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Attorneys licensed in Idaho
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February 9, 2018

Via U.S. Mail and Email to Shelley.Keen@idwr.idaho.gov

Shelley Keen
IDWR State Office
P.O. Box 83720
Boise, ID 83720-0098

Re: Paradise Homeowners Association, Inc.
Geothermal License No. 63-32016

RECEIVED

FEB 12 2018

DEPARTMENT OF
WATER RESOURCES

Dear Shelley:

As you know, I represent Grouse Creek Cabins, Inc. ("GCC"), a small community of cabin property owners located along Grouse Creek (immediately south and adjacent to Grouse Creek Road) near Pine, Idaho in Elmore County. The GCC property shares water rights and various water and sewer services with the larger, neighboring Paradise Homeowners Association, Inc. ("PHOA"), which owns the cold and geothermal water rights otherwise appurtenant to the GCC property (primarily right nos. 63-10559 and 63-10560) and a large portion of the corresponding and comingled water distribution and sewer systems as well. As you also know, and unfortunately, GCC and the PHOA have recently been at odds over water and sewer service (especially geothermal water delivery service) over the past couple of years, which dispute led to our collective meeting with you and other Department personnel in August 2017 as memorialized in your August 30, 2017 Memorandum to Water Right File 63-10560 (copy enclosed). While I initially thought the meeting productive and encouraging, PHOA's revival of lapsed Permit No. 63-32016 (now since licensed in October 2017; copy enclosed) seemingly demonstrates otherwise through the omission of GCC from the newly licensed place of use. I will not re-hash or belabor the nature of the parties' disputes or their respective arguments here. But, GCC cannot remain silent on this matter either.

While I appreciate PHOA's prerogative to develop its water right permits as it sees fit, and while I equally appreciate that as a matter of law nothing contained in the License 63-32016 file can be used as a basis or means by which to undermine or re-write (*i.e.*, collaterally attack) the Department's past beneficial use field examination findings with respect to water right nos. 63-10559 and 63-10560 (let alone any other fully vested water right), I nonetheless seek further acknowledgement and clarification from the Department in this regard given: (1) the

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conflicting statements made by PHOA's beneficial use field examiner in relation to License No. 63-32016; and (2) the ongoing dispute between GCC and PHOA. In sum, I do not want statements contained in Water Right File No. 63-32016 to be read in isolation and out of context and, therefore, in a manner conflicting with (or undermining) the findings and results of Water Right File Nos. 63-10559 (cold water), 63-10560 (geothermal water), and 63-12316 (geothermal water).

Chief amongst the statements contained in the backfile for License No. 63-32016 that could be misused when read in isolation are:

- "Total uses administratively acknowledged by PHOA[:] 58 + 11 = 69[:] Note GCC lots were removed because beneficial use could not be proven"; and
- "Although not relevant to this exam, during the site visit Mr. Fowers stated that the Grouse Creek Cabins are not connected to the heating system."

The first statement is found in an email from then PHOA Board member Randy Fowers addressed to beneficial use field examiner Scott King of SPF Water Engineering, dated October 1, 2017 (time: 6:13 PM). The second statement is found in Section E of Mr. King's Beneficial Use Field Report, dated November 21, 2016, received by the Department on February 16, 2017.

GCC's alleged lack of geothermal water beneficial use is directly contradicted by numerous documents in Water Right File Nos. 63-10560, 63-12316, and 63-32016. Moreover, any alleged lack of beneficial use to the extent it is now occurring is a product of PHOA's own concerted efforts to cut service off from GCC in order to cover its own improper use of geothermal water on lots within its association not previously permitted or licensed. One need look no further than Mr. Fowers' own 2004 Application for Permit No. 63-32016 and supporting documentation to ascertain PHOA's selective memory and corresponding inconsistent behavior immediately prior to licensing. As explained in 2004 at the application stage:

Heating is for 70 lots in PHOA service area plus Lodge property and soaking pool . . . P.S. This application is for any services supplied by PHOA that are not covered by previous permits or licenses.

Then, as further explained in Mr. Fowers' detailed application support letter dated November 29, 2004:

This application is expected to provide a more current and complete definition of all the uses that PHOA has for the geothermal resource. We believe that some of the services or locations that are supplied by PHOA may not be referenced by the licenses/permits held by PHOA for the geothermal resource . . . A spreadsheet included with the application indicated the current square footage status (*sic*) for each lot . . . Currently, we have .64

cfs licensed for heating on right 63-10560 for 54 homes/lots, 1 lodge and 1 shop . . . [but] We have a total of 76 services including the lodge.

