

Southfork Landing. Where outdoor adventure is conveniently outside your door.

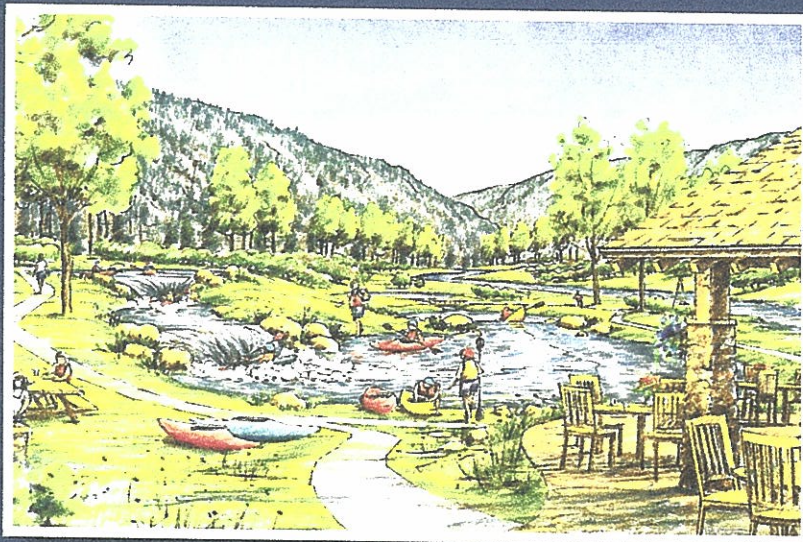
You've worked hard. Now it's time to play even harder. And there's no place better to play than at Idaho's Southfork Landing. Here, living the outdoor life isn't a dream, it's a reality.

With over two miles of catch-and-release trout streams and more than 40 acres of private lakes, "gone fishing" will most likely appear on your daily "to-do" list.

Elevate your attitude. Whether you're hiking, skiing or 4-wheeling, hundreds of miles of wilderness trails near the picturesque South Fork of the Payette River await your joyful exploration.

And rollicking good times lie ahead when you live in the first residential community to have its very own pond-to-pond whitewater park.

Welcome to home sweet base camp.



Payette River Whitewater Park

The world's first residually integrated whitewater park is in your backyard.



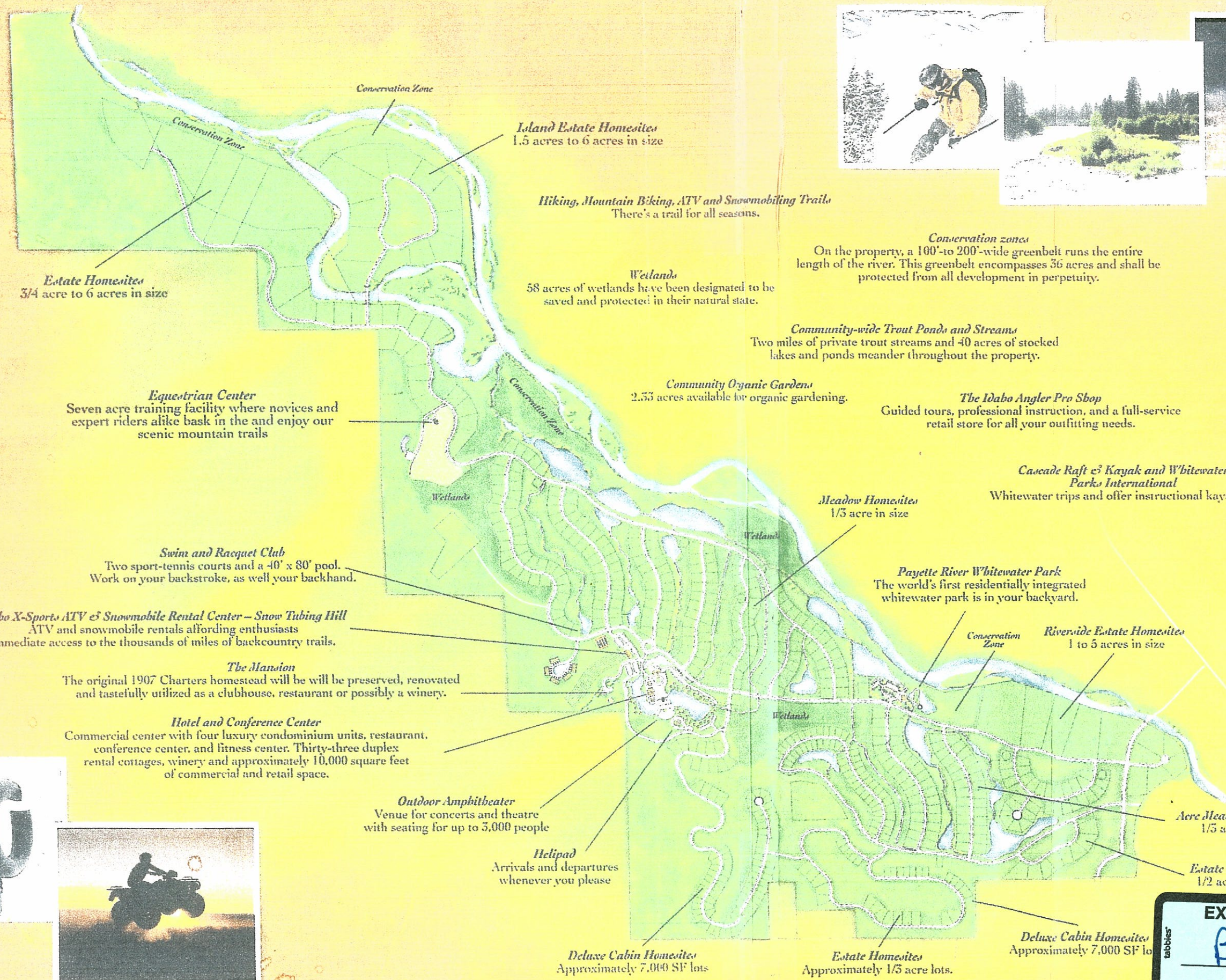
Southfork Landing
AUTHENTIC IDAHO

MLC

Sotheby's
INTERNATIONAL REALTY

Southfork Landing is represented exclusively by MLC Sotheby's International Realty.

208-462-2637 | AuthenticIdaho.com



Estate Homesites
3/4 acre to 6 acres in size

Island Estate Homesites
1.5 acres to 6 acres in size

Hiking, Mountain Biking, ATV and Snowmobiling Trails
There's a trail for all seasons.

Wetlands
58 acres of wetlands have been designated to be saved and protected in their natural state.

Community-wide Trout Ponds and Streams
Two miles of private trout streams and 40 acres of stocked lakes and ponds meander throughout the property.

Community Organic Gardens
2.53 acres available for organic gardening.

The Idabo Angler Pro Shop
Guided tours, professional instruction, and a full-service retail store for all your outfitting needs.

Cascade Raft & Kayak and Whitewater Parks International
Whitewater trips and offer instructional kayaking.

Meadow Homesites
1/3 acre in size

Payette River Whitewater Park
The world's first residentially integrated whitewater park is in your backyard.

Riverside Estate Homesites
1 to 5 acres in size

Acre Meadow Homesites
1/3 acre in size

Estate Homesites
1/2 acre in size

Deluxe Cabin Homesites
Approximately 7,000 SF lots

Estate Homesites
Approximately 1/3 acre lots.

Deluxe Cabin Homesites
Approximately 7,000 SF lots

Outdoor Amphitheater
Venue for concerts and theatre with seating for up to 3,000 people

Helipad
Arrivals and departures whenever you please

Hotel and Conference Center
Commercial center with four luxury condominium units, restaurant, conference center, and fitness center. Thirty-three duplex rental cottages, winery and approximately 10,000 square feet of commercial and retail space.

The Mansion
The original 1907 Charters homestead will be preserved, renovated and tastefully utilized as a clubhouse, restaurant or possibly a winery.

Idabo X-Sports ATV & Snowmobile Rental Center - Snow Tubing Hill
ATV and snowmobile rentals affording enthusiasts immediate access to the thousands of miles of backcountry trails.

Swim and Racquet Club
Two sport-tennis courts and a 40' x 80' pool. Work on your backstroke, as well your backhand.

Equestrian Center
Seven acre training facility where novices and expert riders alike bask in the and enjoy our scenic mountain trails



EXHIBIT
B

SOUTHFORK LANDING MASTER PLAN

PHASE 1
RELEASE 1.1



Developer:
Southfork Landing, Inc.
PO Box 2030
P.O. Box 2030
P.O. Box 2030

www.southforklanding.com

EXHIBIT
C



US Army Corps
Of Engineers
Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876

PUBLIC NOTICE OF Application for Permit

APPLICATION NO.: 052100186

APPLICANT: Dynamis Group, LP

PUBLIC NOTICE DATE: August 15, 2008

21-Day Notice

COMMENTS DUE DATE: September 5, 2008

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached drawings.

APPLICANT – Dynamis Group, LP, 842 East Winding Creek Drive, Eagle, Idaho 83616. For information, please contact Mr. Lloyd Mahaffey at 208-938-2680. For information from the Corps of Engineers, please contact Mr. Greg Martinez at 208-345-2154.

LOCATION – South Fork Payette River and adjacent wetlands, Charters Creek and adjacent wetlands, Coski Creek and adjacent wetlands, three unnamed streams and adjacent wetlands, in portions of Sections 34 and 35, Township 8 North, Range 4 East, Boise Meridian, Garden Valley, USGS Quadrangle, near Garden Valley, in Boise County, Idaho.

WORK – Work consists of the following:

- Discharge 3,500 cubic yards of clean gravel fill and top soil into Charters Creek, Coski Creek, three unnamed streams and adjacent wetlands (0.84 acre) to construct roadways and lot fills (Fills # 1, 2, 3, 11, 12, and 15).
- Discharge 6,229 cubic yards of clean gravel fill into 1.06 acres of wetlands for residential and commercial lots fills (Fills # 7, 8, and 14).
- Discharge 18,243 cubic yards of clean gravel fill into 1.41 acres of a man-made pond to accommodate the construction of residential and commercial lot pads (Fills # 9 and 13).
- Discharge 5,706 cubic yards of clean gravel fill into Charters Creek (1,091 linear feet) and adjacent wetlands (1.18 acres, streambed and wetland impact) to accommodate residential and commercial lot pads (Fill # 4).
- Discharge 40 cubic yards of clean gravel fill into 0.02 acre of wetlands to construct 320 linear feet of new channel for Charters Creek (Fill # 5).
- Discharge 65 cubic yards of cobble, gravel, and bank soil into 0.04 acre of wetlands to create 170 linear feet of new stream channel (Fill # 6).
- Discharge 34 cubic yards of clean gravel fill into Coski Creek (0.001 acre) to block Coski Creek and divert water into existing Pond #4 (Fill # 16).

EXHIBIT

D

- Discharge 1,126 cubic yards of cobble, gravel, rock riprap and top soil into 0.19 acre of wetlands (Fills # 17 and 18) and redistribute 1,427 cubic yards of dredged material into 1.49 acres of wetlands to create 1,840 linear feet of new stream channel and enhance existing wetlands (Fills # 17t and 18t).
- Discharge 113 cubic yards of bedding gravel and native dirt into 0.02 acre (temporary impact) of wetlands to install a buried 24-inch water line from a constructed pond on Charters Creek (Fill # 10t). Location and description as shown on the enclosed drawing Sheets 1 through 12.

