

FAX

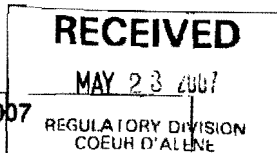
DATE: Wednesday, May 23, 2007

ATTN: Dear Hilliard

COMPANY: US Army Corps

FAX 208-735-7449

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Message:

RE: Sackett property at Priest Lake

Dean,

I have included 3 drawing with my time line. Please look over and call me if you have any questions.

Thanks.

Ch intell Sackett

May 23, 2007

Chantell Sackett
P.O. Box 425
Norman, ID 83848

RE: Property at 1604 Kalispell Bay Rd. Priest Lake, ID 83856. Time line of what has taken place.

April 30, 2007: Started clearing property at 1604 Kalispell Bay Rd. for home and shop

May 3, 2007: 3 people from (EPA) showed up to 1604 Kalispell Bay Rd., and asked the equipment operator to stop what he was doing. The operator was Chris Carstens, he was pushing pit run that was brought in to build up the site where the house and shop are to be built. Chris was asked for a permit to fill in wetlands and he said he had nothing at the site. These 3 people went to the Sackett Office and spoke with Kim Holman. They asked if Chantell was available and Kim told them I was not. They asked if I had a permit to fill in wetlands. Kim said Chantell is not here and that I may have my files in my office but was not sure. They asked for any information on the project, if we had maps that show it is wetlands or anything? Kim asked them what authority they had to shut down a job site, when they don't have any supporting evidence that proves the property is wetlands. They answered that there is water there. One of the three people left a card, Carla Fromm. Kim told them I would call them when I got back to the office.

May 4, 2007: I received a phone message from John Olsen from the EPA, he said that he had been to the Corps of Engineers and that they have no information on project. He will call this afternoon and is working on finding out if it is wetlands.

I called Sewell Eng., and spoke to Ray Henriksen, I explained what had happened and he gave me Tom Duebendorfer's number. I called Tom and asked him to take a look at the site to see if he could determine if it is wetlands. Tom asked me to send him some information on the site and he would get back to me the following week.

I called Carla Fromm and I asked her if she had received a complaint and she said yes. I asked if she would tell me who the person was and she said no. Carla said that it looked like we filled the whole site in and I said that we had not. I asked if she had jurisdiction over this area and Carla said that the site looked suspicious and that she is not sure if the EPA has jurisdiction over the site. Carla told me that our property was listed in the National Wetlands Inventory. I told Carla that I was going to have Tom Duebendorfer come to the property at 1604 Kalispell Bay Rd., to determine if this site is wetlands and that I would have him contact her. Carla was good with that.

May 10, 2007: I sent Tom a letter with a plat map, map of surrounding area and photos of the area.

May 21, 2007: Tom and I met at 1604 Kalispell Bay Road property. Tom did determine that the site is part of a wetland. That the site is not an isolated wetland and that it joins a wetland to the South and to the West across a road. Tom said that we should continue not to do any work to the site until we have had the US Army Corps evaluate the site on the best way to proceed.

Tom asked how much area has been filled in on the 27,410 sq ft. site? Approximately 20,416 sq ft. have been filled in and approximately 6,974 sq ft. have not been filled in. Approximately just under 1/2 acre has been filled in on .62 acre parcel.

May 22, 2007: I went to go see Beth Reinhart at the US Army Corps, she was going to be out of the office until next week and that Dean Hilliard was available to speak to. I spoke with Dean on the site at 1604 Kalispell Bay Road. I told him that I purchased the plot of land about 3 years ago. I told him that there was nothing showing in my information that this was in a National Wetland Inventory. I purchased this to build a house and a shop on and that I had sold my house and was now ready to build here. I showed him a photo of the site that I had taken that day. I let him know that I had Tom Ductorfer come to the site and that he did determine the site to be part of a wetland. Dean said that he was just filling in for Beth until she returned. Dean asked for some information about the site, I gave him a plot map, a CD of photos of the site that were taken that day and an approximate area that had been filled in. Dean said that we should not do anything until Beth has had a chance to look at the information. Dean gave me an application to fill out for a permit.

May 23, 2007: I spoke with Dean Hilliard, he asked me to send him the facts on what had taken place, I agreed. Tom told me that he was not sure who had jurisdiction the EPA or the US Army Corps. Dean mentioned the Clean Water Act of Rappanose Canal? Is there a connection to the water (Priest Lake)?

I called Tom to see if he knew who had jurisdiction? Tom said that the site is not isolated wetlands and that it is connected to the South and West with other wetlands. Tom said we need to look for culverts at each driveway from mine to Kalispell Creek to see if the water joins up with this Creek? I told Tom that I would go look today and take photos of each driveway to Kalispell Creek and send them to him.