Among the “improved” lots identified as PHOA water services (including geothermal heating services) on the above-referenced spread sheet were “Service Num.” 60 through 65, otherwise identified as “GC1, GC2, GC3, GC4, GC5,” and “GC6” coded by the spreadsheet as “Grouse Creek Cabins,” each ranging in improved square footage between 900 and 2,000 square feet (which square footage is only relevant in the context of geothermal heating use; *i.e.*, the dwelling space areas have no bearing on, or importance to, domestic water or sewer service descriptions/deliveries). Enclosed for your convenience is a copy of this spreadsheet.

The 2004 spreadsheet is consistent with the various sworn affidavits (file 63-10560) of Norman Garlington (former PHOA Board Director), Michael Koelsch (PHOA member), Brad Christiansen (former PHOA Board Director), and Wes Farris (PHOA member) who all confirmed in April thru June 1997 that prior to August 1988 the PHOA water distribution system delivered water to cabins “in the Grouse Creek subdivision to the south of the [PHOA] Subdivision,” and that among the water delivered was geothermal water for “hot water heating” of those same dwellings. The spreadsheet is likewise consistent with PHOA’s own 1987 “Field Survey” results update (copy enclosed), Steve Lester’s May 1991 Beneficial Use Field Report for right nos. 63-10559 and 63-10560, and his 1995 review notes and maps for right no. 63-12316, among various other records contained in the Department’s files.

Then in February 2017, Mr. King’s Beneficial Use Field Report for then Permit No. 63-32016 enclosed a similar but different spreadsheet (copy also enclosed). The 2017 spreadsheet still identifies GCC as “Service #” 60 through 65, but lists them as “Removed” from the PHOA system, while also omitting reference to their “improved” status, including their square footage. The selective omission of GCC from the licensed place of use is further inconsistent with Mr. King’s own August 2017 correspondence to the Department wherein he states:

Except for recent flow meter installation, the pumping systems have been unchanged for years and are as described in earlier water right files 63-10560 and 63-12316.

As the above-discussed references to water right nos. 63-10560 and 63-12316 demonstrate, the “pumping systems” serving those rights, and which remain “unchanged” with the exception of “recent flow meter installation,” very much include the GCC cabins (*see also*, the geothermal water system schematics provided to the Department by past PHOA President Dale Pippitt; copies enclosed).

It is unclear to GCC the extent to which Mr. King investigated the plumbing of PHOA’s singular and commingled geothermal water distribution system. Mr. King did not contact GCC as part of his field examination, rather it appears that he took Mr. Fowers’ GCC-related statements at face value without further review on the ground, and without further review of the information

contained within Water Right File Nos. 63-10559, 63-10560, and 63-12316. This is disappointing to say the least.

GCC leaves it to the Department and anyone else who objectively reviews the agency's records to draw their own conclusions regarding the nature of PHOA's actions to date. But, I and GCC request that the Department (in response to this letter) again make clear that:

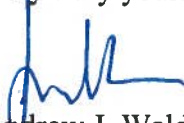
1. The geothermal water heating use identified in License No. 63-10560 and its supporting file materials includes heating use by GCC; and
2. None of the recent statements by Fowers or King in relation to the late 2017 licensing of License No. 63-32016 undermines, re-writes, or changes the Department's prior opinions regarding the place of use, or GCC's confirmed beneficial use, of License No. 63-10560 for heating purposes as documented in Mr. Lester's prior reports, or any other review memoranda prepared by Department staff (*see, e.g.*, attached staff memorandum of Lori Graves, dated December 16, 2004).

As mentioned at the outset, some of us appreciate the legal nuance that the issuance of License No. 63-32016 does not, and cannot be used to, collaterally attack License No. 63-10560 (or any other water right license or SRBA Decree for that matter). But, statements from the file when read in isolation and lacking context could lead others to erroneous conclusions, thereby fostering ongoing confusion and potentially needless conflict.

As always I appreciate your willingness to wade into these issues, Shelley. I and GCC would like nothing more than to find an efficient, effective, and cost-conscious resolution to the ongoing disputes with the PHOA. License No. 63-32016 had the prospect of being part of the solution; maybe it still can be in the future. In the meantime, unfortunately, it appears an attempt is being made to use the license for a different outcome.

If you have any questions regarding this correspondence or its attachments, please let me know and we can discuss them further. Barring that, I look forward to your response.