CONSTRUCTION PERIOD - Applicant proposes to start construction in the fall of 2008 and complete work in 2 years. The permit would authorize construction for a period of 3 years.

PURPOSE - To construct residential roads and lots for the proposed Southfork Landing Subdivision.

ADDITIONAL INFORMATION - The applicant proposes to excavate 1.37 acres of wet meadow wetlands and a small reach of Charters Creek to create a series of ponds and channels that flow throughout the project site. To compensate for the loss of wetland functions and stream impacts, the applicant has prepared a draft mitigation plan entitled "Southfork Landing Compensatory Wetland Mitigation Plan Mitigation Work Plan Supplement 2." The draft plan is available for review at the Boise Regulatory Office or by requesting a copy from the Corps. The draft mitigation plan proposes to create 8.51 acres of wetlands and roughly 4,000 linear feet of stream channel of which 2160 linear feet would be created in existing wetlands. The plan also proposes to enhance 2.89 acres of existing wetlands (see Sheets 11 and 12). The applicant would also restore 1,250 linear feet of the bank line of the South Fork Payette River (Mitigation Site 2-5). Prior to issuance of a permit for this project, the applicant will submit a final mitigation plan.

AREA DESCRIPTION - The project site is located in the central mountains of Idaho approximately 1 mile south of Garden Valley, Idaho. Located on the southwest side of the South Fork Payette River, Southfork Landing is a proposed 473-lot residential development on 868 acres. Elevation on the project site ranges from 3400 msl to 3000 msl along the river. The majority of the proposed development is planned to occur in the pasture areas which gently slope towards the river. The site consists of the former Charters Ranch and Freedom Ranch. Livestock grazing was the primary land use prior to the proposed development. Charters, Coski and the three unnamed streams are all low quality streams due to past land use practices. The streams have been relocated over the years and appear very much like straight irrigation ditches. Wetlands on the property vary from low to moderate quality with the wetland on the west side of the property (Fill #1) being the least degraded wetland.

ANTICIPATED IMPACTS ON AQUATIC ENVIRONMENT - The proposed work would fill a total of 2.88 acres of wetlands (2.85 emergent; 0.03 scrub-shrub), for roadways, and residential and commercial lots. The project would also fill 1.41 acres of an open man-made pond and fill 1,091 linear feet of Charters Creek. Excavation would also convert about 170 linear feet of Charters Creek (0.1 acre) and 1.27 acres of wetlands adjacent Charters Creek to create open water ponds. Other impacts to the aquatic environment would include work within existing wetlands to enhance existing wetlands (1.49 acres), and creating roughly 2160 linear feet of stream channel within wetlands. Of this total, 320 linear feet would be to replace open stream channel for Charters Creek. In addition, 0.02 acre of wetland would be temporarily excavated and filled to existing contours for a new water line (see Sheet 5, Fill 10).

OTHER AUTHORIZATIONS - Other authorizations obtained or requested include a Stream Alteration Permit from the Idaho Department Water Resources and a 401 water Quality Certification from the Idaho Department of Environmental Quality.

WATER QUALITY CERTIFICATION - This will also serve as public notice that Idaho Department of Environmental Quality (IDEQ) is evaluating whether to certify that the discharges of dredged and fill material proposed for this project will not violate existing water quality standards. A Department of the Army permit will not be issued until water quality certification has been issued or waived by the IDEQ, as required by Section 401 of the Clean Water Act. If water quality certification is not issued, waived or denied within 60 days of this public notice date, and an extension of this period is not granted to the IDEQ Quality, certification will be considered waived. Additionally, within (30) days of this public notice, any person may provide written comments to IDEQ and/or request in writing that IDEQ provide them notice of their preliminary 401 certification decision. Comments concerning certification for this project should be mailed to: Idaho Department of Environmental Quality, Boise Regional Office, 1445 North Orchard, Boise, Idaho 83706.

CULTURAL RESOURCES - Coordination is currently being conducted with the office of the Idaho State Historic Preservation Officer to determine if this activity will affect a site that is listed on the National Register of Historic Places, or a site that may be eligible for listing on the Register.

ENDANGERED SPECIES - Coordination is currently being conducted with the U.S. Fish and Wildlife Service to determine if the activity will have any affect on species designated as endangered or threatened under the Endangered Species Act, or their critical habitat.

ENVIRONMENTAL IMPACT STATEMENT - Preliminary review indicates the activity will not require preparation of an Environmental Impact Statement. Comments provided will be considered in preparation of an Environmental Assessment.

AUTHORITY - This permit will be issued or denied under the authority of Section 404 of the Clean Water Act.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. This decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. In addition, our evaluation will include application of the EPA Guidelines (40 CFR 230) as required by Section 404(b)(1) of the Clean Water Act.

CONSIDERATION OF PUBLIC COMMENTS - The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered

by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

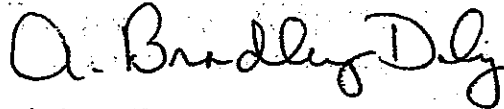
PUBLIC HEARING - Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed activity. Requests for a public hearing shall state specific reasons for holding a public hearing.

COMMENT AND REVIEW PERIOD - Interested parties are invited to provide their comments on the proposed activity, which will become a part of the record and will be considered in the decision.

Comments should be mailed to:

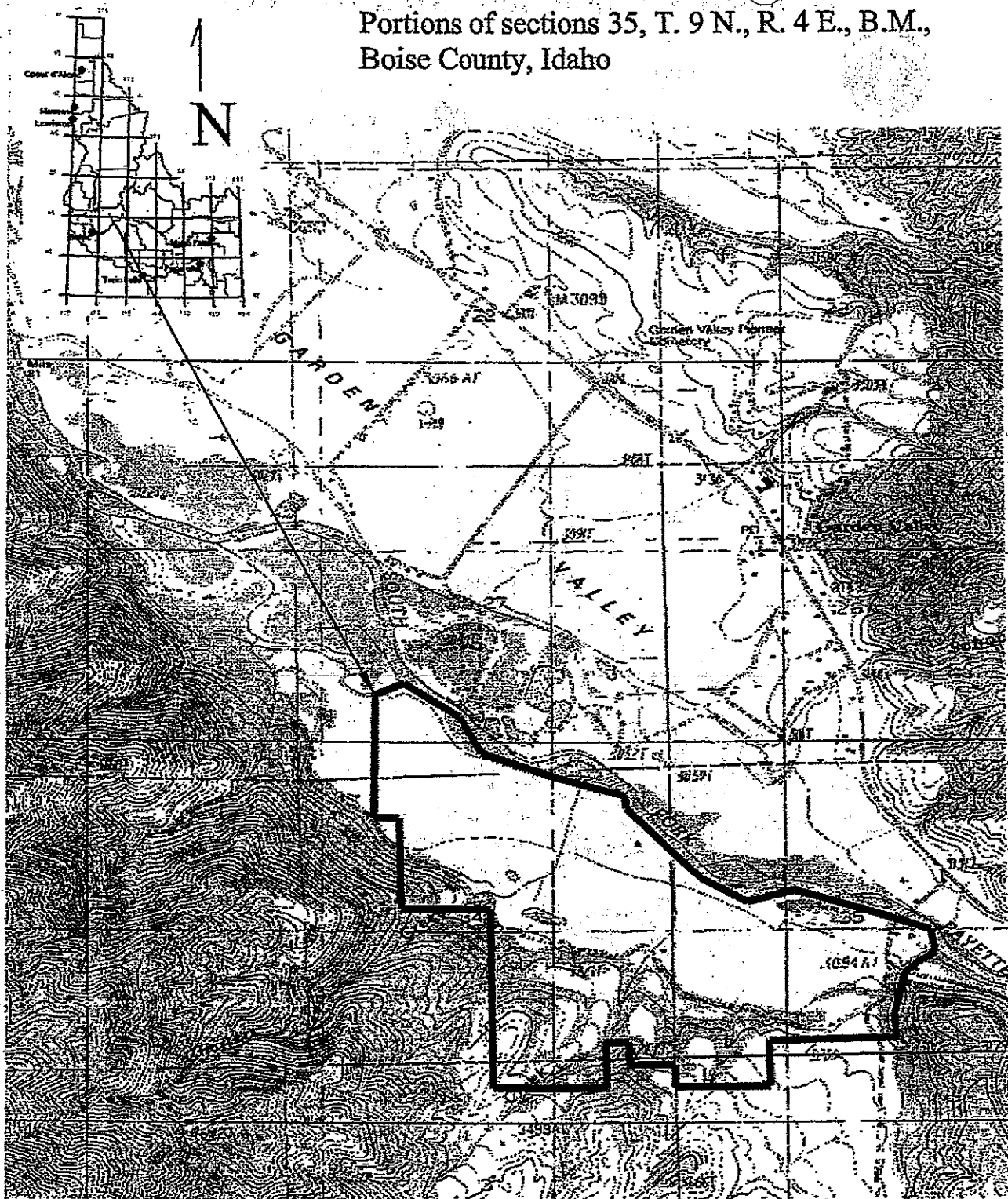
US Army Corps of Engineers
Boise Regulatory Field Office
10095 W. Emerald Street
Boise, Idaho 83704

Comments should be received not later than the comments due date of this notice to receive consideration.



