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November 24, 2025

VIA EMAIL:

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Hard copy to follow:

Valley County Board of County Commissioners

c/o Brian Oakey, Chief Deputy Prosecutor

Valley County Clerk – Douglas A. Miller

219 North Main Street

PO Box 1350

Cascade, ID 83611

Re: Appeal to Board of County Commissioners
Steve Emerson/James Fronk Consulting LLC
SUB 25-18/CUP 25-23 Tripod View – Preliminary Plat

Dear Valley County Board of County Commissioners:

Thank you for your time and consideration of this matter. We represent Steve and Jonna Emerson, the property owner, and James Fronk Consulting LLC, the representative (“Applicant”) of this project. The Applicant is appealing the Valley County Planning and Zoning Commission decision from November 13, 2025 (“Commission”). The Commission considered SUB 25-18/CUP 25-23, Tripod View, for a preliminary plat and conditional use permit to build a 12-lot single family residential subdivision (“Applications”). On November 13, 2025, the Commission moved to approve the Applications, however after receiving a second to the motion, the motion failed to pass based on a 2-2 vote (“Decision”). The Commission has not yet issued its Findings of Fact, Conclusions of Law related to the Commission’s decision, and therefore we reserve the right to supplement this appeal with additional information and argument when said Decision is issued in writing. The Applicant respectfully requests that the Valley County Board of County

Commissioners (“Board”) reverse the decision by the Commission and approve the Applications based on the information in the record and provided below.

I. BACKGROUND

First, it is important to understand the nature of this development. This development is a small 12-lot single family residential subdivision located on 46 acres (“Project”) in High Valley. The lot sizes proposed range from 1.8 acres to 6.2 acres. The Project is located on property which current use is Single-Family Residential. The property owners, Steve and Jonna Emerson, intend to live on the property full time and continue agricultural and ranching operations on the property where appropriate. This Project will greatly improve the utilization of non-productive agricultural property, while preserving agricultural and ranching operations where feasible. The location of the proposed 12-lot subdivision is in an area of the property which will have the least impact to the overall ranching capacity of the land due to thinner graze for cattle, and timber density insufficient for routine harvest (“Property”). The Southeast portion of the ranch Property does have stock-water holding ponds and some trees which cattle tend to use for shade in the heat of summer. The design of the subdivision preserves the stock water ponds, grazing corridors commonly frequented by cattle as they graze toward the western portion of the Property, and preserves groupings of the commonly frequented shade trees. The open areas and moderate timber of the development areas are ideal for cabin sites and views of Tripod Mountain. In spite of the open areas within the subdivision, the topography is utilized to keep most of the homesites visually shielded from others. Additionally, the site is located such that most other residential lots in High Valley cannot see the site, thereby preserving the overall openness of the valley floor. Finally, the development location is the area of the ranch property that the previous owner(s) had already created 8 individual lots for dwellings by splitting parcels, therefore this conditional use will be consistent with prior use of this portion of the ranch Property. The remainder of the ranch has better overall grazing, timber with commercial value for routine thinning harvest, and the northern portion of the ranch having grass hay/pasture with irrigation rights.

In addition, the Applicant has elected to strategically place the residential development in a clustered area, so as to minimize impacts to adjacent property owners. Based on Valley County Code, the Applicant would be permitted to conduct various lot line adjustments and lot splits, to achieve creating additional lots for individual sale, without the subdivision or conditional use process. However, the Applicant is committed to minimizing impacts to adjacent property owners by strategically arranging the buildable lots in a manner that preserves agricultural uses and minimizes aesthetic impacts to neighboring lots. The clustered nature of the development is what has triggered the need for a subdivision and conditional use approval.

As way of background, the Applicant has worked diligently to develop an Application and Project which meets the criteria of Valley County Code and is in the best interest of the community and the adjacent property owners, while maintaining its private property rights to develop a portion of the property. Specifically, over the course of this application process, the Applicant has made every effort to accommodate the public and Valley County Staff’s requests on project specifics. Procedurally, the Applicant held a neighborhood meeting on July 24, 2025, to introduce the Applications to the community and to gather feedback from individuals to help inform the content and nature of the development. A public hearing on the Applications was initially held by the

Commission on October 16, 2025, which was then continued to November 13, 2025. Continuation of consideration of the Applications was requested to allow the Applicant to provide additional information regarding water wells, structural fire protection, and water sources for fire protection.