Very truly yours,



Andrew J. Waldera

AJW/dll

Enclosures

cc: Client

MEMORANDUM

DATE: August 30, 2017

TO: Water Right File 63-10560

FROM: Shelley W. Keen *SWK*

RE: Meeting on August 24, 2017

On August 24, 2017, Manuel Rauhut and I met with representatives of Paradise Homeowners Association, Inc., ("PHOA") and Grouse Creek Cabins, Inc. ("Grouse Creek"). An attendance roster is attached. The meeting was requested by attorney Andy Waldera, who represents Grouse Creek. The meeting was to discuss whether Water Right License 63-10560 ("License") should cover use of the PHOA heating system by the Grouse Creek cabins. Based on my reading of the record, the licensed heating use included the Grouse Creek cabins. However, PHOA representatives think that heating of the Grouse Creek cabins should not have been recognized in the license, and they seem reluctant to distribute water to Grouse Creek going forward. More information on these perspectives can be found in the water right file in the following documents:

- September 13, 2016, email from me to Randy Fowers (PHOA Board Member)
- October 20, 2016, letter from Andy Waldera to the PHOA Board of Directors
- January 6, 2017, letter from the PHOA Board Members to Grouse Creek

At the meeting I answered questions from the attendees about the information in the water right file, the License, and IDWR's implementation of Idaho water law. Andy Waldera encouraged PHOA and Grouse Creek to continue discussions focused on combining scarce resources to upgrade the PHOA water system to everyone's benefit, as opposed to litigating.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-32016

PRIORITY: February 16, 2017

Maximum Diversion Rate: 1.12 CFS
Maximum Diversion Volume: 374.0 AF

It is hereby certified that:

PARADISE HOMEOWNERS ASSN INC 1088 E PARADISE DRIVE PINE ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 06, 2004, and has submitted Proof of Beneficial Use on February 16, 2017. An examination confirms water is diverted from:

SOURCE:
SPRINGS

TRIBUTARY:
GROUSE CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
HEATING	01/01 to 12/31	1.12 CFS	374.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS SW¼SW¼NE¼ Sec. 33, Twp 03N, Rge 10E, B.M. ELMORE County

SPRINGS L4 (NE¼SE¼NW¼) Sec. 33, Twp 03N, Rge 10E, B.M. ELMORE County

PLACE OF USE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	10E	33		X	X		X			X									
							L 1			L 4									

CONDITIONS OF APPROVAL

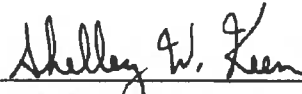
1. Use of water under this right shall be non-consumptive.
2. Heating use is for buildings on lots 1-35 and lots 38-53 of Willis Carrie's Paradise subdivision and Lots 2-7 of Paradise Pines subdivision, on a parcel locally known as the Wagon Town parcel, for the upper and lower pump houses at the points of diversion, and for the PHOA pool dressing room.
3. Water diverted and used under this right shall be returned to the natural channel of Grouse Creek.
4. Rights 63-10560, 63-12316 and 63-32016 when combined shall not exceed a total diversion rate of 1.12 cfs.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-32016

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 31st day of October, 2017.



SHELLEY W. KEEN
Water Rights Section Manager

KNV-LOT#

PP's Paradise Pines Incorporated
GC = Grouse Creek Cabins
WTP = Wagon Town Property
PHOA = Paradise Homeowners Association