A. Bradley Daly
Chief, Regulatory Division

Portions of sections 35, T. 9 N., R. 4 E., B.M.,
Boise County, Idaho



Southfork Landing
Vicinity Map

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 1 of 12

Proposed Wetland and Roadway Fills

PLAN
VIEW



North
400 feet

LEGEND



Existing wetland



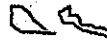
Fill 1 Proposed Fill



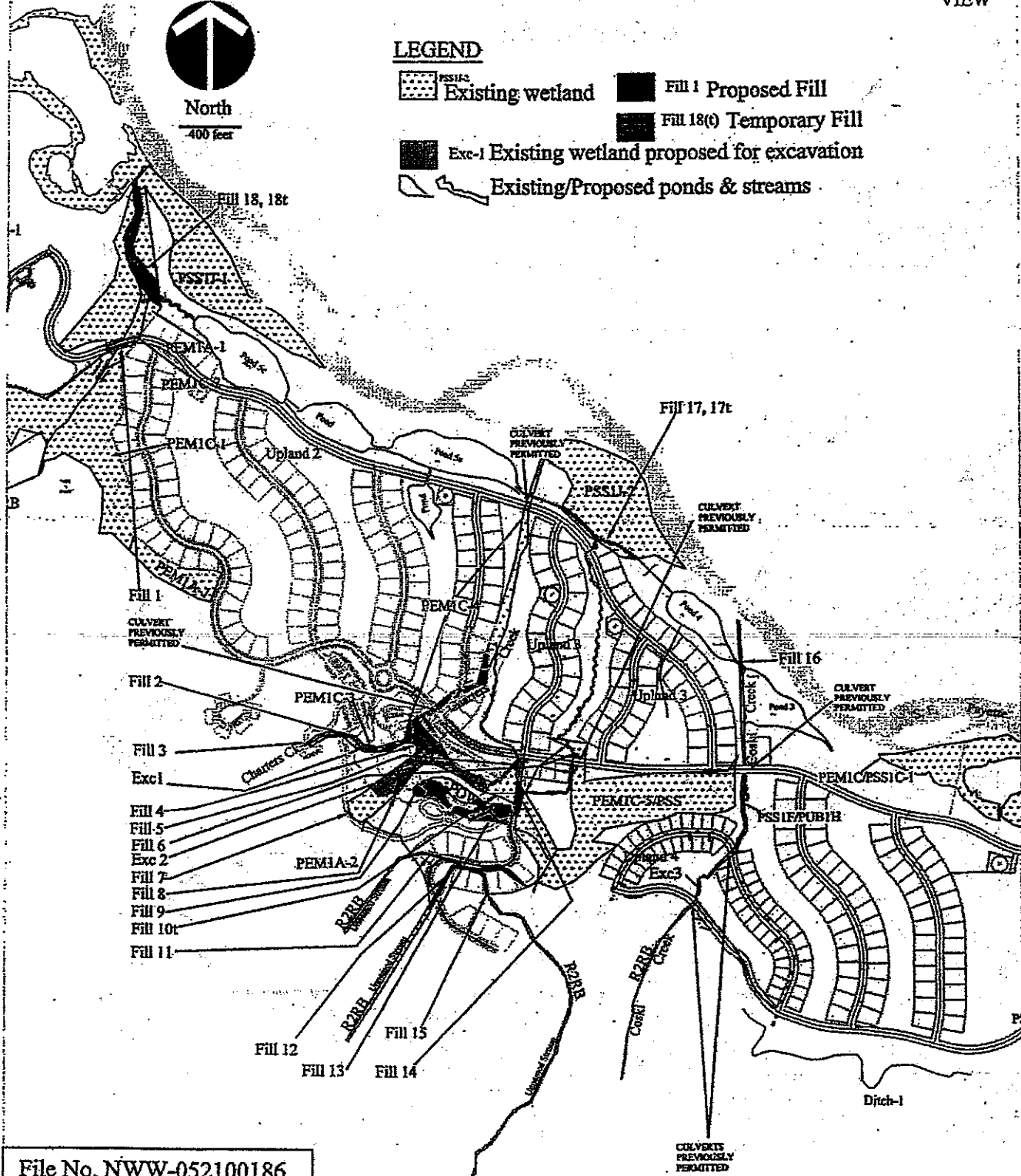
Fill 18(c) Temporary Fill



Exc-1 Existing wetland proposed for excavation



Existing/Proposed ponds & streams



File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 2 of 12

PLAN
VIEW



North
1" = 100'

PEM1A-1

PEMIC-2

Fill 1, 0.3 acres, 1681 cubic yards, clean
gravel, 18" x 90' cnp culvert.

Unnamed
interrupted
channel

SECTION
VIEW
1" = 100'

EXTENT OF WETLAND

PM STA = 62+69.15

PM ELEV = 3044.72

FINISHED GRADE

EXTENT OF WETLAND

Existing Ground

CLEAN GRAVEL FILL

18" x 90' CNP CULVERT
C/L INV. ELEV. = 3041.75

3045.05	3045.6	3045.65	3045.3	3045.24	3044.8	3044.83	3044.4	3044.88	3044.0	3043.10	3043.5	3043.32	3043.7	3043.54	3043.7	3043.78	3043.8	3043.88	3043.1	3043.19	3043.4	3043.41	3043.8	3043.85
00			63+20				62+40				61+60				60+80			60+00					59+20	

Legend

Existing wetland Fill

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 3 of 12



North
1" = 60'

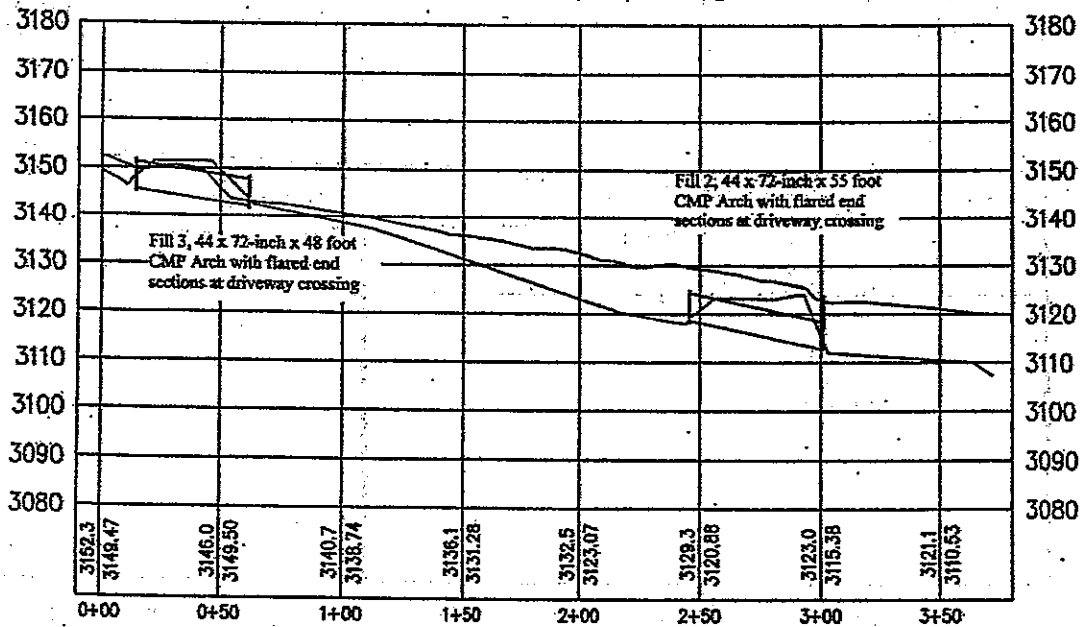
Fill 2. 0.02 acres, 90 cy,
CMP Arch Culvert, clean
gravel.

Fill 3. 0.01 acres, 65 cy,
CMP Arch Culvert, clean
gravel.

Exc 1, 0.10
acres, 2447 cy.

FLAIN
VIEW

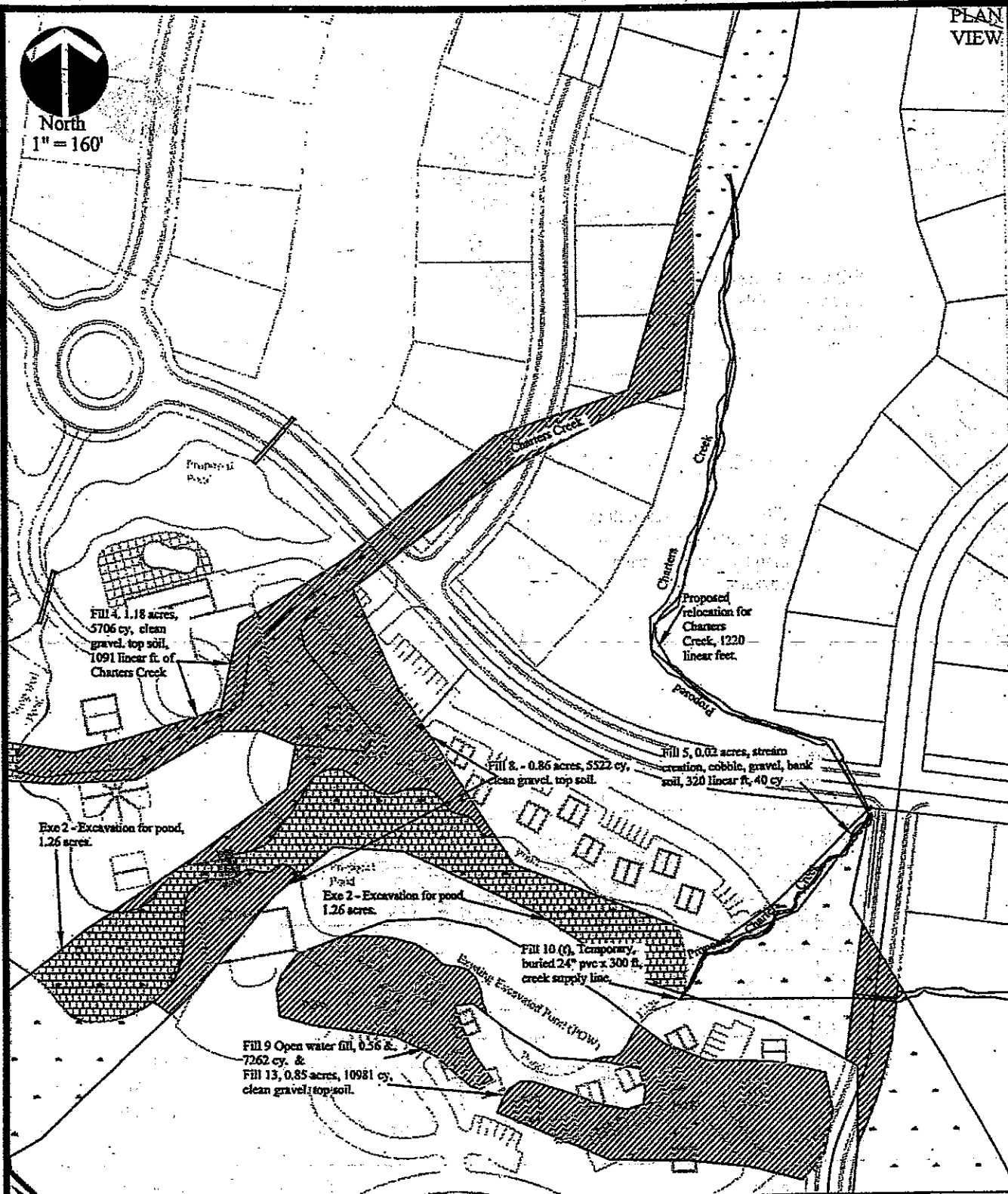
CHARTERS CREEK PROFILE



Legend

- Existing wetland
- Proposed Fill
- Exc-1 Existing wetland, proposed for excavation
- Proposed ponds/streams

