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DEPT. OF LANDS
2019 JUN 14 PM 4:49
BOISE, IDAHO

Attorneys for Intervenor/Respondents,
Payette Lakes Cottage Sites Owners Association, Inc.
and Wagon Wheel Bay Dock Association, Inc.

BEFORE THE STATE BOARD OF LAND COMMISSIONERS

SHARLIE-GROUSE)	
NEIGHBORHOOD ASSOCIATION,)	AFFIDAVIT OF ANDREW
INC.,)	CONNOLLY IN OPPOSITION TO
)	SGNA'S MOTION FOR SUMMARY
Petitioners,)	JUDGMENT
)	
vs.)	(Intervenor/Respondents, Payette
)	Lakes Cottage Sites Owners
IDAHO STATE BOARD OF LAND)	Association, Inc. and Wagon Wheel
COMMISSIONERS,)	Bay Dock Association, Inc.)
)	
Respondent,)	
)	
and)	
)	
PAYETTE LAKES COTTAGE SITES)	
OWNERS ASSOCIATION, INC., an)	
Idaho non-profit corporation, and)	
WAGON WHEEL BAY DOCK)	
ASSOCIATION, INC., an Idaho non-)	
profit corporation,)	
)	
Intervenor/Respondents.)	
)	

STATE OF IDAHO)
 : ss.
County of Ada)

ANDREW CONNOLLY, being first duly sworn upon oath, deposes and says as follows to-wit:

1. I am the President of Payette Lakes Cottage Sites Owners Association, Inc. (“PLCSOA”), and a member of Wagon Wheel Bay Dock Association, Inc. (“WWBDA”), Intervenor/Respondents in this matter.

2. I am familiar with the facts at issue in this action, and I make this Affidavit based upon my own personal knowledge.

3. As the President of PLCSOA, I am familiar with the common areas and roads owned and managed by PLCSOA, as well as the records maintained by PLCSOA.

4. PLCSOA is an owners association formed to govern certain common areas, roads, leased cottage sites, deeded land whose owners have opted in to the association, and cottage sites which were auctioned off by the Idaho State Board of Land Commissioners (“Land Board”), all of which are located within the Southwest Payette Cottage Sites State Subdivision (“Subdivision”).

5. PLCSOA is the owner of ten (10) common areas which were conveyed to PLCSOA by the Land Board in 2014 via quitclaim deed.

6. The common areas are managed on behalf of the owners and lessees of properties located within the Subdivision boundaries.

7. Five of the common areas have community docks attached, including Community Beach. The common areas with community docks are: Payette Drive Common Area, Picnic Point, Chipmunk Trail, Cedar Knolls, and Community Beach.

8. Each of the community docks are governed by a private dock association.

9. Each of these dock associations have an encroachment permit issued by the Idaho Department of Lands. The encroachment permits for four of the common areas were issued by IDL many years ago, when the common areas were still owned by the State, including Payette Drive Common Area, Picnic Point Common Area, Chipmunk Trail Common Area, and Cedar Knolls Common Area. The encroachment permit for Picnic Point, for instance, was issued over two decades ago, in approximately 1997.

10. Three of the dock associations currently lease the littoral rights for the common areas from PLCSOA, one dock association is in the process of signing a lease with PLCSOA, and one dock association will be required to sign such a lease once its encroachment permit from the Idaho Department of Lands expires.

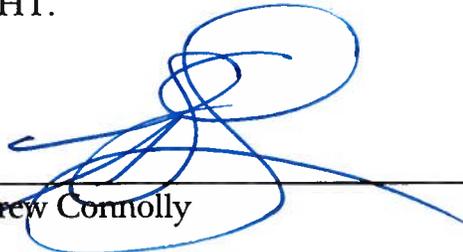
11. The Subdivision boundaries stretch across approximately two (2) miles of area on the western side of Payette Lake between the Lake and Warren Wagon Road.

12. Within these two (2) miles are located numerous roads that were also conveyed to PLCSOA by the Land Board in 2014.

13. These roads are managed on behalf of the owners and lessees of properties located within the PLCSOA boundaries.

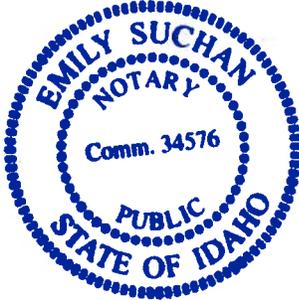
FURTHER, YOUR AFFIANT SAITH NAUGHT.

DATED this 14 day of June, 2019.



Andrew Connolly

SUBSCRIBED AND SWORN TO before me this 14th day of June, 2019.



Emily Suchan

Notary Public for Idaho
Residing at Boise, ID
Commission Expires: 08/25/2024

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2019, I caused to be served a true and correct copy of the foregoing, by the method indicated, and addressed to the following:

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