Following these public hearings, and based on feedback from Valley County Planning Staff (“Staff”), the Commission, and the community, the Applicant engaged numerous consultants and obtained additional information in an attempt at alleviating and mitigating the items and issues raised by staff, the surrounding neighbors, and the Commission. The Commission considered this new and additional information on November 13, 2025. Commissioner Mabe moved to approve the Applications and Commissioner Potter seconded the motion. Both Commissioners voted in favor of the motion, however, Commissioner Oyarzo and Chairman Roberts voted in opposition. Because only 4 Commissioners were present that evening, the motion to approve the Applications resulted in a tie and therefore the motion failed and the Applications were denied.

The Applicant requests the Board grant the Applicant’s appeal of the Commission’s decision and approve the Applications because the information in the record supports a finding that the proposed Project meets the required standards of approval for a conditional use and subdivision.

II. APPLICABLE STANDARDS AND REQUIREMENTS

a. *Appeal Standards*

The Applicant seeks to appeal the Decision of the Commission to the Board pursuant to Valley County Code Sections 10-2-5 and 9-5H-12, and Idaho Code Title 67, Chapter 65. Valley County Code 9-5H-12, related to conditional uses, provides that “any decision of the commission may be appealed to the board by the applicant, any aggrieved person or the administrator.” In addition, Valley County Code Section 10-2-5, related to subdivisions, states, “any person, firm or corporation may appeal in writing the decision of the commission relative to any matters hereunder decided to the board within ten (10) days from such decision, in accordance with the Valley County land use and development ordinance.”

Idaho Code 67-6535 of the Local Land Use Planning Act expressly provides that approval or denial of any application must be based upon standards and criteria which are set forth in the governing bodies’ ordinances. Specifically, Idaho Code § 67-6535(1) states that, “[t]he approval or denial of any application required or authorized pursuant to this chapter shall be based upon standards and criteria which shall be set forth in the comprehensive plan, zoning ordinance or other appropriate ordinance or regulation of the county.” The language of the statute goes on to state that, “[w]henever the nature of any decision standard or criterion allows, the decision shall identify aspects of compliance or noncompliance with relevant approval standards and criteria in the written decision.” *Id.*

Failure to identify the nature of the compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for

invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

Idaho Code 67-6535(2)(a).

The Idaho Supreme Court on numerous occasions has stated that “failure to address compliance or noncompliance with express approval standards or relevant decision criteria is grounds for invalidating a governing authority’s decisions.” *North West Neighborhood Association v. City of Boise*, 535 P.3d 583 (2023). In *Jasso v. Camas County*, the Court determined that, “the reasoned statement must plainly state the resolution of factual disputes, identify the evidence supporting the factual determination, and explain the basis for legal conclusions, including identification of the pertinent laws and/or regulations upon which the legal conclusions rest.” 151 Idaho 790, 794, 264 P.3d 897, 901 (2011).¹

Pursuant to Valley County Code Section 9-5H-12, the Board shall hold a public hearing on the Appeal and review the Commission’s “proceedings and decisions and may obtain additional information from the administrator, the applicant, the appellant, or the public. The board may sustain, deny, amend or modify the decision of the commission. The decision of the Board is final and need not be referred back to the commission; except the board may elect to refer the matter to the commission with specific instructions.”

The Applicant submits that the Decision by the Commission contains deficiencies that require the Board to reverse the denial of the Applications and the Board to approve the Applications. Specifically, the Commission’s Decision fails to consider the information contained in the record at the time of the Commission’s decision and fails to identify relevant contested facts to explain noncompliance with the applicable criteria, or how such facts could not be alleviated with certain conditions of approval.

b. *Applicable Code and Criteria*

The location of these Applications is within unincorporated Valley County and therefore Valley County Code applies. Valley County Code Section 9-5-2 outlines the criteria and standards

¹ In *Jasso*, the Court provided numerous examples of when statements issued by governing authorities were deemed deficient:

In *Crown Point Development, Inc. v. City of Sun Valley*, the purported findings of the city council were merely recitations of portions of the record, rather than determinations of the facts disputed by the parties. 144 Idaho 72, 77–78, 156 P.3d 573, 578–79 (2007). This Court found the “findings” to be inadequate. *Id.* In *Workman Family Partnership v. City of Twin Falls*, the city council’s factual findings explained that a rezone application was denied because the rezone imposed “[t]oo great a change,” would devalue nearby residential properties, and “would 10 violate the integrity of existing residential zoning districts.” 104 Idaho 32, 37, 655 P.2d 926, 931 (1982). We held that “[t]he reasons listed for the denial of the application ... are basically conclusions. Nothing ... reveals the underlying facts or policies that were considered by the Council. The reasons listed ... provide very little insight into the Council’s decision.” 104 Idaho at 38, 655 P.2d at 932. In *Cooper v. Board of County Commissioners of Ada County*, the Court held that a board of county commissioners’ findings and conclusions, supplemented by a staff report that stated some of the shortcomings for which the application was denied, were inadequate where the board denied the application “because of items 1, 2, 3 and 4 and Agricultural Policies No. 4 and No. 5 and also because of the school district.” 101 Idaho 407, 408–09, 614 P.2d 947, 948–49 (1980).