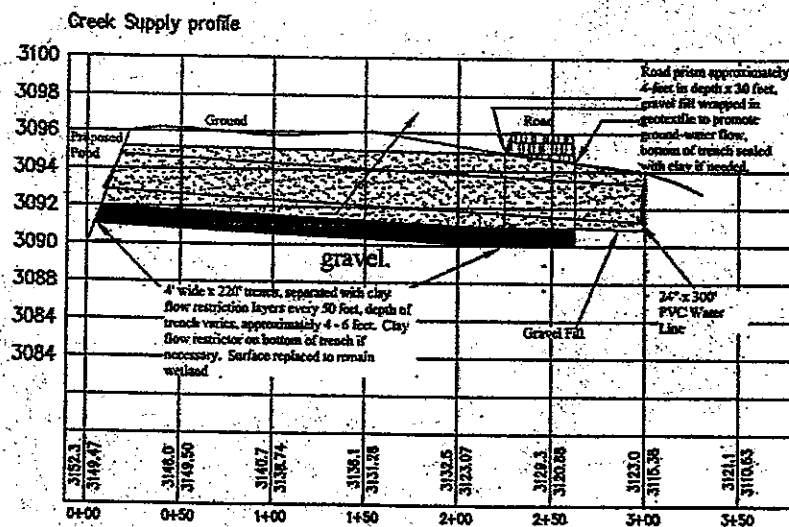
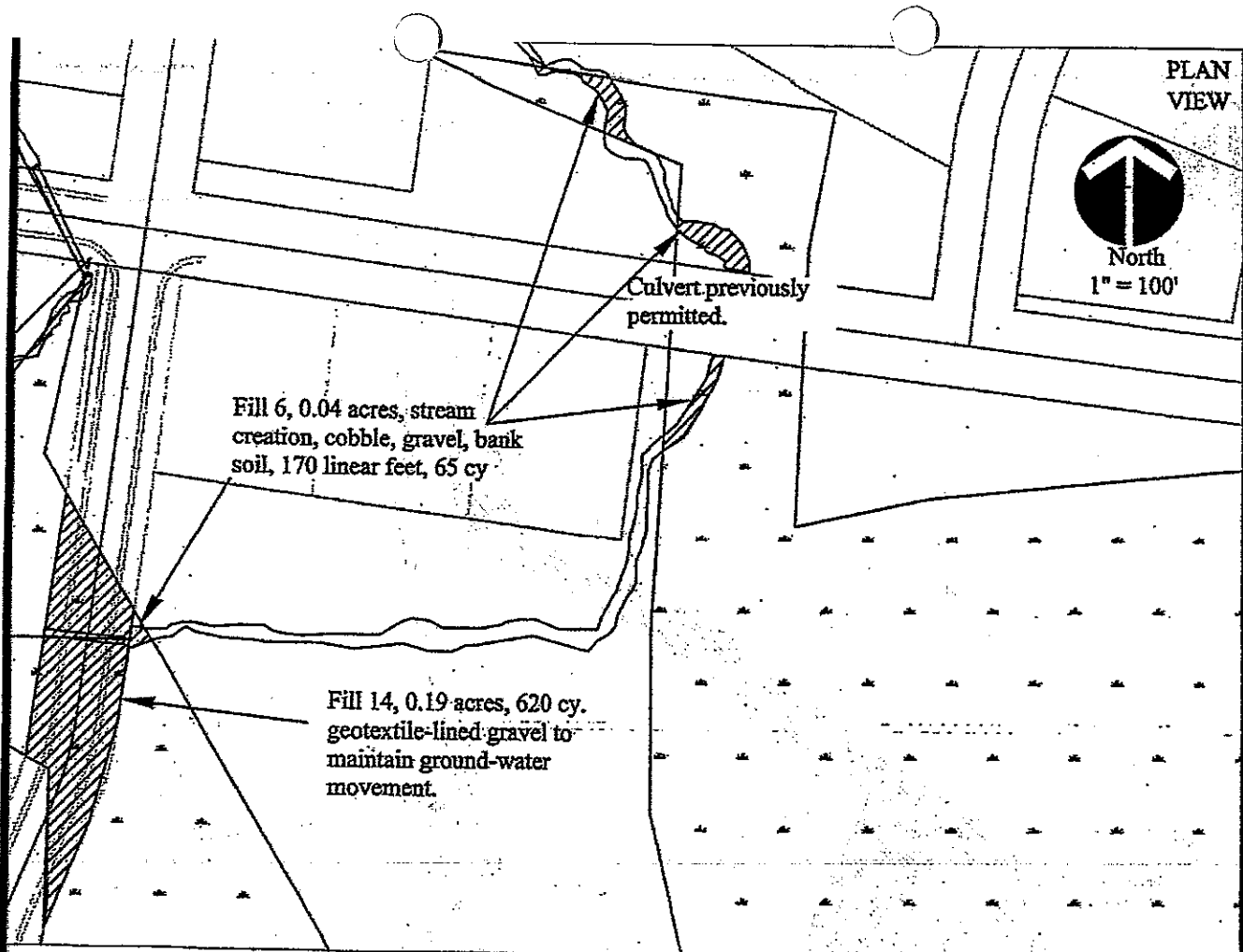
File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 4 of 12



Legend

- Existing wetland
- Fill Proposed Fill
- Exc-1 Existing wetland proposed for excavation
- Proposed ponds/streams

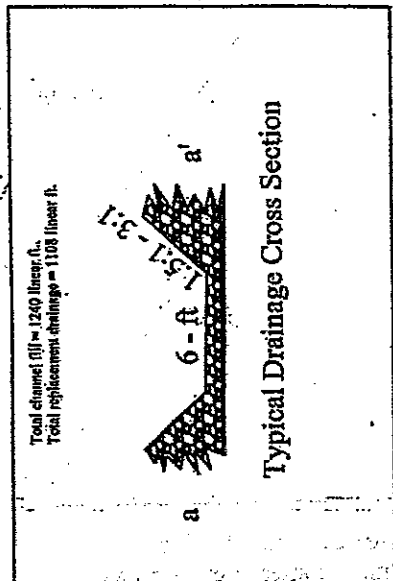
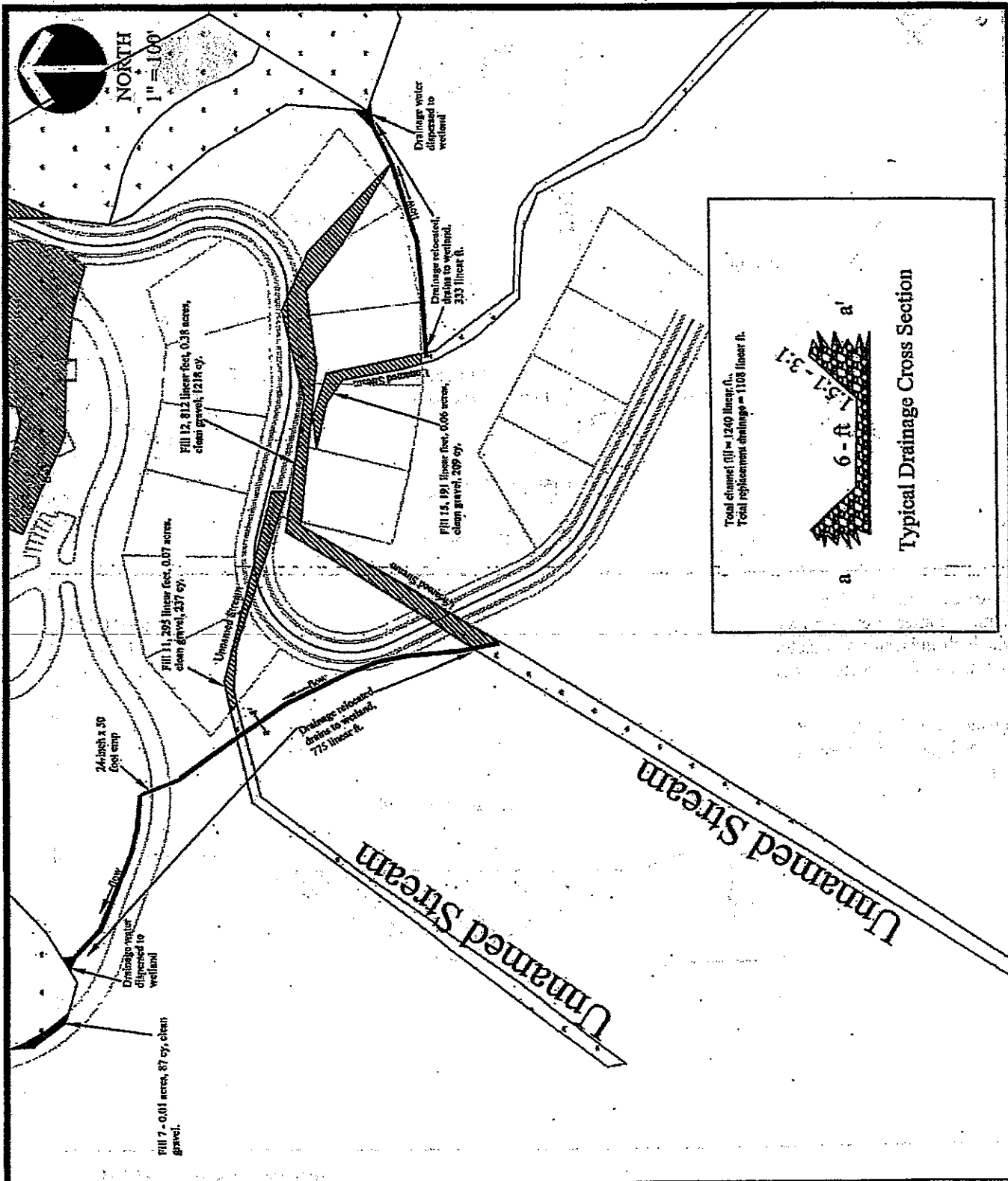
File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 5 of 12



 Existing wetland
  Proposed Fill

 Proposed ponds/streams

File No. NWW-052100186
 Dynamis Group, LP
 South Fork Payette River
 Boise Co., Idaho
 Sheet 6 of 12