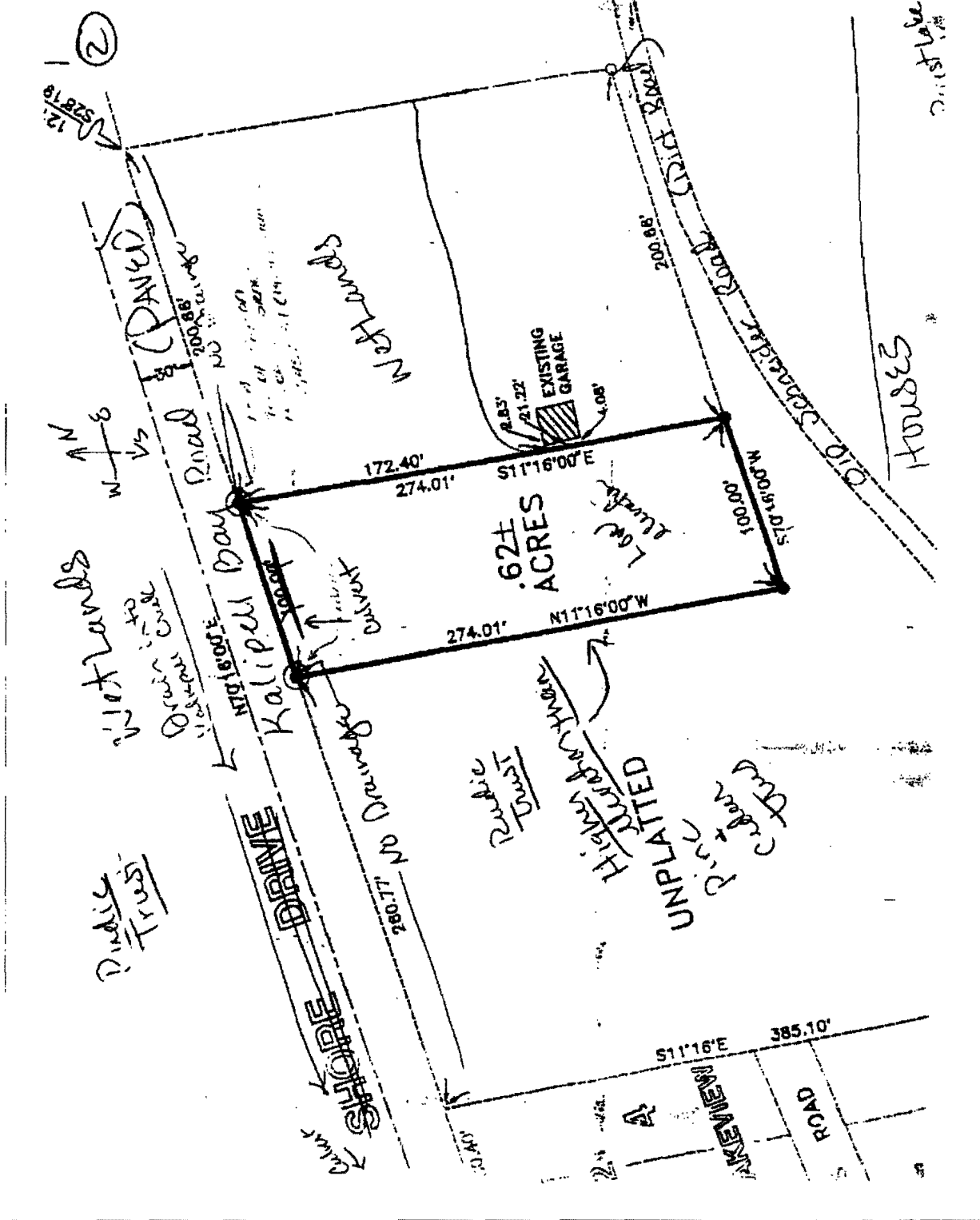
Tom explained that the EPA deals with water quality issues and that he thought that wetlands are regulated by the Corps.

I asked Tom if he would get in touch with Carla Fromm from the EPA and let her know that I did determine the site to be part of a wetlands and he said he would.

May 23, 2007 2:50pm: called Dean Hilliard, let him know that I went and took photos of the surrounding areas. I told him that to the West, of my property, towards Kalispell Creek that there are 3 driveways in between my property and Old Schneider road and only one of the driveways had a culvert. There is no drainage to the West of my property as the elevation is higher. The property to the East of my property is the same as mine, wetlands, but there is no drainage for that. There are no culverts under Kalispell Bay Road from the South side to the North side where there are wetlands. The Rudie Trust

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wetlands on the North side do drain West towards Kalispell Creek. There is a culvert under the Kinnikinnik road and it does drain into Kalispell Creek. If there is no drainage off my property into any water system, then it seems to me that my property would be considered isolated wetlands.

Total sq ft
 $274.1' \times 100' = 27,410$

locu = 43,500

$78' \times 262' = 20,436$ (amount filled in)

$27,410 - 20,436 = 6,974$ (have not been filled in)

5/14/07 2:18p - left message for Tom to call me back

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