



May 3, 2013

Ms. Lynn Johnston
President, Board of Trustees
Idaho Shakespeare Festival
PO Box 9385
Boise Idaho 83707

Re: **Barber Mill Estates**

Dear Ms. Johnston:

I am in receipt of your letter dated April 30, 2013. We are very pleased Idaho Shakespeare Festival is in general agreement with the concessions offered by the developer of Barber Mill Estates. The list of eight or so items, reiterated in your letter, were intended to, among other things, provide tangible proof of the developer's understanding of the Festival's value to the community and therefore, the developer's desire to put forth ideas to mitigate potential Festival concerns, as well as to establish a mutually-beneficial long-term relationship. We look forward to refining these items and to putting appropriate agreements in place as we proceed through the City of Boise's process.

In response to your more pressing concern, the lagoons/ponds, please be advised first that Tahoe Homes is not the developer of Barber Mill Estates and is not responsible for the ponds. Tahoe Homes is the potential builder for this project. Second, the developer's first concern has been and continues to be the status of the ponds. A consultant was hired and material testing has been ongoing in order to prepare a Workplan to mitigate the ponds and maintain safety – environmental, animal and human. We have been working with the Department of Environmental Quality and other necessary governmental agencies. In other words, we have engaged the professionals and are working very hard to finalize the Workplan and obtain appropriate permits to allow us to de-water the ponds, remove waste, dry the area and add clean structural soil. Based on reviews conducted, there are no health threats, only the potential for unpleasant odor, which, if we conduct our activities, will be minimized.

However, as time passes and the weather warms, the dewatering process is happening on its own. If left to the natural process, we believe the amount of time neighbors adjacent to the ponds will be subjected to potential odor, dust and the general unattractiveness of the area will be lengthened. We would

prefer for our work to commence immediately so these issues can be mitigated in a timely manner. We have identified various blackout dates on the Festival's calendar on which days the pond soils and remaining water could be turned to aid in the drying process. The developer has already agreed to stop construction activities after 5:00pm May 15th to November 1st, and working on these blackout dates would further minimize disruption to the Festival.

In a continuing effort to work with the Festival and provide it with information it feels it needs for whatever reasons, please find the following responses to your consultant's list of questions:

How were the lagoons constructed? Excavation and fill

How deep are the lagoons? +/- 10 feet

How much sludge is in each lagoon? 1' sludge in larger pond; 2' sludge in smaller pond

Were the lagoons designed to be total containment? Yes.

What were the average daily flows? Specifically, what percentage of the lagoon capacity was added annually? Unknown.

Is there a history of odors? Unknown. The facility was improved and installed prior to surrounding uses.

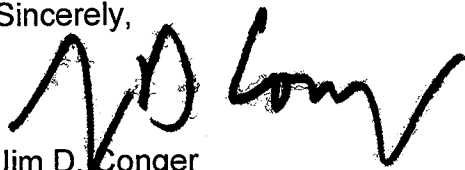
Is there a likelihood (or possibility) that the City (or another) party will step forward with commitment to do something in the near term? No.

There is little doubt that draining the lagoons and pushing in the dikes would be a preferable scenario. Of course, that has its own issues such as how to physically drain them. Are any permits required? Timing? This is exactly what the developer wants to do. However, as you can understand, it takes time to go through the process of testing the material and getting approval through the City of Boise Public Works.

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I have been on the phone with Mark Hofflund today and we are trying to schedule a meeting as early as this afternoon or tomorrow afternoon at 3:30. In the meantime, I hope this letter offers additional proof of the developer's willingness to work with the Festival, provides insight and alleviates concern that remediation of the ponds has been of deep concern and deliberate and timely action.

Sincerely,



Jim D. Conger
President

JDC/ja

cc: Hon. David H. Bieter, Mayor, City of Boise
Mr. Derick O'Neill, Director, Planning and Development Services
Thomas Jay Le Claire, Commissioner, Ada County Planning and Zoning
Commission
Ada County Board of Commissioners
Mr. Doug Holloway, Boise Parks and Recreation
Ms. Lydia Primavera, Executive Director, Idaho Foundation for Parks and
Lands
Ms. Nancy Merrill, Director, Idaho Department of Parks and Recreation
Mr. Kent Brown, Kent Brown Planning Services
Mr. Mark Hofflund, Managing Director, Idaho Shakespeare Festival
Mr. Kurt Liebich, Chairman, Riverstone International School Board of
Trustees