that must be evaluated when reviewing an application for a conditional use such as this Project. Specifically, conditional uses should be allowed:

- 1) In areas and to standards that will increase the value of privately owned property;
- 2) Without undue adverse impact on the environment, adjoining properties, or governmental services; and
- 3) Where consistent with the Comprehensive Plan.

Valley County Code Section 9-5-2(C) specifically states, “[t]he interpretation of the standards and procedures herein shall be to encourage conditional uses, where in the opinion of the commission [or Board on appeal] noncompatible aspects can be satisfactorily mitigated through development agreements....” (emphasis added). The language of the code makes clear that conditional uses should be encouraged and that noncompatible aspects should be mitigated where appropriate.

III. BASIS FOR APPEAL – ANALYSIS OF APPLICABLE STANDARDS REQUIRES THE APPLICATIONS BE APPROVED

The Decision by the Commission to deny the Applications was a split decision and the Applications were ultimately denied because of a tie in the vote and a failure of the motion to approve the Applications. What this practically means is that 50% of the Commission found that the Applications met the criteria of Valley County Code and should be approved. What is at issue in this appeal is the 2 Commissioners who believed the Application did not meet the criteria, and their failure to provide a rational basis and reasoned statement for such belief.

As a housekeeping matter it appears that part of Steve Emerson’s submittal materials was not included in the Commission packet. Mr. Emerson’s November 5, 2025, application narrative was missing pages in the version submitted to the Commission. This narrative includes important information related to the nature of the development, the considerations and concessions being made, and the intended purpose of the development. We have included a full, complete version of this November 5th, 2025 submittal, here as Attachment A. It is unclear what effect this incomplete document had on the Commissioner’s decision.

The Commission’s verbal decision, and presumably the written decision, leaves ambiguity as to the basis of the denial. Because Idaho Code § 67-6535(2) requires a Commission’s decision explain the basis for the denial and illustrate the supporting facts, because the decision fails to provide a “reasoned statement” based on the current “relevant contested facts”, the Applicant respectfully submits the appeal must be granted and the Applications approved.

The subject property of these Applications is located within unincorporated Valley County which consists of one mixed use zone that is a performance-based ordinance which promotes mitigation of impacts. What this means is that a conditional use should be permitted when impacts can be mitigated and mitigation of impacts should be favored. As noted previously, this residential subdivision is compatible with the current use of the property, Single Family Residential, and also serves to preserve agricultural use where feasible and viable. This Project is exactly what the

County contemplated when it designed its mixed use zone which promotes conditional uses which can be mitigated and help facilitate joint land use.

a. Conditional Use Findings and Standards – Private Property Value

It should be noted that Steve and Jonna Emerson only intend to subdivide 46 of the approximately 640 acres they own in High Valley. This decision is intentional and purposeful, and is being done to minimize development and preserve agricultural use and open space where possible.

The first criteria looked at in evaluating a conditional use as stated in Valley County Code 9-5-2(B)(3) is whether the application will result in an increase in value of private property. The answer to this is undoubtedly yes. This Project will take unproductive, stagnant, agricultural land and provide residential housing in an environment that is well maintained with strict CC&Rs and maintenance requirements. In doing so, the Applicant will preserve the agricultural, grazing, and ranching opportunities which exist on the land adjacent to the Property which is prime for such use. Both of these aspects, the development of unproductive agricultural land, and the preservation of prime agricultural and ranching land, will drastically increase private property value not only for the Applicant but for adjacent property owners as well. The Commission did not disagree that this criteria had been met.

b. Conditional Use Findings and Standards – Undue Adverse Impacts not Substantiated

Valley County Code next considers whether increasing private property value will result in *undue* adverse impacts to the environment. The evaluation is not whether any adverse impact may result, but instead if such impact is undue and unreasonable considering the development. The Applicant has worked diligently to address concerns related to fire suppression and water supply, the two main issues the Commission raised.

Related to fire suppression, the Applicant has commissioned and presented a Wildland Urban Interface Fire Protection Plan. Included in this WUIFPP is reference to a pre-incident action plan that will be developed and instituted within the CC&Rs. Applicant will also construct a shaded fuel break at least 20-30 feet wide on both sides of Haven Ranch Road. In addition, all driveways will include a shaded fuel break on both sides to minimize fire risk. All lots will include a Firewise Defensible Space Zone, as specified in the WUIFPP. Furthermore, the CC&Rs will describe a long-term maintenance schedule that will sustain fuel treatment effectiveness.

