



IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor
Cal Groen / Director

March 31, 2008

Debborah Gibson
Idaho Dept. of Water Resources
322 E. Front St.
Boise, ID 83702

RE: Permit No. 69-11500

Dear Debbie,

This letter is to explain to the best of my recollection/knowledge the reason for the delay in filing proof of beneficial use for permit no. 69-11500.

In late May and early June 2005, construction of the springbox/tank water development on the spring above Wolf Creek on the Rocking M Ranch, was completed by the BLM Four Rivers Field Office staff for the Idaho Department of Fish and Game.

Throughout the process of getting this permit and constructing the development, I had been handling the majority of the water rights related work and forwarding on to Roy Moore of the Rocking M Cattle Company any forms requiring signatures and/or fees. After the developments were constructed, I sent the proof of use forms provided by IDWR to Roy Moore/Rocking M Cattle Company for his signature and attachment of appropriate license examination fee. To the best of my knowledge and recollection, both proof of use forms were sent (for permits no. 69-11499 and 69-11500) to Roy Moore, but only one (69-11499) was returned to IDWR. It is possible that I may have overlooked one of the forms and sent only one to Roy, or the other form may have been mislaid/lost at Roy's end.

After having looked through my records and after all this time I am not able to say with certainty at which end the error occurred. The failure to file proof of beneficial use was not intentional and was most likely an oversight, as the original applications for permits and application for extension of permits included both spring sites, and the intent was to obtain permits to both sites.

Should you need any other information to correct this and reinstate the permit, I can be reached at 208-257-3363.

Sincerely,

A handwritten signature in dark ink, appearing to read "Anna Owsiak".

Anna Owsiak

Cc: Rocking M Cattle Company

Keeping Idaho's Wildlife Heritage