

ELSAESSER JARZABEK ANDERSON MARKS ELLIOTT & McHUGH
CHARTERED
ATTORNEYS - AT - LAW

FORD ELSAESSER
JOSEPH E. JARZABEK
BRUCE A. ANDERSON*
DOUGLAS B. MARKS**
CINDY ELLIOTT
BARRY McHUGH

*ALSO LICENSED IN COLORADO
**ALSO LICENSED IN WASHINGTON

123 SOUTH THIRD STREET
P. O. BOX 1049
SANDPOINT, IDAHO 83864-0855
TELEPHONE (208) 263-8517
FACSIMILE (208) 263-0759

ford@ejame.com
brucea@ejame.com
dmarks@ejame.com
cindy@ejame.com
bmchugh@ejame.com
dlarue@ejame.com
lois@ejame.com

DONNA LaRUE, CLA
PARALEGAL
LOIS La POINTE, RP
LEGAL ASSISTANT TO FORD ELSAESSER

August 10, 2005

US Army Corps of Engineers
Albeni Falls Dam

Re: Fall and Winter Lake Level – Lake Pend Oreille

Dear Sir or Madam:

Please consider this letter confirmation of the Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest River Commission (“Lakes Commission”) as unanimously endorsing and requesting the following System Operating Request for Lake Pend Oreille for the fall and spring:

1. We request full pool through September 20, and no more than a one foot drop through the first week of October; and
2. Pursuant to the Biological Opinion, and the evidence submitted by Idaho Fish & Game, we believe it is appropriate that the Lake operate at 2055 for the 2005/2006 winter period.

Thank you.

Very truly yours,

Ford Elsaesser

FE/ll