normally for one year with the option of extensions in one year increments. We have found that nothing gets

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done up here in one year and than if you are one of the lucky one's.

Thank you again for your help & assistance in this matter.

John T. Polarine
Sherri L. Mitchell
P.O. Box 1345 (859 Rock Harbor Rd)
Sagle, Idaho 83860
208-255-2713

----- Original Message -----

From: Jim Brady
To: Mitchell, Duane E NWW ; MQONENIDAHO
Cc: jbergqui@deg.state.id.us
Sent: Monday, June 20, 2005 12:44
Subject: RE: Request for assistance REF: 991100920

Our permit, L-96-S-1262A, the individual has until 6/10/2007 to complete the proper installation and the temp method described does not appear to have adverse impacts.

Jim Brady

-----Original Message-----

From: Mitchell, Duane E NWW [mailto:Duane.E.Mitchell@nww01.usace.army.mil]
Sent: Monday, June 20, 2005 12:29 PM
To: MQONENIDAHO
Cc: jbergqui@deg.state.id.us; Jim Brady
Subject: RE: Request for assistance REF: 991100920

John,
It is good to hear from you. The modification you propose is not significant enough to change anything with our permit. I am copy furnishing this note to DEQ and IDL for their input. I will put a copy of this correspondence in our file.

Duane E. Mitchell
Walla Walla District
Regulatory Division
U.S. Army Corps of Engineers
201 N. Third Ave.
Walla Walla, WA 99324
Voice (509)527-7156
FAX (509)527-7823
e-mail duane.e.mitchell@usace.army.mil
Applications: <http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm>

From: MQONENIDAHO [mailto:slmitchell@sandpoint.net]
Sent: Monday, June 20, 2005 12:16 PM
To: Mitchell, Duane E NWW
Subject: Request for assistance REF: 991100920

Hello Duane,

06/21/2005

Since they didn't drop the lake level low enough for us to properly complete the approved anchoring on our project. I have a proposal:

In lieu of the original anchoring as submitted, can we use two, 5 gal plastic buckets, connected with Stainless steel cable, on the end of the pipe, filled with cured concrete has a temporary measure, or until they drop the water level to below 2055 feet. Of course when conditions warrant, or they drop the water level we would go back to the original plan? I am a man of my word. From what I was told this wouldn't happen for another 2-3 years. The lake level has hampered our operation.

I called you a few minutes ago and left you a note.

I just spoke to Al Beardslee of Dept of Water Resources, he told me to speak to you first, since we really need this addition water resource. He related if the Corps approved the Temporary method they would not have a problem. This is needed so we can meet the requirements before Aug 1, 2005.

I have been over extended, my wife Sherri has been dia with breast cancer and I am extended with her primary care. I have no help. My pump installer is still by my side and we maybe able to complete the project, if we can't I need to file an extension.

What are your thoughts?? I would like to speak to you concerning this project above me also.

Thanks,

John T. Polarine & Sherri L. Mitchell

P.O. Box 1345 (859 Rock harbor)

sagle, idaho 83860

208-255-2713

----- Original Message -----

From: Mitchell, Duane E NWW

To: 'MQONENIDAHO'

Sent: Monday, June 14, 2004 14:49

To: Mitchell, Duane E NWW

06/21/2005