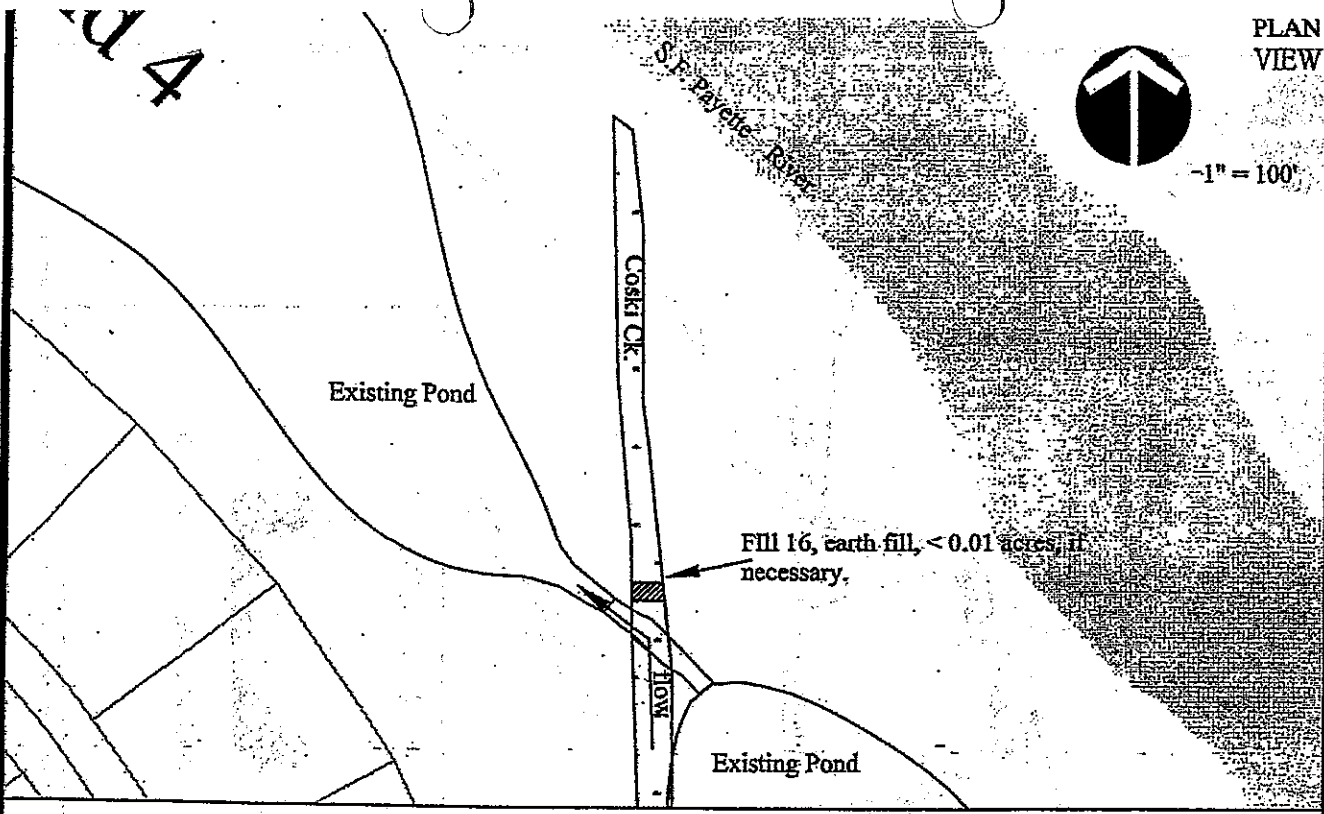


File No. NWW-052100186
 Dynamis Group, LP
 South Fork Payette River
 Boise Co., Idaho
 Sheet 7 of 12

PLAN
VIEW



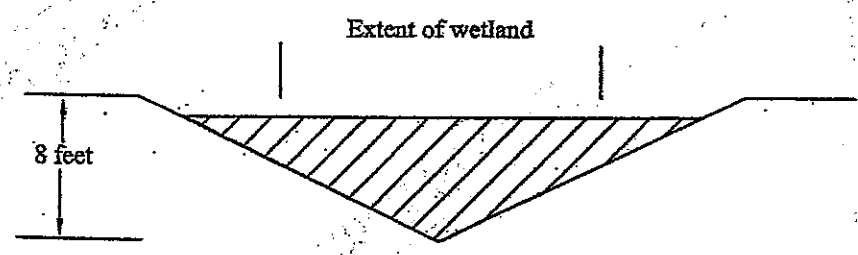
1" = 100'



The use of a control will be determined after discussions with Idaho Fish and Game and Idaho Department of Water Resources.

SECTION
VIEW
1" = 10'

Fill material will be clean earth fill, gravel, geotextile, clay and riprap.



Existing wetland Proposed Fill

Proposed ponds/streams

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 8 of 12

PLAN
VIEW

Fill 17, 0.03 acres,
1040 linear ft., cobble,
gravel, woody debris
for creek,
Fill 17t, 0.27 acres,
vegetation material
existing soil for
adjacent floodplain.



Trees & shrubs in existing wetland zone are not dense
and are currently regenerating due to grazing removal.
Creek would be located to avoid disturbing shrubs
wherever possible. Banks of the creek would be
planted with native pole stock taken from the site.

1" = 50'

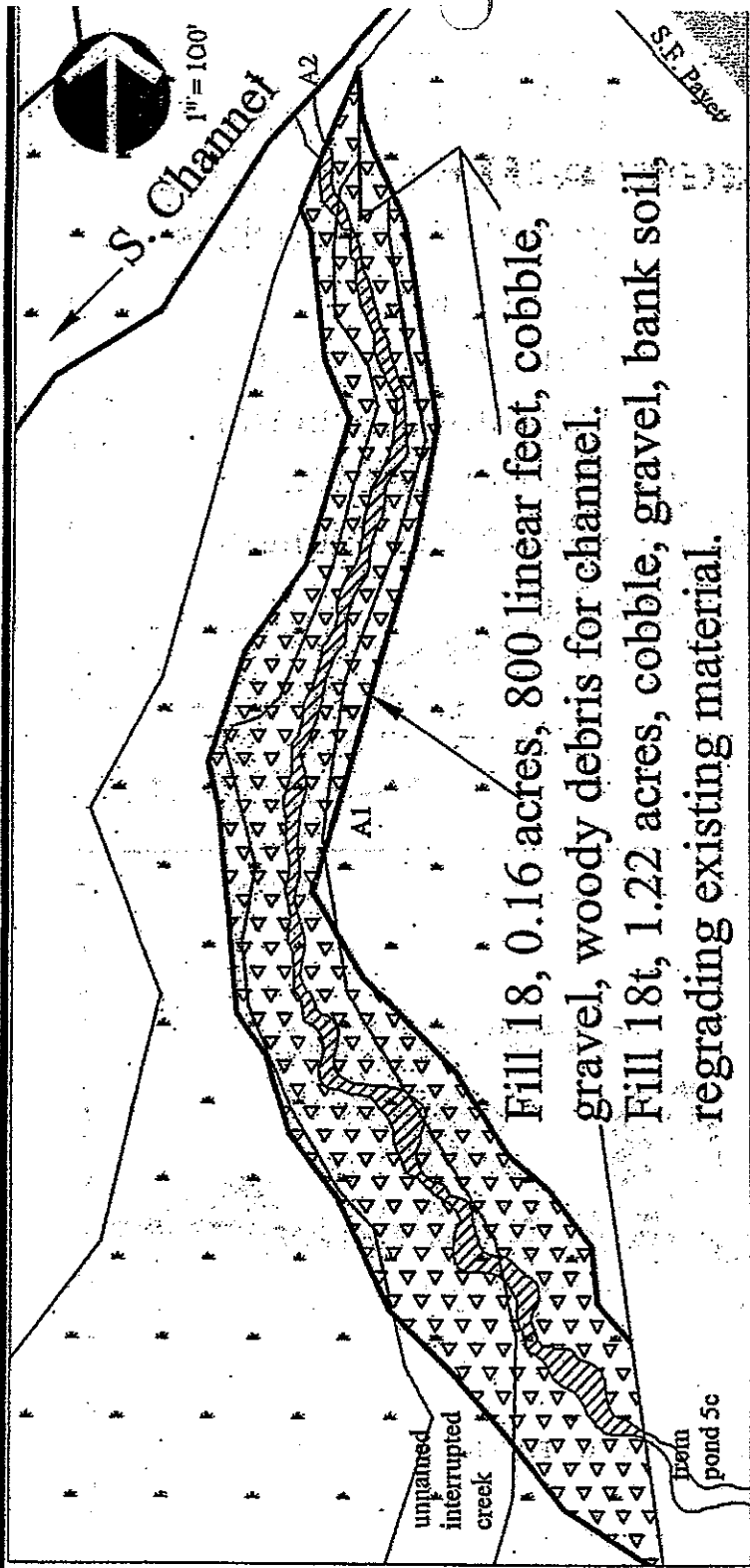
The grade through this zone would be approximately 0.3 percent and would
steepen to as much as 0.7 percent between A2 and pond 5a.



TYPICAL MITIGATION PROFILE VIEW

- Fill 18t Proposed Temporary Fill
- Existing wetland
- Fill 18 Proposed Fill
- Proposed ponds/streams

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 9 of 12



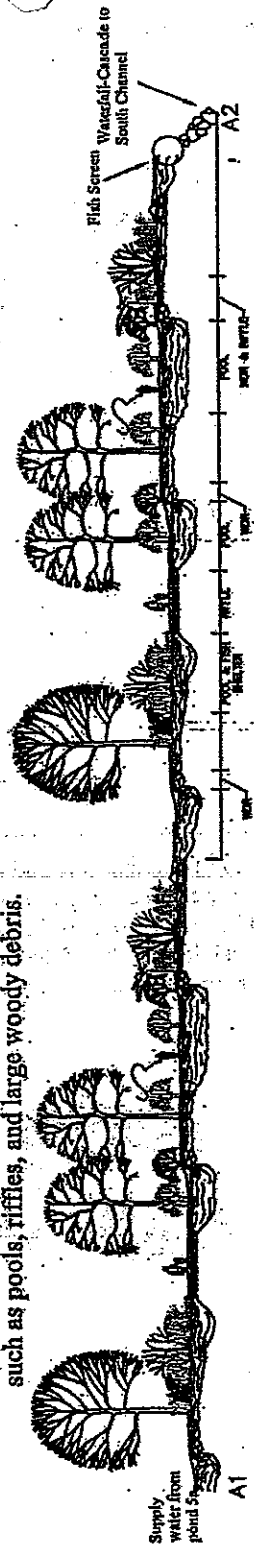
Fill 18, 0.16 acres, 800 linear feet, cobble, gravel, woody debris for channel.

Fill 18t, 1.22 acres, cobble, gravel, bank soil, regrading existing material.

- Existing wetland
- Fill 19t Proposed Temporary Fill
- Fill 19 Proposed Fill
- Proposed ponds/streams

Existing channel lacks woody shrub cover due to historic grazing. Native shrub poles would be transplanted from nearby stock. Creek would be constructed using gravel, cobble, bank soil, and vegetation. In-stream fishery habitat features would be added such as pools, riffles, and large woody debris.

Average gradient of creek is 0.4 percent



TYPICAL MITIGATION PROFILE VIEW

SECTION VIEW
1" = 50'

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 10 of 12

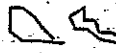
Proposed Mitigation

PLAN
VIEW

LEGEND



PSS13-2
Existing wetland



Existing/Proposed ponds & streams



404 Permit Mitigation Site, Supplement 1,
(Previously Permitted)



404 Permit Mitigation Site, Supplement 2



North

400 feet

Mitigation Site 2-3,
Supplement 2,
2.00 acres

Mitigation Site 2-5,
Supplement 2,
2.45 acres

Mitigation Site 2-4,
Supplement 2
1.34 acres

Mitigation Site 2-6,
Supplement 2
2.68 acres

Mitigation Site 2-2,
Supplement 2,
2.94 acres

Total mitigation
potential = 11.4 acres
of wetland (8.51 acres
create, 2.89 acres
restored/enhanced).