The Commissioners discussed fire risk in their deliberation of approval of the Project. Two Commissioners acknowledged that many areas in Valley County are not within a fire district and that the Applicant has done an adequate job in addressing and mitigating risk. The Commissioners also discussed that many of these types of developments have fire risk and that purchasers do so at their own risk. The Decision does not specify how the other two Commissioners found that there was not adequate fire suppression. The general statement that “availability of water” is limited does not mean that fire suppression and mitigation cannot be achieved. The Commission’s

Decision does not provide a reasoned statement for the denial of the Application related to fire risk.

Turning to water supply, the record shows that there are multiple wells within the High Valley area that produce varying degrees of water volumes at varying depths. No evidence was produced that showed the Project would have any impact on existing wells. The Decision makes conclusory assertions that domestic water is limited and “building additional homes would be detrimental to the public health, safety, and welfare...” Absolutely no support for this assertion is provided. The Decision fails to articulate any basis for this assertion. The evidence in the record shows that there are numerous productive wells in the area.

Furthermore, Idaho has long relied on the doctrine of prior appropriation to address issues of water quantity within the State. One of the State’s most valuable resources, water has long been viewed as an important property right held by property owners within the State. In order to ensure that those who use and rely on individual water rights continue to be able to rely on and use said water rights, Idaho follows the principles of first in time, first in right. Should a junior water right impact a senior water right holder, said junior water right holder will be curtailed and prohibited from using water to the detriment of the senior water right holder. To the extent there are water quantity issues in High Valley, which no evidence has been presented that there is, the long established principles of water law appropriate will govern. All private property owners have the right to utilize their water rights to the extent such utilization does not harm senior right holders.

Regarding discussion and concerns from neighboring property owners, and the criteria of Valley County Code 9-5-2 which requires that the application not result in undue adverse impact to adjacent properties, the record indicates that this Project will not have an undue adverse impact on adjacent properties. The Applicant has been intentional in proposing this project in a manner that will have minimal impact on neighboring property owners. The Applicant has consciously chosen an area for the Project which is intended to minimize visual impacts to adjacent property owners. As mentioned, the Applicant could develop many portions of its property, but has elected to place the development in an area that utilizes the topography of the site to minimize visual impacts to neighbors. In addition, the conditions of approval that were contemplated with the potential approval of these Applications would benefit the adjacent properties. The Applicant is more than willing to consider proportionate share agreements with other users of High Valley Road for needed improvements to High Valley Road. Furthermore, the Applicant will require that the CC&Rs mandate future owners join any volunteer fire district that is created in High Valley. Likewise, the Applicant will require fire resistant materials and design within the CC&Rs for homes built within the Project. The Commissioners sited no evidence or support for how this project would negatively impact adjacent property owners. Instead, broad statements of general concerns for water quantity and fire risk were asserted. This is not enough to be a basis for denial, especially given the lack of supporting evidence related to these concerns.

Lastly there were questions raised regarding the nature of the condition of High Valley Road which would serve the Project, as it relates to the impact on governmental services. Gem County provided comments regarding the *current* condition of High Valley Road. Several Commissioners acknowledged the poor existing condition of High Valley Road, but acknowledged that the condition of High Valley Road was largely due to logging and other heavy equipment

trucks that utilize that road, not residential traffic. In addition, there are approximately 200 residences in the High Valley area that utilize this road. The impact of 12 additional lots will be de minimis at most. Nonetheless, the Applicant was more than willing to proportionately contribute to the improvement of High Valley Road for the betterment of the entire High Valley community.

The Decision of the Commission makes the general claim that the impacts of this Project cannot be mitigated. However, the two Commissioners opposing the Applications failed to provide the “reasoned statement” and “evidence supporting the factual determination” on why they believed the Application did not meet the criteria of Valley County Code 9-5-2 as required by *Jasso v. Camas County*.

As discussed, and illustrated above, the Applicant has met the standards of the conditional use requested in these Applications, and to the extent there are additional requirements or requests to mitigate adverse impacts, those should be included as conditions of approval, not a basis for denial. The Applications must be approved. In summary, the proposed Applications are in conformance with the applicable standards of approval and the comprehensive plan.

