



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

April 15, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Re: Application for Permit No. 63-32573, in the name of M3 Eagle, LLC.

Dear Interested Parties:

Enclosed is a letter received by IDWR on April 9, 2009. This letter is referencing the M3 Eagle application and development. The letter is being provided to you for your information and is being incorporated into the record for this matter.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Management Division

cc: Service List

Jerry and Gloria Keulman
4831 Skyline Drive
Eagle, ID 83616
Phone: 208-939-0925

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APR 07 2009

DEPARTMENT OF
WATER RESOURCES

Gary

April 5, 2009

DA
Dr. David Tuthill, Director
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720-0098

Re: M3 Groundwater Application

Dear Dr. Tuthill,

I am writing to express my concerns over M3's Water Rights and a decision from IDWR at this time.

I understand that there is a big study being conducted that is expected to be completed the end of 2009. Because this is such an important issue to the valley, it would seem appropriate to wait for any decision until this study is completed and the findings have been reviewed by IDWR.

I have heard a recommendation that a water district entity be formed that will protect current individuals interests in ground water and surface water. I support that effort. It would seem to be an appropriate time to have a comprehensive look at other options for water to address the future growth of the valley and to protect the current water users before allowing a development to the magnitude of M3.

As I understand with the current growth and drought conditions our water tables have already declined. I am concerned that with the size of M3 we will have an additional significant reduction in water causing many of us with wells in the Eagle area to have to incur the costs of a new well in the future if ours dry out.

I had spoken to Ed Quires from Hydrologic, Inc., several times when he was conducting the study with the assistance of U of I students. My well was one of the ones tested. When I tried to get the results, I listened to a lengthy technical description of aquifers, and water tables and the flow of water that was way beyond my understanding, however, I do remember him telling me that M3's water consumption would not affect Eagle water--if anything, it would impact Emmett. Well, naturally I am primarily concerned about my water in Eagle and my well, but it almost sounded like an admission that there would be an impact, but somewhere else, so I need not worry.

From what I have heard, it appears that if M3 got approved, they would not be bound by any PUC regulations like Suncor went through. I am not sure I understand why they would not need to abide by the same regulations.

I appreciate the opportunity to express my concerns and I hope you will consider the recommendations of the North Ada County Groundwater Users Association to reject the M3 water rights and their proposed development at this time and until completion of an independent, full scale groundwater study and an established budget:

Sincerely,


Gloria Keulman

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APR 09 2009

DEPARTMENT OF
WATER RESOURCES

April 8, 2009

Dr. David Tuthill, Director
Idaho Dept of Water Resources
322 East Front Street
Boise, ID 83720-0098

Dear Mr. Tuthill,

My wife and I reside at 4951 Hawkcrest Lane, 200 yards above Homer Road, in Eagle.

I have been aghast at how the City of Eagle has caved in on the M-3 Development. These people bought the property before they even knew that they could get zoning annexation and entitlements. Their website indicates that they intend to sell off the project, once they receive their access and water rights.


These "out of town guys" just want to exploit us for their own gains and mess up the foothills. And the heck of it is, there won't be a need for this development for at least 30 years. In the meantime, though, if they get their water right it will make it difficult for closer in projects to get well and septic permits.

The fact of the matter is that Eagle already has over 2,000 lots in the preliminary plat stage and well over 200 approved lots. The population growth here was only 139 from April, 2007 to April, 2008. That translates to about 40 families. And if 20 of those families could buy a new home, it would take 110 years to absorb what is already in the pipeline.

Even if Eagle grew by 3%, which would be about 200 families, and 100 of those families could afford a new home, we still have over 20 years of inventory, without M-3.

Mr. Tuthill, there is no need for us to accommodate the M-3 development. The Eagle residents have nothing to gain and much to lose.

Cordially,


Bob Nahas

SERVICE LIST
As of March 16, 2009

JEFFREY C FEREDAY
GIVENS PURSLEY LLP
601 W BANNOCK ST
PO BOX 2720
BOISE ID 83701

M3 EAGLE LLC
533 E RIVERSIDE DR STE 110
EAGLE ID 83616

NORMAN L EDWARDS
884 W BEACON LIGHT RD
EAGLE ID 83616

ALAN SMITH
3135 OSPREY RD
EAGLE ID 83616

BILL LAWTON
3145 N OSPREY RD
EAGLE ID 83616

JOHN THORNTON
NORTH ADA COUNTY GROUNDWATER
USERS ASSO.
5264 NORTH SKY HIGH LN
EAGLE ID 83616

WESTERN REGION
ATTN JOHN WESTRA
2735 AIRPORT WAY
BOISE ID 83705-5082

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APR 17 2009

DEPARTMENT OF
WATER RESOURCES

Tracy R Barrus
5826 N. Hill Haven Pl.
Star, ID 83669
(208) 286-0276

April 15, 2009

Dr. David Tuthill, Director
Idaho Dept of Water Resources
322 East Front St.
Boise, ID 83720-0098

Re: M3 Eagle Company Application for Municipal Water Right

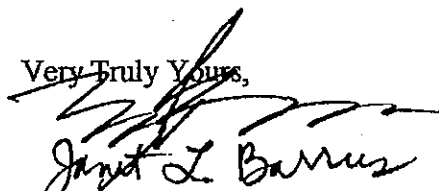
Dear Dr. Tuthill:

We live in the Hillsdale neighborhood in Northwest Ada County, west of Highway 16. We have just been informed of the above-referenced application for a massive water right that may substantially impact the two private wells that serve our neighborhood. We are writing to protest the application.