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 11 of 12

Charters Creek

Unnamed Stream

Unnamed Stream

Crook Creek

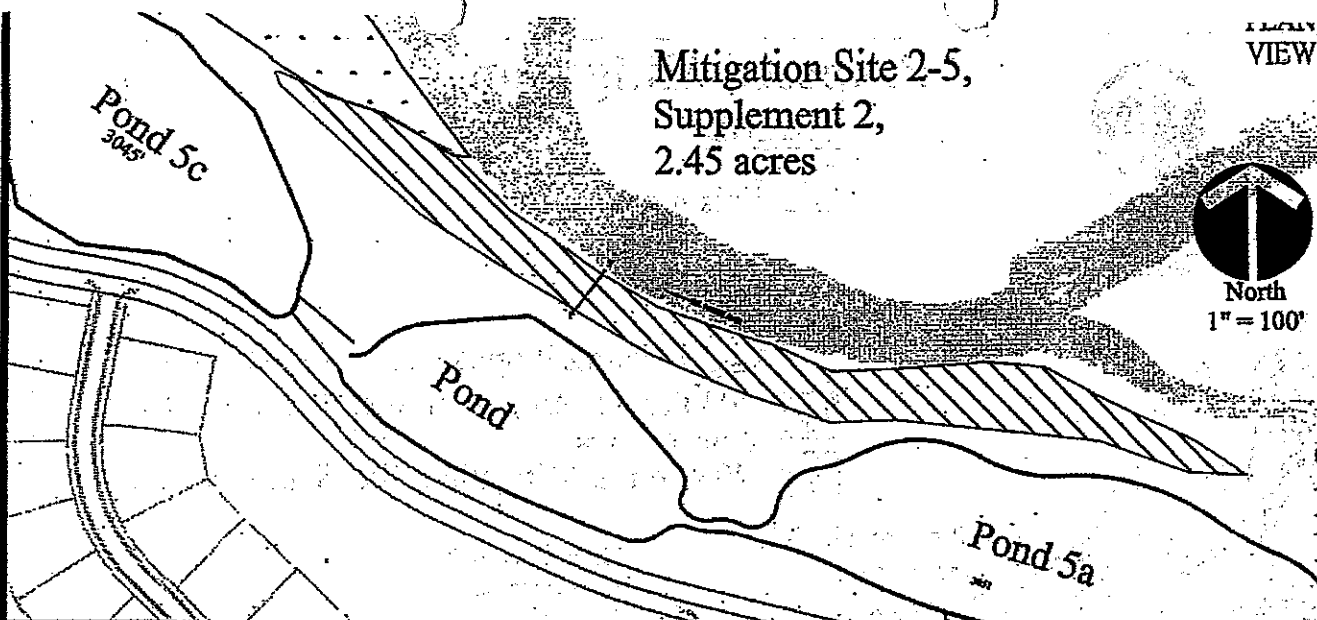
Pond 3

Crook Creek

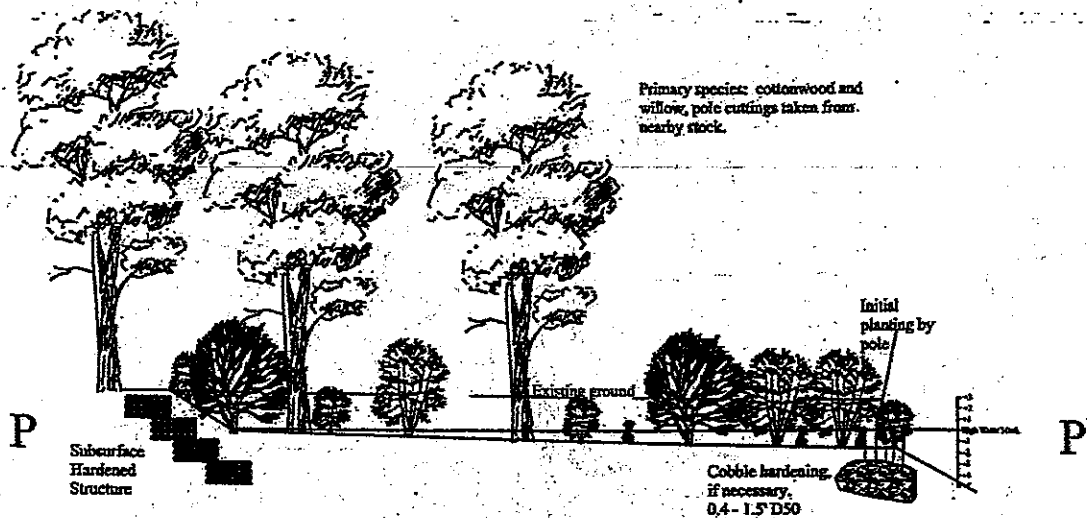
Crook Creek

Mitigation Site 2-5, Supplement 2, 2.45 acres

PLAN
VIEW



1 inch = 16 feet

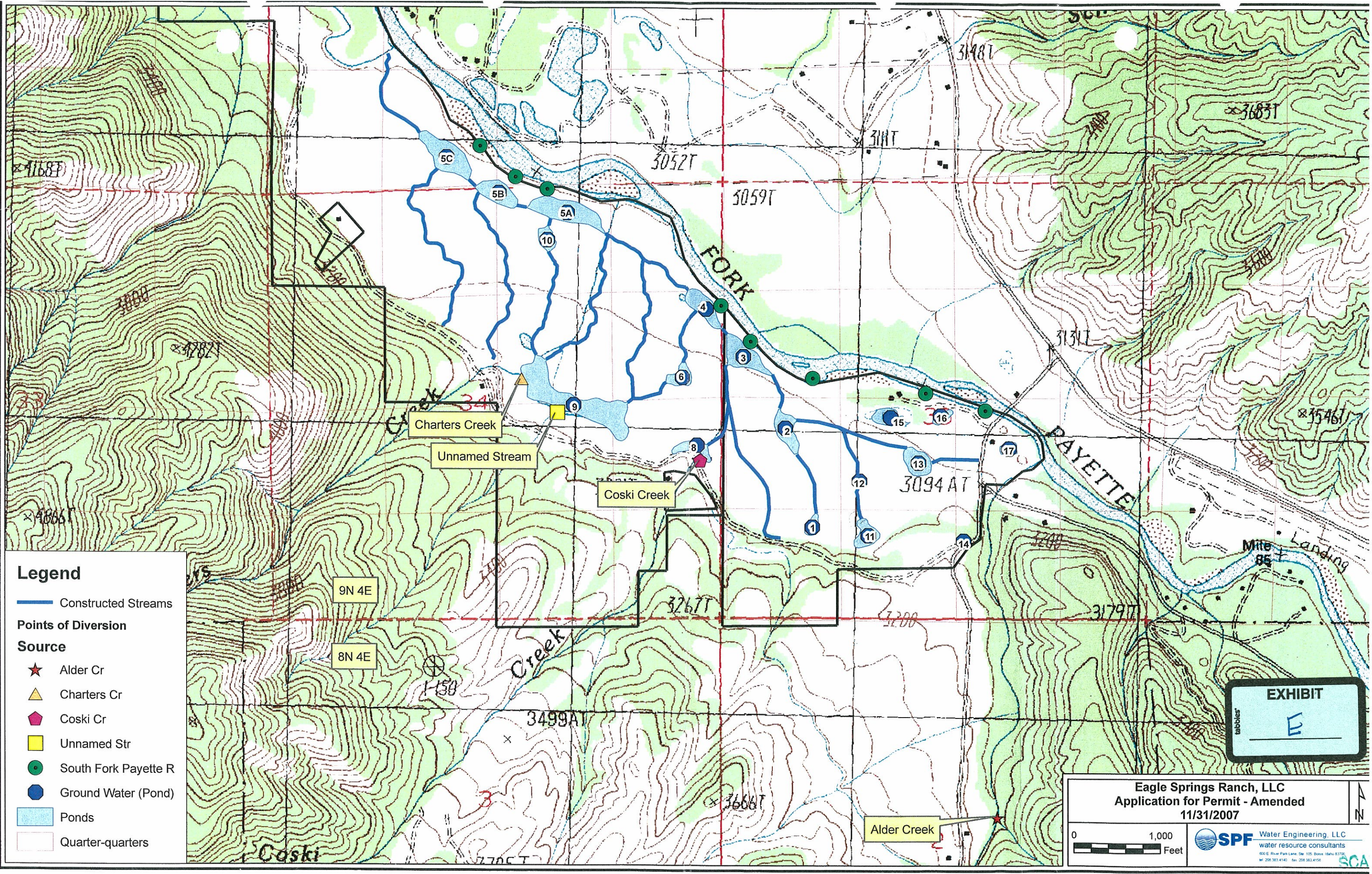


Typical S.F. Payette River Wetland Restoration and Bank Stabilization

Existing wetland Proposed Fill

Proposed ponds/streams

File No. NWW-052100186
Dynamis Group, LP
South Fork Payette River
Boise Co., Idaho
Sheet 12 of 12



Legend

- Constructed Streams
- Points of Diversion
- Source
 - Alder Cr
 - Charters Cr
 - Coski Cr
 - Unnamed Str
 - South Fork Payette R
 - Ground Water (Pond)
 - Ponds
 - Quarter-quarters