IV. SUPPLEMENTAL INFORMATION

In support of the Applications, the Applicant originally submitted the following documents and materials:

- a. Wildland Urban Interface Fire Protection Plan – All About Forestry, John Lillehaug.
- b. Well Map of High Valley adjacent to Tripod View Subdivision.
- c. Incomplete supporting Narrative from Applicant – November 5, 2025, Steve and Jonna Emerson (the document included in the packet was missing pages and not complete).

Based on the Commission’s Decision and the deliberation that occurred, the Applicant respectfully highlights certain previously submitted materials and also submits this additional information in support of the standards of approval discussed above:

- a. Attachment A – Complete supporting Narrative from Applicant – November 5, 2025, Steve and Jonna Emerson.
- b. Attachment B – November 23, 2025, Letter of Support from Michael Beckett.
- c. Attachment C – November 23, 2025, Letter of Support from Michelle Beckett.

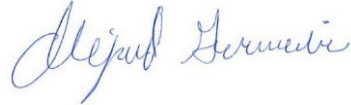
V. CONCLUSION

The Applicant respectfully requests that based on the information provided in the record, and the lack of evidence supporting the Commission’s Decision, the Board grant the Applicant’s appeal and approve the Applications for the conditional use and subdivision of Tripod View Subdivision. As mentioned previously, because the Commission has not yet issued its Findings of Fact, Conclusions of Law, we reserve the right to supplement this appeal with additional argument

to address any information contained in the Findings of Fact, Conclusions of Law, which is not yet addressed in this appeal.

Sincerely,

ELAM & BURKE
A Professional Association



Abigail R. Germaine

ARG/mse
Attachments

Exhibit A

November 5, 2025

Valley County Planning and Zoning
Cynda Herrick, AICP, CFM
Planning and Zoning Director
PO Box 1350
219 North Main Street
Cascade, ID 83611-1350

RE: SUB 25-018 Tripod View – Preliminary Plat

To: Valley County Planning & Zoning Commission and Staff:

Thank you for considering my application for subdividing a small portion of the land that I acquired in early 2024, located in High Valley Idaho. Given the time constraints of a public hearing, I don't feel I was able to adequately address the commission with a proper introduction of my wife Jonna and myself, and our long-term vision for living on and actively "working" our ranch property. And, given that there has been considerable misinformation sharing in social media about who we are and our plans, I am providing the following written statement and background information in attempt to give you better understanding and context to who we are and the purpose of the proposed project.

Personal Introduction:

My personal background is one of a very rural/agricultural upbringing. My entire youth was spent on a dry-land wheat farm and cattle ranch located in the very SE corner of Washington State (Garfield and Columbia Counties). I learned to drive a vehicle at age 5, drove myself the two miles of dirt lane to a gravel county road for school bus pickup beginning in 3rd grade, leaving the car at the end of the road so my brothers and I could drive ourselves home after the 1 hour and 45-minute school bus ride back to the ranch. I learned to operate heavy farm equipment at a young age and grew up active in 4-H and FFA raising registered Yorkshire hogs and Angus/Hereford cross cattle. While High Valley is remote, our neighbors in High Valley are much closer than the farm I grew up on, and the multiple existing subdivisions in High Valley are about 17 miles closer to us than the closest "neighborhood" I experienced as a youth. We snow plowed and maintained our own roads, experienced frequent power outages, lived with a "party line" phone, and missed school every winter due to snow and/or spring thaw (mud). Family Friday night pizza for us was more than an hour drive each way! I love living in a rural setting but was not afforded that opportunity. So off to college I went to study business and accounting at Northwest Nazarene University (college at the time) where I worked and supported myself through college.

I have been married for more than 30 years to my lovely wife, Jonna. We have 4 amazing children, and one grandchild. For the past 30 years, Jonna and I have worked very hard and lived conservatively in hope that we could find and afford a rural ranch/legacy property to acquire, live on, and share with our kids and grandkids. In 2023, we found the property we now own. After much thought, prayer, and due diligence (including multiple visits with Valley County Planning and Zoning Staff to discuss future

development ideas), we agreed to purchase with a long-term plan of this development to raise extra funds necessary to steward a property.

The Why:

Successful completion of this subdivision is a means to an end for us with the end being to preserve and keep intact the major components of a legacy ranch property. While I was not afforded the opportunity to purchase the entire original ranch due to the prior owners creating 8 parcels consisting of more acreage than we are proposing to utilize in this subdivision, there remains a potential meaningful agricultural value in what we purchased. However, there are significant infrastructure deficiencies, and what is there is dilapidated and needs repair or replaced. Efforts to restore the ranch to its potential will take time and substantial investment. It is our hope that we can find an economically feasible way for the proposed project to move forward in effort to raise additional capital for funding of our ranching aspirations. Success in the end will be measured upon being able to enhance the capabilities of the overall ranch, and when I am gone, leave the land to the next generation in better shape than I received it.