Submitter Name	First Name	Last Name	Lot#	IMP	Mile SF	Upper SF	Lower SF	ATA/H2O2	Deposited	Asset Type
1	Randy & Norma	Weaver	01	Yes	1316	0	0	0	0	HE/Pipe in Flarework
2	Bred & Kelly	Christman	02	Yes	600	600	0	0	0	HE
3	Arnone & Lian	Roski	03	Yes	864	432	0	0	0	HE / Pipe Lower
4	David & Nellie	Kosch	04	Yes	600	600	600	0	0	HE
5	Michael & Mary Lou	Kosch	05	Yes	1025	650	0	0	0	HE
6	Michael & Mary Lou	Kosch	06	Yes	0	0	0	0	0	HE
7	Julie & Carl	Heier	07	No	0	0	0	0	0	HE/Pipe in Flarework
8	Jeff & Carol	Davis	08	No	0	0	0	0	0	HE/Pipe in Flarework
9	Jeff & Carol	Davis	09	No	0	0	0	0	0	HE/Pipe in Flarework
10	Jim	Miller	10	Yes	1050	1650	0	600	0	HE/Pipe in Flarework
11	Terry	Bloom	11	Yes	1000	400	1000	0	0	HE/Pipe in Flarework
12	Richard & Sherry	Tregunna	12	No	0	0	0	0	0	HE/Pipe in Flarework
13	Bill & Michelle	Thurkley	13	Yes	900	450	600	0	0	HE/Pipe in Flarework
14	John & Jeanne	Ure	14	No	0	0	0	0	0	HE/Pipe in Flarework
15	John & Jeanne	Ure	15	No	0	0	0	0	0	HE/Pipe in Flarework
16	Mark & Ann	Johnson	16	No	0	0	0	0	0	HE/Pipe in Flarework
17	Bred & Leslie	Hicks	17	Yes	1024	1140	0	0	512	HE/Pipe in Flarework
18	Bred & Leslie	Hicks	18	No	0	0	0	0	0	HE
19	Jim & Julie	Walker	19	Yes	1000	600	0	0	0	HE
20	Norman & Renee	Eckert	20	Yes	1200	1200	0	0	0	HE
21	Crosley	Chaser	21	Yes	750	750	0	0	0	HE
22	Wes & Joyce	Fenn/Crosley/Cruiser	22	Yes	1000	600	0	300	0	HE
23	Wes & Joyce	Crosley	23	Yes	1000	600	0	0	0	HE
24	Norman & Donna	Trinity Springs, LTD	24	No	0	0	0	0	0	HE
25	Wendy	St. James	25	No	0	0	0	0	0	HE
26	Richard	Stark	26	No	0	0	0	0	0	HE/Pipe in Flarework
27	Jim & Tamara	Frank	27	Yes	520	1040	0	320	0	Pipe in Floor
28	Richard & Kris	Bozinger	28	Yes	1200	1000	0	0	600	HE
29	Richard & Kris	Bozinger	29	No	0	0	0	0	0	HE
30	Larry & Jeanne	Johnson	30	Yes	860	860	0	0	0	HE
31	Larry & Jeanne	Johnson	31	No	0	0	0	0	0	HE
32	Larry & Jeanne	Johnson	32	No	0	0	0	0	0	HE
33	David	Voas	33	Yes	1564	256	0	0	0	HE
34	Jim & Charlie	Heckler	34	Yes	1000	0	0	0	240	Pipe in floor
35	Doug	Trinity Springs, LTD	35	Yes	3450	2570	0	0	750	Pipe in floor
36	Lynne	Trinity Springs, LTD	36	Yes	600	0	0	0	0	Pipe in floor
37	Cathy 1	Trinity Springs, LTD	37	Yes	1200	0	0	0	0	Pipe in floor
38	Cathy 2	Trinity Springs, LTD	38	Yes	560	0	0	0	0	Pipe in floor
39	Cathy 3	Trinity Springs, LTD	39	Yes	250	180	0	0	0	Pipe in floor
40	Cathy 4	Trinity Springs, LTD	40	Yes	250	0	0	0	0	Pipe in floor
41	Cathy 5	Trinity Springs, LTD	41	No	0	0	0	0	0	HE/Pipe in Flarework
42	Jim & Clemency	Paulson	42	Yes	1080	1080	0	0	0	HE/Pipe in Flarework
43	Dan & Pia	Davis	43	Yes	1200	775	0	0	0	HE/Pipe in Flarework
44	David	Stark	44	No	0	0	0	0	0	HE
45	Harold & Vonda	Knobloch	45	Yes	500	1200	0	600	0	HE
46	Randy & Barb	Johnson	46	Yes	1000	600	0	0	0	HE
47	Dale & Karla	Johnson	47	No	0	0	0	0	0	HE
48	Edward & Ann	Fewer	48	Yes	1200	900	1200	0	440	HE/Pipe in Flarework
49	Mike	Chaco	49	No	1155	135	0	0	0	HE
50	Jim & Karen	Struck	50	No	0	0	0	0	0	HE
51	Jim & Karen	Struck	51	No	900	600	0	0	0	HE/Pipe in Flarework
52	Gregory	Struck	52	Yes	3400	0	0	0	0	HE/Pipe in Flarework
53	Randy & Norma	Wagner	53	No	0	0	0	0	0	HE/Pipe in Flarework
54	William & Kern	Wagner	54	No	0	0	0	0	0	HE/Pipe in Flarework
55	Stacy	Kelly	55	No	0	0	0	0	0	HE/Pipe in Flarework
56	Robert & Vicki	Branger	56	No	0	0	0	0	0	HE/Pipe in Flarework
57	Robert & Vicki	Branger	57	No	0	0	0	0	0	HE/Pipe in Flarework
58	Robert & Vicki	Branger	58	No	0	0	0	0	0	HE/Pipe in Flarework
59	Robert & Vicki	Branger	59	No	0	0	0	0	0	HE/Pipe in Flarework
60	Robert & Vicki	Branger	60	No	0	0	0	0	0	HE/Pipe in Flarework
61	Robert & Vicki	Branger	61	No	0	0	0	0	0	HE/Pipe in Flarework
62	Robert & Vicki	Branger	62	No	0	0	0	0	0	HE/Pipe in Flarework
63	Robert & Vicki	Branger	63	No	0	0	0	0	0	HE/Pipe in Flarework
64	Robert & Vicki	Branger	64	No	0	0	0	0	0	HE/Pipe in Flarework
65	Robert & Vicki	Branger	65	No	0	0	0	0	0	HE/Pipe in Flarework
66	Robert & Vicki	Branger	66	No	0	0	0	0	0	HE/Pipe in Flarework
67	Robert & Vicki	Branger	67	No	0	0	0	0	0	HE/Pipe in Flarework
68	Robert & Vicki	Branger	68	No	0	0	0	0	0	HE/Pipe in Flarework
69	Robert & Vicki	Branger	69	No	0	0	0	0	0	HE/Pipe in Flarework
70	Robert & Vicki	Branger	70	No	0	0	0	0	0	HE/Pipe in Flarework
TOTALS					46118	35058	6300	02220	3246	