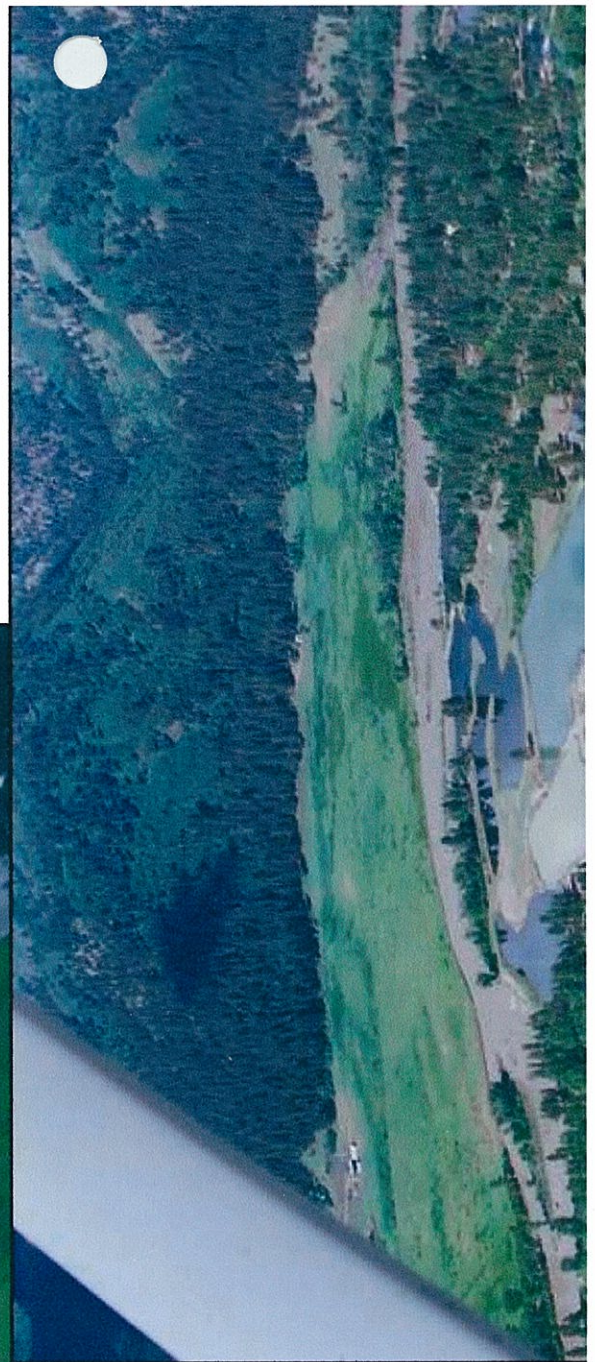
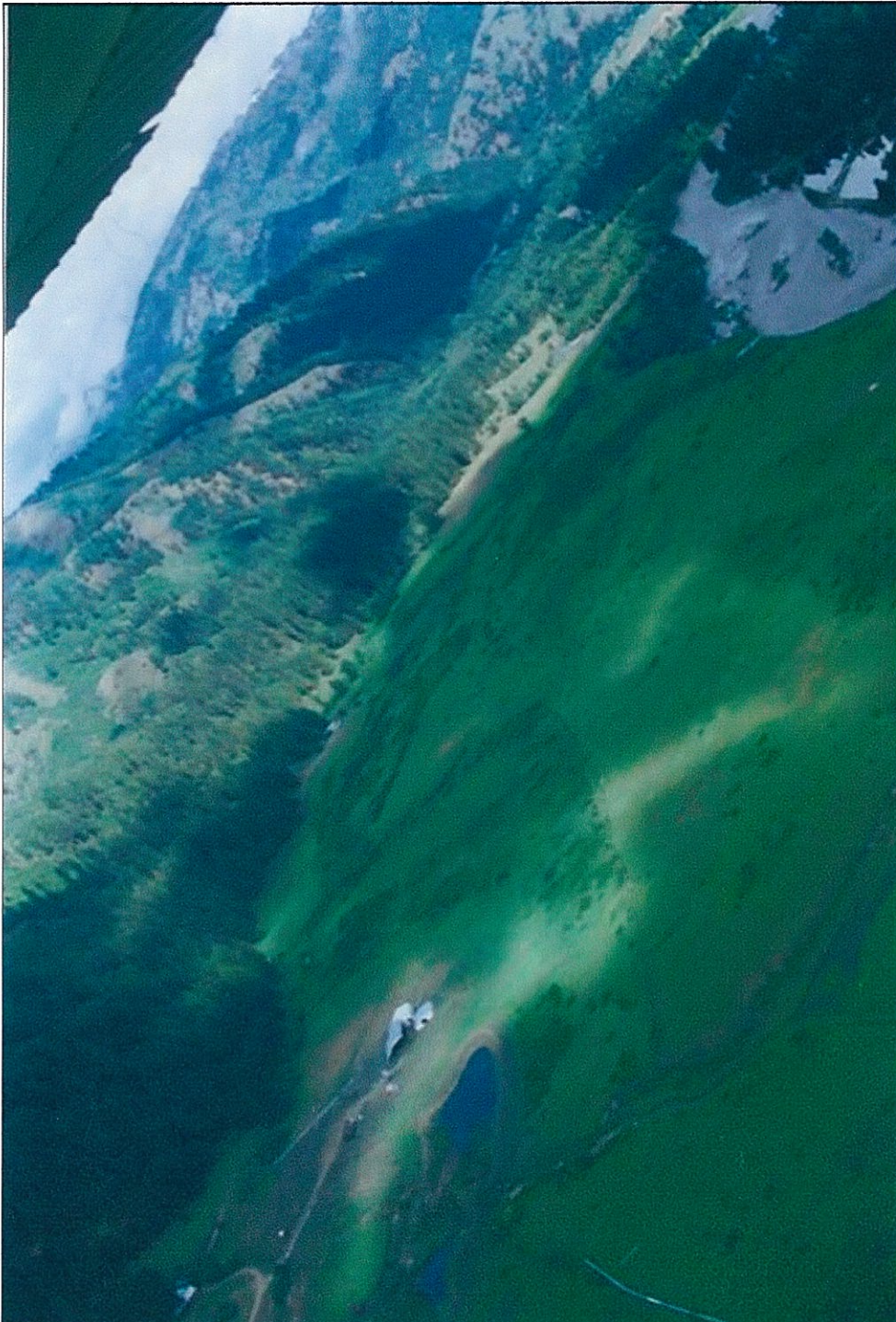
EXHIBIT
E

Eagle Springs Ranch, LLC
Application for Permit - Amended
11/31/2007

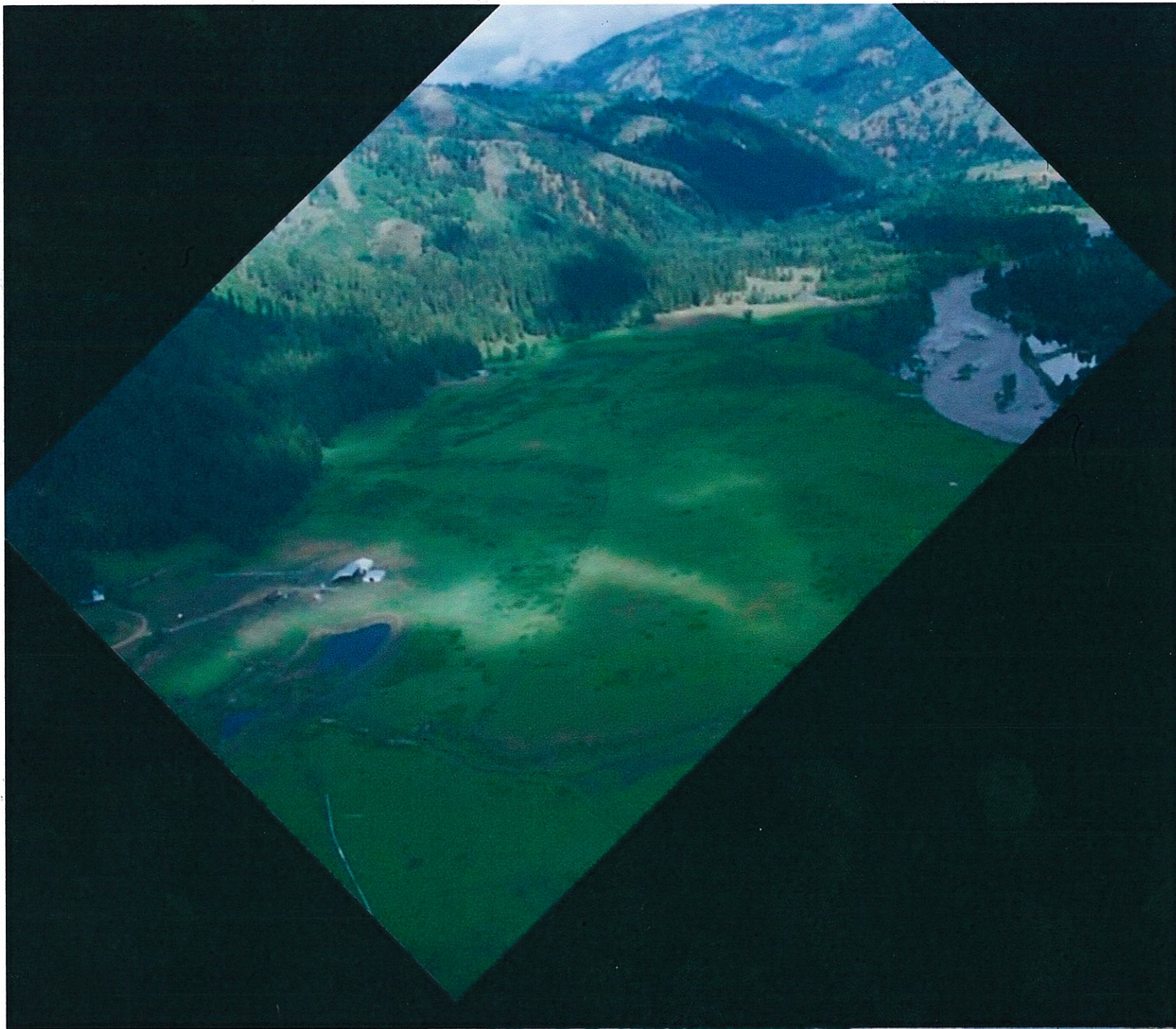
0 1,000 Feet

SPF Water Engineering, LLC
water resource consultants
900 E. River Park Lane, Ste. 105, Boise, Idaho 83706
Tel: 208.383.4140 Fax: 208.383.4150

SCA



areal photos taken
2006 JR









W0007008 10 .



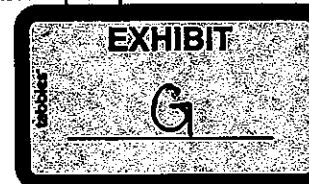
May 30 2008 JR. jr

Request No. 1 I cannot admit no water right will be injured or otherwise adversely affected. I believe there is a strong possibility that all of the downstream water users will be adversely affected if these permits are granted. It only makes sense that if water is re-circulated, or held in ponds, that the temperature will increase. This in itself can have negative affects not only on the water quality, but also on the fisheries habitat. Considering that the application states that the water is to be used to irrigate lawns, there will be negative affects from all of the fertilizers and other chemicals that people use on their lawns. Adverse affects will be a huge impact on the City of Horseshoe Bend that gets its municipal drinking water from this river. With the potential decrease in water quality, literally thousands of recreational users could be affected.

The applicant/developer has twice, that I know of, violated a state or federal law at this site. Last year, IDEQ ordered a cease and desist for a violation. And on June 10, 2008, the EPA issued a violation to the clean water act. Both of these violations show that the applicant is unwilling to follow regulations. With the enormous task the South Fork of the Payette River already has when required to improve the water quality of both the Middle Fork and North Fork, we the people of the state of Idaho should protect this special resource water however we can. Do we, as a state, want to entrust our valuable resources to people that have already violated rules pertaining to water quality?

Request No. 2 I cannot admit that these water right applications will not reduce the quantity of water under the existing water rights. There are no guarantees of the quantities being applied for continuing into the future, or even existing today. Even if these applications were approved, the quantities severely decrease in drought years. There have been many years when the creeks in the Garden Valley area have been a trickle at best. The people that buy lots in this subdivision will be told that there is water not only for irrigation purposes, but also for recreational purposes and aesthetics. If these applications are approved the water will come from somewhere. I, as a resident of the state of Idaho, don't want storage water that is for the purpose of agricultural irrigation to be used to irrigate lawns on what is no longer ag land. This subdivision borders the Payette River that has the state designation as a recreational river, which offers free recreational opportunities. With these water right applications, one developer is asking that we, the state of Idaho, give them our water, so they can then make the public pay fees to use state water. Why should we, the state, give special treatment to one development?

Request No. 3 I cannot admit that the water supply is sufficient for the purposes stated in the applications. There are no guarantees of the quantities being applied for continuing into the future, or even existing today. Even if these applications were approved, the quantities severely decrease in drought years. There have been many years when the creeks in the Garden Valley area have been a trickle at best. The people



that buy lots in this subdivision will be told that there is water not only for irrigation purposes, but also for recreational purposes and aesthetics. If these applications are approved the water will come from somewhere. I, as a resident of the state of Idaho, don't want storage water that is for the purpose of agricultural irrigation to be used to irrigate lawns on what is no longer ag land.

Request No. 4 I cannot admit that these applications were made in good faith and not for speculative purposes. We have all watched the results of real estate speculators, with the disasters that we the taxpayers will be cleaning up and paying for, for many years to come. If you look at all of the advertisements for this development, shown off by the developer, it resembles a child's Christmas list of wishes. I think these applications were made so this development could have another feather in its cap when they put this development up for sale to the highest bidder, leaving the infrastructure burden for Boise County residents.

If the applicant wasn't speculating, why would they have proposed a development in a community that according to the 2006 Boise County Comprehensive Plan, already had 3056 lots that were NOT built on.