The Plan:

The development site being proposed was very intentionally selected for multiple reasons. First, it is the area of the ranch that is near a road, but least visible to the main valley floor, thereby having the least impact visually to the aesthetics of High Valley. Second, it is the area of the property which I perceive to have the smallest impact to the overall ranching capacity of the property due to thinner graze for cattle, and timber density insufficient for routine harvest. Third, it is the area of the property that the previous owner(s) had already created 8 individual lots for dwellings by splitting parcels, so this activity is consistent with prior use of this portion of the ranch property.

Initially, the plan was to develop fewer and larger lots in this area, but after consultation with the Valley County Planning and Zoning staff, I was encouraged to develop smaller lots that are consistent with the application you have before you.

Process:

As I remain full time employed with one child still at home and not yet launched into adult life, I do not have the time or expertise to expeditiously shepherd a project of this nature to a successful outcome, so I began searching for a professional consultant and upon recommendation/reference, I engaged Jim Fronk to assist.

Jim Fronk has provided valuable counsel regarding lot configuration, road design, etc. Jim also was engaged to send invitations out to the neighbors for a “neighborhood meeting” this summer, in attempt to make neighbors aware of the plan and answer questions. Jonna and I attended this meeting which occurred on July 24, 2025.

John Lillehaug was engaged to develop a fire mitigation plan, which you have been provided a copy and John will be providing comment regarding his work at our meeting next week. I have relied heavily upon these two consultants, along with guidance from Valley County Staff to complete our communications, planning, application, and now response to the discussion from the October meeting.

Response to questions from the October Meeting:

Concerns identified in our October meeting included cattle grazing, fire mitigation, and well water. I will attempt to respond to each of these issues separately.

- **Cattle Grazing:**

- This one is difficult to respond to based on the comments made in opposition at the October public hearing. However, I suspect the concern is centered in the neighbors to my south historically enjoying having the cattle from my property graze upon their property. One landowner has their property fenced, so the cattle do not graze there, but other properties do not, and the owners have expressed their desire for that to continue. If a subdivision is placed between their property and the remainder of the ranch, it will be more difficult for this practice to continue.
- It should be noted that in the fire mitigation plan, cattle grazing is referenced as a planned continued activity within the subdivision until individual lots are sold, and then it would be up to end owner to place fencing if desired.

