

DEPT. OF LANDS

AUG 15 2019

BOISE, IDAHO

August 12, 2019

Mr. Dustin Miller, Director  
Idaho Department of Lands  
Attention: Rulemaking  
300 N. 6<sup>th</sup> Street, Suite 103  
Boise, ID 83702

Dear Director Miller:

Pursuant to Idaho Code, 67-8003, the Idaho Regulatory Takings Act, I am writing to formally request a regulatory takings analysis for IDL's proposed Rules Pertaining to the Idaho Forest Practices Act, IDAPA 20.02.01. I am specifically referring to the portion of this rule commonly known as the "shade rule."

The purpose of the Regulatory Takings Act is "to assure that [proposed regulatory or administrative] actions do not result in an unconstitutional taking of private property."

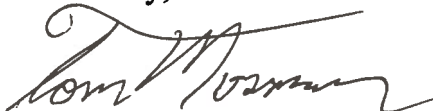
The statute requires you to provide a copy of the completed regulatory takings analysis to me within 42 days of the date that this request is filed.

The shade rule has deprived me of my right to harvest certain timber on my own private property without any compensation.

Since the shade rule has been allowed to expire by the legislature and has been proposed again as a new rule, I am formally requesting an analysis as to how IDL justifies the taking of private property without just compensation as required by both the Idaho and United States Constitutions.

Thank you for your attention to this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Mosman", with a stylized flourish at the end.

Tom Mosman  
3099 Central Ridge Rd.

Craigmont, ID 83523-5070

CC: Representative Marc Gibbs, Chairman, House  
Resources Committee

Senator Lee Heider, Chairman, Senate Resources  
Committee

Eric Milstead, Director, Legislative Services Office

Brian Kane, Assistant Chief Deputy, Attorney General's  
Office

C.J. Mosman & Son  
3099 Central Ridge Road  
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