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Ron Oberbillig

5207 17th St N, Arlington VA 22205

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Senator Mike Crapo

251 East Front Street

Suite 205

Boise ID 83702

Dear Senator Crapo:

My dad's father, J. J Oberbillig, settled in Boise in the early 1900's. He was quite the entrepreneur and developed several mining companies and properties in central Idaho, most notably in the Yellow Pine area of Valley County, including Stibnite. As you are probably aware, Stibnite produced vital strategic metals for the United States during WW II.

Among J. J. Oberbillig's acquisitions was the Pringle Smith mercury mine at Cinnabar, which is near Stibnite. My dad, who was a metallurgist educated at the University of Idaho, managed the mine for a few years after I was born in 1951. As a young child, I helped my grandfather load up his old pickup in Boise with supplies and mining materials from time to time. Notably, I also visited the high country to visit the family's various operations and enjoy the beauty that is Idaho. I could not begin to estimate the years of hard work and large expense my family has invested in this part of Idaho. As I'm sure you're aware, legislation in recent decades has not been kind or encouraging to mining interests.

That's why I hope you will continue to proactively support the operational plans of Midas Gold at Stibnite. We recently sold family mining interests and property at Stibnite to Midas Gold and have consistently found the company to be highly professional, responsive, progressive and community-oriented. The company thoroughly understands its challenges and environmental responsibilities. The financial resources Midas has already invested at Stibnite are nothing short of astounding. We believe this project has earned your unwavering support and should proceed near-term.

Our family still has property on Johnson Creek south of Yellow Pine near the airstrip. In addition, we own 500 acres of patented private property in and around the Cinnabar area near Stibnite. As primary manager of my father's and grandfather's estates and their related properties, I am in Idaho as frequently as possible to do what needs to be done. Increasingly, I am distracted by the aggressive, agenda-driven actions of the Payette National Forest that seem intended to keep American citizens and owners of private property out of their National Forest.

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After over 28 years in the United States Air Force, I retired as Chief Financial Officer of the National Guard. For the next ten years I worked in an entrepreneurial government organization to help departments and agencies across Washington improve their performance and citizen orientation. After 38 years serving this country in one capacity or another, I know government well. I have also been very impressed and proud of the competence and dedication of most government personnel with whom I've come in contact.

Unfortunately, I'm profoundly disappointed in the lack of integrity and manipulative conduct demonstrated by key government personnel of the Payette National Forest. That's the primary reason I'm reluctantly writing to you today. I should also state family members, who have worked directly for the Payette National Forest in past years, can corroborate this perspective on the leadership there and are similarly disaffected. The people of Idaho, and those in Valley County in particular, deserve better.

Several years ago, I was contacted by the Payette National Forest to discuss the primary access to our 500 acres of private property at Cinnabar. This primary access is called the Sugar Creek Road. It wasn't built by the Forest Service. We built it, before the Forest Service even existed. Verbally, I acknowledged concern with vandalism at Cinnabar in the past and indicated I would work with them on access issues. In multiple documents and forums since this informal conversation, representatives of the Payette National Forest told everyone the owners wanted no public access. This was not true, especially since their undisclosed plans were to exclude not only the public from Sugar Creek Road but the owners of private property as well.

When the Forest Service announced their plans to "rehabilitate" the Sugar Creek Road, I opposed them in writing. Months before beginning the project, the Payette National Forest placed immovable boulders in the road, so their intention to eliminate access for all, including the owners of private property, was clear. Part of the Payette National Forest response to my input purported to quote the owner of the private land at Cinnabar that the public was not welcome. In other words, the Forest Service used our previous telephone conversation against me to refute my own criticism of their plans. Such a response was simultaneously inaccurate and incompetent.

What's more, the "exception" the Payette National Forest Service used to initiate the "rehabilitation" project on Sugar Creek Road, which was described early on as not a road closure, requires that owners of private land not be detrimentally affected. In speaking to the Payette National Forest about this issue, I was told to apply for a Special Use Permit, even though it was obvious the agencies involved in reviewing such a permit would never approve it, since the road was to be closed. The real goal of the Payette National Forest, despite their emphasis on rehabilitative road improvements, was to close the ford across the creek and the road altogether. In that the Payette National Forest succeeded.

The Payette National Forest contends that as the owner of 500 acres of private property at the end of the Sugar Creek Road we are not adversely affected by their actions. Their rationale is that there is an alternative road. Conveniently, the Forest Service leaves out the fact this road is a perilous route down the face of a cliff only suitably for ATV's. In other words, the switchbacks are so severe that when driving a regular-sized vehicle one must pull up to the edge of the cliff and then back up multiple times to get around every corner. The route is unacceptably dangerous in comparison to the Sugar Creek Road. Clearly, this alternative is not an acceptable way to bring people and equipment onto the private property, which should be our right.

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With respect to Sugar Creek itself, I would describe it to you as a very minor tributary, barely a few feet across in a narrow canyon. I am shocked that after 100 years the Payette National Forest has made it such a priority. The Payette National Forest says there are fish in the creek that must be protected under the Endangered Species Act (ESA). Interestingly, the Payette National Forest has apparently done no fish-counting or studies. Their decision-making in this instance appears based entirely on rumor and second-hand reporting. Regardless, I do believe there must be fish in the creek but don't know that the fish would qualify for ESA protection. In addition, although the Sugar Creek Road is not much of a road and certainly not heavily traveled, I do understand that walking or driving through the creek may impact the fish. Still, abruptly closing the road in such a manipulative violation of due process and established procedure is wholly inappropriate. If effectively denying primary access to 500 acres of private property isn't illegal, it should be.

If you are like me, you are probably confused by the various statements the Payette National Forest has made about the status of the Sugar Creek Road. One moment the road is not really closed. The next it was closed years ago before the current leadership of the Payette National Forest arrived. On still other occasions the Payette National Forest might cite a 2008 Travel Plan, which was ruled invalid recently by the courts. The most discouraging response from the Payette National Forest is the admission early formal documentation on the status of the road can't be found. What is a citizen to think about the general competence and integrity of those entrusted to manage our precious natural resources and establish an appropriate balance between the needs of nature and property owners?

My observation is that the Forest Supervisor and the District Ranger of the Payette National Forest have lost the confidence of too many Idahoans. As an Idaho taxpayer, I certainly do not have any confidence in them to be open and honest. In fact, I don't know anybody who does. Government work is difficult. There are many competing interests. That's why communication and coordination are critical. There's no room to mislead or manipulate. Discussions must be straight-forward and thorough. Priorities need to be established carefully. Above all, property rights must be respected. The incumbents are way off the mark in most areas and should be replaced. Please encourage the Forest Service to pursue personnel changes at the Payette National Forest at the earliest possible time. We all deserve a better response that what we usually hear: "If don't like it, sue us."

Of most importance is the reopening of the Sugar Creek Road. For that, we need your support. The Forest Service bureaucracy is mighty, bold and intransigent. The road is how we access our private property. This is not a handful of unpatented claims or a few acres. I have mentioned several times this is 500 acres of private property. Not only that, the Sugar Creek Road is a popular ATV route for the public. You've already heard from private citizens supporting a reopening, including members of the Collaborative. If the ford is a problem, then private parties and private money are at the ready to build a small bridge over the creek. At this point, the Payette National Forest will not even entertain the idea. I really do not know why this rough, high country road and small creek have risen to such symbolic status with the Payette National Forest. Surely, we all have more important things to do.

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Your support and assistance would be greatly appreciated.

Sincerely,

Ron Oberbillig

Ron Oberbillig, Manager, JJO LLC, an Idaho Company

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