

Coalition for Positive Rural Impact

Supporting responsible rural growth

15192 Gate 7 Ridge Road Coeur d'Alene Idaho 83814 208.667.5004



July 16, 2008

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Department of Water Resources of the State of Idaho
Attn.: Robert G. Haynes, Regional Manager
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

**RE: REQUEST FOR ORDER IMPLEMENTATION & COMPLIANCE REGARDING WATER
PERMIT 95-9045, AMENDMENT 72669**

Greetings Mr. Haynes;

On November 26, 2007 I wrote a letter to you regarding the above amendment which specifically ordered no additional water storage under this permit other than 6.5 acre feet.

In the above referenced letter, I requested a meeting with IDWR and Black Rock regarding the numerous issues raised in my letter. On January 8, 2008 I received a letter from you in response. Attached to your letter was a letter written to Black Rock requesting documentation and a reply to my letter by January 31, 2008. Since I have not been copied with a response I will assume that your letter, my requests and the deadline were disregarded.

Per IDWR, the final approval of Amendment 72669 for Permit 95-9045 was June 19, 2007. Per the order within one year of the final approval the right holder must limit the storage to the amount required by the order.

Attached is a July 15, 2008 article from the North Idaho Business Journal, which clearly illustrates and documents Black Rock noncompliance with the order.

Please provide me with a copy of the legal requirements and statutes pertaining to compliance and noncompliance of an IDWR order.

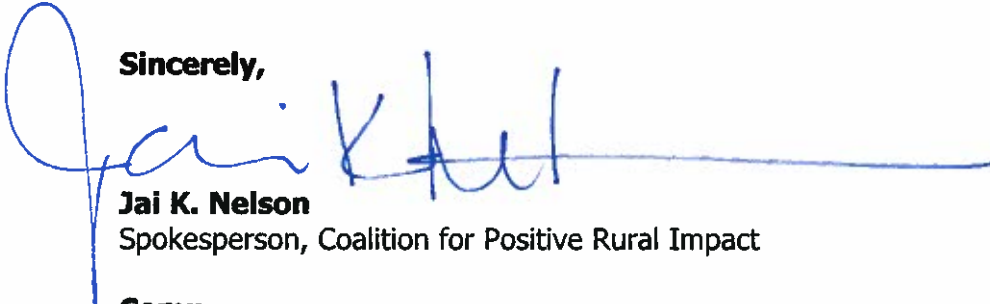
Consequently, I am requesting the Idaho Department of Water Resources, as the governing body to preserve and protect Idaho's public water resources, take immediate regulatory compliance action regarding the requirements of this order.

Furthermore, I am requesting you require a site visit to Black Rock and Black Rock North immediately to review compliance and implementation of the order. As the spokesperson for the Protestants I am requesting to be included as a member of the site visit team. I would also request staff from the Kootenai Environmental Alliance be invited and included.

Please give me call at your earliest convenience with your specific compliance measures and legal action regarding noncompliance, as well as, options of dates/times for the site visit.

Thank you for your prompt assistance in this matter.

Sincerely,



Jai K. Nelson

Spokesperson, Coalition for Positive Rural Impact

Copy:

Department of Water Resources of the State of Idaho

David Tuthill, Director

P.O. Box 83720

Boise, Idaho 83720-0098

Kootenai Environmental Alliance

Attn.: Barry Rosenberg, Executive Director

PO Box 1598

Coeur d' Alene, ID 83816-1598

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Black Rock expansion well under way, kids' facility open

By LUCY DUKES

Special sections writer

ROCKFORD BAY — The newly-opened Kootenai Camp is a resort for children tucked into The Black Rock's splendid scenic beauty, its exclusive private golf course and the rustic-flaired custom homes worth millions.

Club at Black Rock members' children can swim in the lifeguarded pool, relax in their own Jacuzzi, scramble up the climbing wall inside their very own clubhouse, watch a movie whenever they want, or pursue an innumerable array of other activities — their every need and safety completely attended to while their parents enjoy Black Rock's amenities.

Kootenai Camp's services are not like baby-sitting, as children's facilities are at so many other developments, said developer Marshall

Chesrown.

"These types of facilities have been done in several different locations, but not to this level," he said.

The facility has been well received. About 75 children use the clubhouse Monday through Friday, and 150 use it on the weekends, he said.

Its attractions are many.

Outdoors offerings range from a fishing pond with a zip slide, to sports courts and teepees that children can stay in overnight.

Indoors offers arts and crafts,

video games, and computers, snack bar with a menu children love, and more.

Chesrown said the amenities are "just kind of everything kids like to do, all in one location."

He decided to add the facility because so many



Chesrown



Above, Black Rock is mowing grass on 10 of 18 holes in the Tom Weiskopf-designed golf course under construction. At bottom of page, the swimming pool at the Kootenai Club, a place where children can find every kind of activity they enjoy, all in one spot.

LUCY DUKES/Press

Black Rock members have children and grandchildren. The average age of members is in the 40s, he said.

"These things just aren't dad's golf club any more," Chesrown said. "We need to provide services to make it great for the kids, and the ladies as well... What we're trying to do is create a situation where the kids say, 'Dad, aren't we going to Black Rock next weekend?'"

The camp, which opened in June, is just the beginning of improvements to the already-luxurious development. A greater than \$100 million expansion will add 1,100 acres to the original

course designed by Tom Weiskopf, as well as a new clubhouse, other amenities and home sites.

Black Rock broke ground on its second phase in May of last year. Each part of the development will maintain a unique character.

"The concept over there is to not duplicate anything we've done here," Chesrown said.

Construction is rapidly progressing on the new course, which Chesrown anticipates will be finished by Labor Day.

"We're mowing grass on 10 of the 18 holes," he said.

The new Weiskopf course

first 18 holes designed by Jim Engh, which Golf Digest ranked the No. 1 new course in America in 2003.

Like the Engh course, the Weiskopf course maintains harmonious balance with nature amid breathtaking mountain and lake views.

The expansion also adds 345 new home sites — with different kinds of product than those offered in the first phase — which had 350 homes arranged so everyone can get a glorious view.

The clubhouse in the first phase has a pro shop, full athletic facilities, and dining facilities. Highlights

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EXPANSION from 24

also include a concierge service to take care of all your needs, a spa, full service marina, and more.

The second phase will have a clubhouse with a different style and a standalone restaurant, and a variety of other amenities.

Black Rock sales consultant Tanner Bickelhaupt said he has fielded plenty of inquiries on the second phase already. Lots there were offered just within the last month or so.

The new product is

great, he said, and it is a unique part of the whole.

"It's such a different feel than the current Black Rock," he said.

If the second phase duplicates the success of Black Rocks first phase, it will flourish.

There are 300 members in The Club at Black Rock five years after the first golf ball flew.

"It absorbed a lot more quickly than we thought it would," Chesrown said.

He bought the property Black Rock is built on in 1998. The development

broke ground in 2001.

The popularity of the first phase drove the development of the second.

Chesrown had the opportunity to buy the second property and went through the approval process two years ago.

He attributes Black

Rock's success to Lake Coeur d'Alene.

"The lake adds such a unique dimension to the lifestyle," he said.

You can buy unique property just about anywhere, he said, but "you'd be hard pressed to find a prettier lake."

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