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March 24, 2006

State of Idaho
Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Kenneth Bowen

Dear Sir or Madam:

I am the attorney for the City of Kooskia and also the Idaho County Prosecuting Attorney. I recently reviewed a letter dated March 15, 2006 from Steve A. Rishling to your department. In the first paragraph of said letter Mr. Rishling claims that I made the statement Mr. Bowen "Has every legal right to drill his well." Please be advised that I never said this to Mr. Rishling. However, I believe that I did say to Mr. Rishling that I was not sure if anything could be done at this point in regards to Mr. Bowen's well since he had already obtained a permit to appropriate water from the Department of Water Resources.

After reviewing this matter and having had time to contemplate the same I believe that the City of Kooskia has every right to object to the drilling of a well within the city limits of Kooskia. Under Idaho Code 42-235 the Department has a duty to protect the public health, safety, welfare and the environment and to prevent the waste of water or mixture of water from different aquifers. Therefore, I believe that it is incumbent upon the Department of Water Resources to investigate how the drilling of a well in the city limits of Kooskia may affect the quality of the city's water supply and/or the quantity in the city's aquifer. The city has concerns in relation thereto and I mentioned those concerns in my March 14, 2006, letter to you.

A further concern is that under Idaho Code 42-203A a notice should have been published in a newspaper of general circulation in this area, specifically the Idaho County Free Press, advising the citizens of the City of Kooskia that Mr. Bowen intended on drilling a well within the city. The requirements of Idaho Code 42-203A were never met and therefore the City was not on notice in regards to Mr. Bowen's application to appropriate water within the City of Kooskia. Therefore, I believe that the city should be given sufficient time to investigate this matter and express its concerns to the department. I would suspect that due to no notice being given to the city it would take

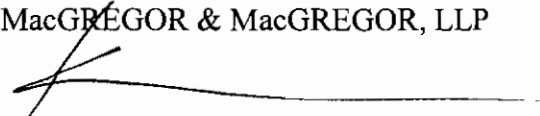
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approximately thirty to sixty days for the city to adequately investigate this matter. Therefore, it is requested that the department take into consideration the city's concerns in my March 14, 2006 letter as well as give the city sufficient time to investigate the impact the drilling of Mr. Bowen's well may have on the City of Kooskia's water supply and aquifer.

Please contact me if you have any questions.

Sincerely,

MacGREGOR & MacGREGOR, LLP



KIRK A. MacGREGOR

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cc: City of Kooskia
Steve Rishling