Please understand that we are not opposed to development of the M3 property, so long as it does not injure or devalue the surrounding neighborhoods and farmlands. We are protesting the water application because we believe there is insufficient data at this time for IDWR to make a final decision. The M3 group is pushing IDWR to render a final decision at the same time that studies on the impact of their proposed water right are still ongoing. We understand that one such study will be completed this Fall, and another in December. Why not wait until all the evidence has been developed? No reasonable applicant should object to postponing the decision until all the facts are on the table.

If M3 continues to press for an immediate decision, we can only conclude that they are fearful of the results of the ongoing studies. Please do not allow IDWR to be intimidated into making a premature decision.

Very Truly Yours,



Tracy and Janet Barrus

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APR 17 2009

DEPARTMENT OF
WATER RESOURCES

Joe Chance
Mailing Address P.O. Box 2407
10103 W Colton Lane
Eagle ID 83616

April 15, 2009

Dr. David Tuthill, Director
Idaho Dept. of Water Resources
322 East Front Street
Boise ID 83720-0098

RE: M-3 Water Right

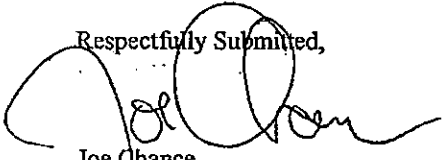
Dear Dr. Tuthill,

I am writing this letter because of my concern with M3 Eagle Companies proposed water right and how it will affect my home and well. This application seems to be a bit premature. On a project of this size I would expect IDWR to have independent studies and surveys completed before a water right is issued. Especially on a request of this magnitude. It also seems to be a bit peculiar that M3 has found an aquifer that no one has ever found before

I am not opposed to growth and development; actually I am in the Real Estate and land development business. I have owned and operated an Engineering/Construction company throughout 15 states for over 25 years and have first hand seen the ramifications on planning and zoning decisions that were made in hast. I also live in Colton Ranch subdivision off HWY 16 which will be directly affected.

I ask that you take your time, have the independent studies and surveys completed so that you can make a confident decision.

Respectfully Submitted,


Joe Chance
208-286-7761
10103 W Colton Lane
Eagle ID 83616

John & Connie Gifford
5397 N Sunrise View Lane
Star, Idaho 83669

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APR 17 2009

DEPARTMENT OF
WATER RESOURCES

Dr. David Tuthill, Director
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

April 15, 2009

Dear Dr. Tuthill

I am writing you to express our concern over the municipal water right application for which the M3 Eagle Company has currently applied. The purpose of the application is to supply groundwater to their proposed planned community north of the City of Eagle.

We are residents of the Hillsdale Estates subdivision, north of Star, off Highway 16, and just west of the proposed M3 Eagle Company subdivision. Our subdivision receives all of its water from our developments water wells. The large amount of water the M3 Eagle Company is applying for will negatively impact the ground-water-level and supply to all of the homes in our neighborhood, not to mention, the value of our property.

It is my understanding that the M3 Eagle Company water right application is being processed at this time and that a final decision will be handed down shortly. It is our strong opinion that IDWA should reject or restrict this application on the grounds that M3 is not a municipality. There is lack of data as well as conflicted data on the area's aquifer and water supply. We are also to understand that IDWR is currently working on a study on the affected area aquifer that will be completed by the end of the year. It is only logical that the M3 application should be postponed until this study is complete and reviewed. This water right application should be based on the hydro geologic study. The granting of water rights in small quantities that are phased in over time and monitored and managed would be a much more equitable approach and would not negatively impact the hundreds of homes that have been established in this area over the last 30 years.

Your consideration will be greatly appreciated.

Sincerely


Connie Gifford

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APR 17 2009

DEPARTMENT OF
WATER RESOURCES

April 15, 2009.

Dr. David Tuthill, Director
Idaho Dept. of Water Resources
322 East Front Street
Boise, ID 83720-0098

Dear Dr. Tuthill,

We are writing you to express our concern over the large water right application the M3 Eagle Company is currently applying for their municipal water right to supply groundwater for their proposed planned community north of the City of Eagle.

We live in Hillsdale Estates off of highway 16, and receive all of our water from our development water wells. We feel the large amount of water that the M3 Eagle Company is applying for, will affect Hillsdale's ground water level and supply. The M3 Eagle Company application could affect the value of our property in Hillsdale.

We understand the M3 Eagle Company water right application is being processed right now. That a final decision will be handed down shortly. We feel that IDWA should reject or restrict this application because M3 is not a municipality. There is a lack of data, as well as conflicted data on the area's aquifer and water supply. We also understand that IDWR is currently working on a study of the affected area aquifer that will be completed by the end of this year. We feel that any decision on the M3 Eagle Company water right application should be delayed until the end of the year when the IDWR ground water study is reviewed and completed.

We want to see this water right application based on well understood hydro geologic study. We would like to see the granting of water rights in small quantities that are phased in over time so the effect can be monitored and managed. Also, piping water in from the Boise River or Payette River may be an option.

We all need to be responsible stewards of our natural resources.

Sincerely yours,

Harry A. Moore
Judy B. Moore

Judy & Harry Moore
5492 N. Star Ridge Way
Star, ID 83669