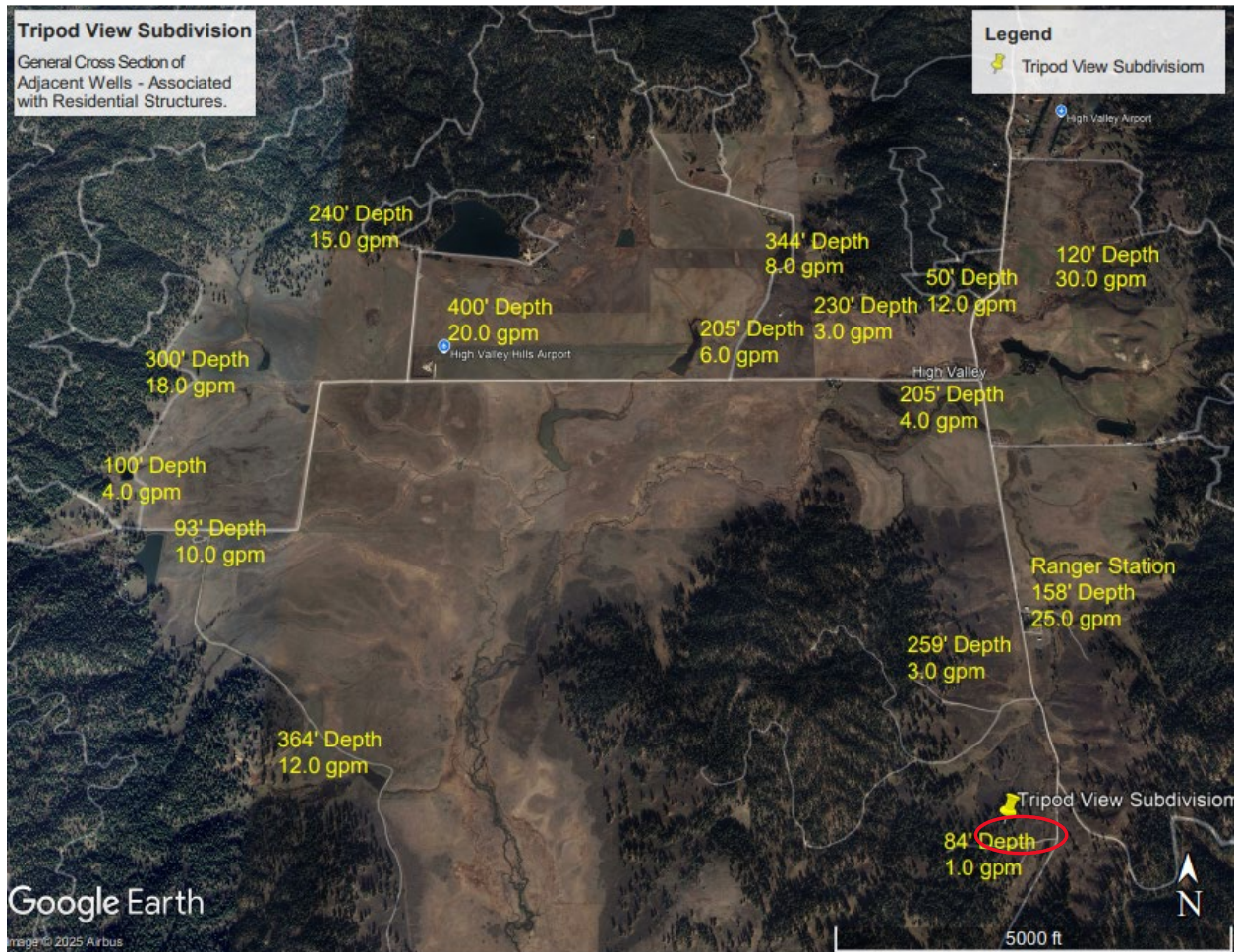
- **Ground Water:**

- What water is available underground cannot be known for certain, but the following report gives some indication of what is available in the area. Generally, well logs indicate a minor water source at shallow depths, and better water in the 300-400 foot range.
- A sample well log map shows low water flow in a 84 foot well directly adjacent to the proposed development, and good water just down the road at the ranger station at 158 foot depth.
- **Please see the Tripod View - Adjacent Wells attachment. This attachment is a general cross section of some of the adjacent wells to the Tripod View Subdivision that are listed on IDWR well location map web site. The attachment only includes some wells that can be associated with residential structures, this attachment also includes the Bunk Houses at the U.S. Forest Service Ranger Station. The purpose of the Adjacent Wells attachment is to give a general cross section look at the viable wells located in the High Valley area with associated well depths and production rates.**

In addition the Adjacent Wells the attachment helps also show the many water sources for Wildfire Protection as stated in the Wiland Urban Interface Fire Protection Plan Authored by John Lillehaug (Helicopter and Equipment draft sites).

Thank you,

**Jim Fronk
James Fronk Consulting, LLC.
208 634 8093**



- **Fire Hazard:**
 - **Please see attached Fire Mitigation Plan from John Lillehaug who will be present at the meeting to provide further context.**
 - Wildfire and Structure Fire is a real concern for everyone, including for my neighboring ranch. Both can be mitigated, and neither eliminated. In effort to address this risk, I have supplied a report from John Lillehaug which contains a fire mitigation plan. It is both John and my recommendation that our efforts are focused on mitigations that are of immediate and persistent value. These would include reduction of fuel loads and creation of defensible spaces (see John's report), along with CC&R's which address construction materials, defensible spaces, and potential structure fire suppression tools.
 - By addressing fuel loading and building materials type, we can mitigate risk. Planned CC&R's can direct these activities, and Valley County can help enforce through the building permitting process.

- It is noteworthy that Cascade Fire District and the Ola Fire Station do not include High Valley in their area, which negates the value of any infrastructure for trucks to utilize.

Concerns about process expressed publicly since the October meeting:

- **Neighbor communication**
 - Consultant Jim Fronk was engaged to notify neighboring property owners, and a meeting was held on July 24. Both Jonna and I attended the meeting.
- **Public Notice Signage**
 - Concerns have been raised that I placed the sign in a location to hide the planned development and that the development would occur in a different, more prominent location (High Valley Road)
 - Placement of public notice signs are the responsibility of the County Planning and Zoning, not the developer. I am not an expert on the signage laws, but the sign appears properly placed on the proposed site.
- **Concern about subdivision location**
 - Some confusion seems to be prevalent about the location of the subdivision. The application and Valley County Planning & Zoning staff reports are very clear of the location, which is on the SE corner of our property, approximately 1.4 miles south of the High Valley Rd/Dry Buck Rd intersection.
- **Character**
 - Given some fairly significant and slanderous attempts to impune character, I have attached a character reference from a respected neighbor in High Valley, Bill Gardiner.