To add to the thought that these applications are for speculative purposes, this subdivision borders the Payette River that has the state designation as a recreational river, which offers free recreational opportunities. With these water right applications, one developer is asking that we, the state of Idaho, give them our water, so they can then make the public pay fees to use state water. Why should we, the state, give special treatment to one development?

Once again using the developers own advertising pictures to compare with the application pictures, it becomes obvious the applicant is using these water right transfer and applications to dewater the wetlands. By removing water from wetland areas into constructed streams and ponds with the desire to sell this land to unknowing people to build houses on appears as an attempt to deceive the public and the Dept. These applications were made before the application to the Army Corp to fill in wetlands. As far as the applicant making these applications in good faith, I have doubts that have not been answered.

Request No. 5 I cannot admit that the Applicant has sufficient financial resources with which to complete the work involved in the applications. Financial resources can be misrepresented. All we need to do is look at Tamarack for an example of what could happen with these developers. Their own estimates for sales of 60 lots per year have been highly overestimated, I think they have sold 11 lots total. The difference between those numbers shows an over optimistic and inaccurate account of facts. With the recent rush to put a recreational water and sewer district on the ballot November 4,

2008, that will transfer 10 million dollars of debt to future landowners and away from the developers, one could wonder just how serious the applicant's money problems are?

Request No. 6 I cannot admit that the applications do not conflict with the local public interest, defined as, "the interest that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The Payette River is a significant economic resource not only to the local area but also to the state. To hand over this amount of state water to just one beneficiary-the applicant-while overlooking the possible adverse affects to the thousands of users could be irreversible.

A large number of local residents oppose this development due to the stress on the weak infrastructure of both Garden Valley and Boise County. There are statistical numbers that show the increase in cost to county and state governments when land is divided for residential use as opposed to an agricultural use. These water right applications could add another stress on local residents by removing a possibility for this water to be used for agricultural purposes.

There would be recreational benefits from these applications but only to the developer in the form of money, the local economy would just have more stress from out of county users on county services.

The Fish and Game commented extensively on the negative impacts of this development to the big game that winter on the land and drink from the streams and river. Due to the proximity of these proposed ponds to the South Fork of the Payette River, I am also very concerned with the possible adverse impact to the fisheries due to groundwater contamination and accidental sewage spills.

The granting of water permits and allowing transfer of water rights should be for the benefit of more than just one applicant, these proposals are not to the benefit of the local public, or the state. This is also a disproportionate amount of state water just to benefit one applicant.

Request No. 7 I cannot admit that the use proposed in the application is not contrary to conservation of water resources. If these applications were denied, the water would be there for a future use that could benefit more than one developer. It could be available for agricultural uses, like the original application that was approved.

Request No. 8 I cannot admit no water right will be injured or otherwise adversely affected. I believe there is a strong possibility that all of the downstream water users will be adversely affected if these permits are granted. It only makes sense that if water is recirculated, or held in ponds, that the temperature will increase. This in itself can have negative affects not only on the water quality, but also on the fisheries habitat. Considering that the application states that the water is to be used to irrigate lawns, there

will be negative affects from all of the fertilizers and other chemicals that people use on their lawns. Adverse affects will be a huge impact on the City of Horseshoe Bend that gets its municipal drinking water from this river. With the potential decrease in water quality, literally thousands of recreational users could be affected. The applicant/developer has twice, that I know of, violated a state or federal law at this site. Last year, IDEQ ordered a cease and desist for a violation. And on June 10, 2008, the EPA issued a violation to the clean water act. Both of these violations show that the applicant is unwilling to follow regulations. . Do we, as a state, want to entrust our valuable resources to people that have already violated rules pertaining to water quality?

Request No. 9 I cannot admit the application for transfer will not change the nature of use from an agricultural use in a way that would significantly affect the agricultural base of the local area. This land has historically been a ranch that used its water rights to irrigate and water stock, the transfer will certainly change the nature of the agricultural base in Garden Valley. If these applications were denied, the water would be there for a future agricultural use, like the original application that was approved. It could also be used to the benefit of the local people rather than just one non-local developer.

A large number of local residents oppose this development due to the stress on the weak infrastructure of both Garden Valley and Boise County. There are statistical numbers that show the increase in cost to county and state governments when land is divided for residential use as opposed to an agricultural use. These water right applications could add another stress on local residents by removing a possibility for this water to be used for agricultural purposes.

Request No. 10 and 11 I cannot admit that the Stipulation is sufficient to resolve my protests. To use the order that was used in the Stipulation:

- my request was not only for agency notification, but also for agency comment and any mitigation for problems sited by the agencies

- I object to "he may allow the Project to continue diverting by renting storage water in Deadwood or Cascade Reservoirs, or by obtaining substitute supplies from another source." The state of Idaho needs to protect and preserve the water for future beneficial uses for the good of more than just one applicant.

- in the Water Quality paragraph, I object to all of the following qualifications: "shall initiate and maintain", "shall be made available to IDEQ and IDWR upon written request", "semi-annual basis", "for a period of 5 years". The applicant should pay IDEQ to set up and maintain the water monitoring system, so the results will be unbiased. This method will also allow IDEQ to monitor when THEY deem appropriate, not the applicant. Due to the 7-year life span of the

sewer pipe under the Snake River near Jackson Hole, Wyoming, The monitor should be in place indefinitely.

- applicant will not fill in wetlands
- applicant will not apply for any additional water rights or transfers
- applicant will not charge a fee to the public to recreate in, or look at, any water that comes from these proposed water rights/transfer
- applicant will not allow fertilizers(other than natural) or chemicals to be used on any land on the same property as these proposed water rights/transfer
- applicant shall forfeit these water rights/transfer if they receive any future violations from EPA, IDEQ, IDWR, CDHD, or other state or federal agencies
- applicant shall enforce xeriscaping landscape methods and plants to ensure water conservation on the entire project area

Request No. 12 and 13 I have been coming to Garden Valley since 1964. I have been a permanent resident since 1971. I have spent hours talking with people that have lived here for years. To say I have no knowledge of the area is a complete lie.

Request No. 14 and 15 I oppose the net loss of agricultural land. I oppose using state water for the benefit of one developer. I oppose building in the flood plain. I oppose building in critical big game wintering areas. I oppose speculative developments that add stress to the local and state infrastructures. I oppose laws that allow developers to pass debt onto future residents so the developer can escape accountability.

Any public hearing is a matter of public record. The Boise County Planning and Zoning phone number is 392-2293. The Boise County Clerks office phone number is 392-4431.

Request No. 16 and 17 I absolutely did not file my protests as part of a strategy to stop the development of the Southfork Landing project. I filed my protest to their water right applications and transfer, for all of the reasons I have listed previously. My position on the value of our heritage of agriculture and the water to sustain that agriculture is the same as it has been my entire life, and is well known throughout the valley and the county. These water right applications and transfer are for the benefit of one developer NOT Boise County or the Sate of Idaho!

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November 17, 2008

On pace for another dry year, all eyes turn upward Despite last winter's abundant powder, the water year finished near average, and more wet years are needed to relieve the drought.

This time of year, Idaho skiers keep an eye on the mountains - and so do water experts.

This winter's snow will determine whether streams and reservoirs are replenished next spring and dictate whether farmers and river recreationists will have a good year.

Southwest Idaho has been in the parched grip of a drought for about 10 years, putting a strain on area waterways, reservoir storage volumes and groundwater supplies.

So lately, even the lightest mountain snow has been under close observation.

In a region that has averaged about a foot of rain every year, only about 7.4 inches of precipitation have fallen so far in 2008.

And since 1999, we have hit that average just twice, and just barely - 12.1 inches in 2006 and 12.04 inches in 2000.

During the same time, the Valley recorded two of the 10 driest years in the past 100 years: 8.09 inches in 2008 and 6.96 inches in 2002.

The last year the area recorded above-average precipitation was 1998, when the Valley was soaked by 16.75 inches.

That was the same year the mercury last dipped below zero. The Valley has gone a decade without feeling the sting of zero-degree temperatures - a feat that happened on average three days each winter from 1940 to 1990.

QUALITY, QUANTITY AND TIMING

Starting in late December, Ron Abramovich, a Natural Resources Conservation Service water supply specialist, will make monthly forays into the mountains to measure the snowpack.

"We need to be at 80 percent of average by April to have adequate irrigation supply," he said.

This winter's forecast calls for average precipitation.

"The dice are not loaded this year. We cannot put too much weight into El Nio or La Nia, so it is looking like a normal year," Abramovich said.

Though Eagle riverside homeowners were worried about floods this spring, the high flows of rivers like the Boise this year didn't signal an end to the regional drought.

Unusually hot spring days caused a surge in snowmelt, and the reservoirs were already full and ready for the irrigation demands.

Under these conditions, a heavy spring rain can burst river banks.

But one or two moisture-laden winters are not be enough to fully pull us out of a nearly decade-long drought.

"There is not a one-to-one relationship between snowpack and streamflow because of lingering drought effects, like the decrease in groundwater and the wetlands and springs that are drier than normal," he said.

Not all precipitation is the same. How it falls, when it falls and how it melts affect the water supply, Abramovich said.

Last winter, skiers reveled in the deep, powdery snow that cloaked Idaho's mountains, but looks can be deceiving.

"Last year it looked like we had a lot of snow in the mountains, but light fluffy powder doesn't have as much water content," said Abramovich. The amount of water in the snowpack is more important than the depth of the snowpack.

For the calendar year, the Treasure Valley is about 40 percent behind average in precipitation, but for the water year, which runs from October through September, Southwest Idaho finished the year near average.

"It is the timing of when it fell. Last winter we had moisture, but the summer was a very dry summer," he said. Conversely, a dry winter but a summer of cloudbursts and thunderstorms may bring a lot of precipitation but not at a time when it can boost reservoir storage.

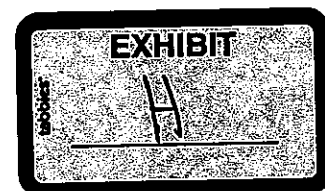
How the snow melts also affects water supply. A long, slow gradual melting means more of the water is absorbed into the ground. A rapid melting fills the streams, which in turn fill the reservoirs and replenish groundwater.

Soil condition also affects how much of the snowmelt makes it into the streams.

Early winter and late spring rains keep the soil saturated, which helps keep the melting snow moving into creeks and streams.

"Soils take 2 to 5 inches of all rains or spring snowmelt," Abramovich said. "You've got to pay the soil moisture now or next spring."

Cynthia Sewell: 377-6428



ADDITIONAL INFORMATION**CLIMATE CHANGE IN SOUTHWEST IDAHO?**

Treasure Valley weather has become warmer and drier in the last couple of decades.

Number of days 100 degrees or above:

2000-2008: 104

1990-1999: 70

1980-1989: 39

1970-1979: 59

1960-1969: 49

1950-1959: 30

1940-1949: 26

Number of days 0 degrees or below:

2000-2008: 0

1990-1999: 16

1980-1989: 67

1970-1979: 38

1960-1969: 8

1950-1959: 13

1940-1949: 28

The past decade has seen:

Two of the century's 10 driest years

None of the 10 wettest years

Four of the 10 warmest years

None of the coldest years

Source: National Weather Service

Comments (7) |  Recommend (0)

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