Thank you again for your consideration.

Respectfully,



Steven and Jonna Emerson

Enc. Fire Plan
Water Map
Character Reference

Bill Gardiner
High Valley Resident
7 Arrows Edge Pl
Cascade, ID 83611

October 30, 2025

Valley County Planning and Zoning Commission
219 N. Main Street
Cascade, ID 83611

Dear Members of the Valley County Planning and Zoning Commission,

I am writing in support of Mr. Steven Emerson. I have known Steve for several years and have always found him to be an honest, sincere, and upstanding individual.

Steve is a God-fearing man who consistently demonstrates integrity in both his personal and professional life. He coached my children in basketball for several seasons, and through that experience, I witnessed firsthand his patience, fairness, and genuine care for the young people he worked with. He has always treated others with kindness and respect, earning the trust and admiration of those around him.

In every interaction I've had with Steve, he has conducted himself with honesty and a strong moral compass. Regardless of your decision involving his property in High Valley, please know that you are dealing with an honest and good man.

Respectfully,

A handwritten signature in blue ink, appearing to read "Bill Gardiner", with a stylized flourish at the end.

Bill Gardiner

Exhibit B

23 Nov. 2025

Valley County Commissioners

I am Michael Beckett 22 Dry Buck Rd
my wife michelle is putting my thoughts
on papers for me.

I have lived in High Valley since
1968 since that time I have seen
many changes ranch land turning
into subdivisions. Our biggest
change has been population more
people and vehicles year round.

I was one of the few people
that took time to ^{talk to} Steve Emerson and
learn of his plans to bring the
ranch back into full work^{ing} condition
Connie Baker and Roger Beal are my
cousins ^{as} I was growing up ^I always
close to them. We often helped each
other on the ranches when needed.
Back then that is how things worked
in our small community.

Steve looked at both parcels
of land for sale. Connie's parcel
was land locked at the time.

Connie and Roger asked him to
buy both parcels.

That took alot of time and work on Steve's part. Connie spoke of how long it was taking. Steve finally got things worked out he met with Connie let her know he would need to sell some small lots.

Connie and Roger agreed with Steve selling small lots if that was the only way to keep the one parcel from being landlocked.

I'm look forward to seeing and helping Steve with his plans in the future.

Thank you.

Mike Beethals

Exhibit C

23 Nov. 2025

Valley County Commissioners

In concern to: Subdivision Dry Buck Rd
High Valley (Cascade, Id) Steve Emerson

My name is Michelle Beckettold
22 Dry Buck Rd

Michael Beckettold and I have known
that subdividing the land was going to take
place before the land sale was even
completed.

Please let me explain I have
known Aunt Connie (Connie Baker) of
going on 17 years since I met my husband.
In that time we have laughed, cried
and talked of many things. One talk
was the sale of the island (Beal Ranch),
We explained to Connie that Valley
County would no longer allow the
sale of land locked land she was
upset. It seemed like forever after
that Connie would complain about
Heather, or Heather would complain
about Connie over a road that

Heather would not make public so
Connie could sale her land.

Connie finally stopped by saying
she had sold both her and Roger's
land to the same guy Steve Emerson.

Connie stated at that time
Steve would have to subdivide
some of the land to help with payments
but he would be farming the largest
part of the ranch.

Sometime pasted Connie and
Heather stopped to see if we could
help load some of Heather's stuff
into a trailer. Connie said Steve
had bought out Heather's larger piece
of land, so he would have to
sale more lots then he originally
planned.

I tell you this because I
don't believe that the island
was bought as part of a land grab.
I believe Steve Emerson bought it
as a work ranch with a
small subdivision on the far side.

Although I have not known Steve Emerson long I have quietly watched him worked the Ranch land taking the time to ensure that it will come back strong and healthy the way it was when young Roger Beal worked it.

The few conversations we have had have been about family and his hopes, dreams not only for his family's future but for the growth and future of the community within High Valley.

I talked to Steve a few days after the meeting on Nov. 13th. What I heard in his voice was not his usual upbeat nature but that of a lost even a hurt man. A man understanding how or why a community he has chosen to live the American dream is not only rejecting him but some are judging him without even getting to talk to him or know him and his family.

Steve is a good honest man and wants to live out his life

ranching and loving his family
within a community he can make
a difference. I believe High Valley
is that community

Thank you
mBsecktolcl

23 Nov. 2025

Valley County Commissioners

Please forgive the mistakes
and length of the letters.

I got up this morning
to print them and realized one
of the joys of living in

High Valley my printer was not
working.

Michelle Becktold.