PARADISE HOMEOWNERS ASSOCIATION, INC.
P.O. BOX 1485
BOISE, ID. 83701

RECEIVED
APR 26 1994
Department of Water Resources

April 24, 1994

Mr. Jim Johnson, Water Rights Supervisor
Idaho Dept. of Water Resources
Statehouse Mail
Boise, Id. 83720-9000

Re: Water Right No. 63-10560

Dear Mr. Johnson:

Received the Application for Amendment which needs to be up dated to our current Hot Water Systems and useage. The amendment is based on the Field Survey dated November 18, 1987 which is outdated. I discussed this matter on the telephone with Brenda Chapman on April 21, 1994 and per the discussion I am enclosing the current data.

I am available to discuss this matter personally at any time after your review of the data. If further information is needed, please contact me at 208-653-2260 or send me a letter to my address which is
HC-87 Box 410 Mtn. Home, Id. 83647

Please note the change in the Association address shown above.

Sincerely,

PHOA



Earl B. Jackson, President

cc Brenda Chapman IDWR

Enclosure

FEB 23 1996

PAISE HOMEOWNERS ASSOCIATION, IN

Update of Field Survey dated November 18, 1987

I. There has been no change in Domestic or Recreation use of the Hot Spring Water.

II. Spring No. 1 ; Pump Station No. 1

1. The temperature at the Spring and Pump Station is 128 F..
2. A new pump station located 100 ft. from the spring was completed in October 1993.
3. One new 4" and one new 2" insulated line have been installed to supply the water from the spring to the pump station. The pumps have a 6 ft. head at the intake.
4. Three 2 Hp. pumps are installed to supply the water for all the units connected to Spring # 1. The pumps have a 40 gpm capacity @ 55 psi.
5. The pumps run continuously all year. There is only gravity flow from the spring to the pump station.
6. Pump Piping.
 - a. Pump # 1 discharges into a 3½" line that supplies Lot 38 and facilities beyond.
 - b. Pump # 2 discharges into a 2" line supplying Lots 1 thru 7 & 25 thru 35 (18 Lots).
 - c. Pump # 3 discharges into a 2" line supplying Lots 8 thru 24 (17 Lots).
 - d. At the present time only pump # 2 or # 3 is on line to supply the existing Homes/Cabins.
7. Water Return.
 - a. The return water from the Homes/Cabins is discharged into the Swimming Pool on Lot 38.
 - b. The return water from Lot 38 and beyond is discharged into Grouse Creek.
8. Facilities Supplied by Spring # 1.
 - a. Homes or Cabins 17
 - b. Lodge on Lot 38 1
 - c. Cabin units on Lot 38 7
 - d. Hot Tubs on Lot 38 3
 - e. Grouse Creek Cabins 6
 - f. Home and Mobile Home on west side of Featherville Rd. 2
 - g. Shop Bldg. 20 X 40 ft. on So. side of Grouse Creek (6 mon./yr.)
 - h. Cold Water Pump Station on west side of Featherville Rd. (6 mon./yr.)

III. Spring No. 2

1. The Spring temperature is 139 F..
2. Pump Station # 2 is supplied by a 2" line with a head pressure of 8 ft. at the pump.
3. One 2 Hp. pump supplies Lots 39 thru 53 (15 Lots). The pump has a capacity of 40 gpm @ 55 psi and discharges into a 2" line.
4. The pump runs continuously all year.
5. The return water line is presently discharged into Grouse Creek, but can be diverted to the Lot 38 Swimming Pool.
6. Spring # 2 supplies 7 Homes/Cabins.

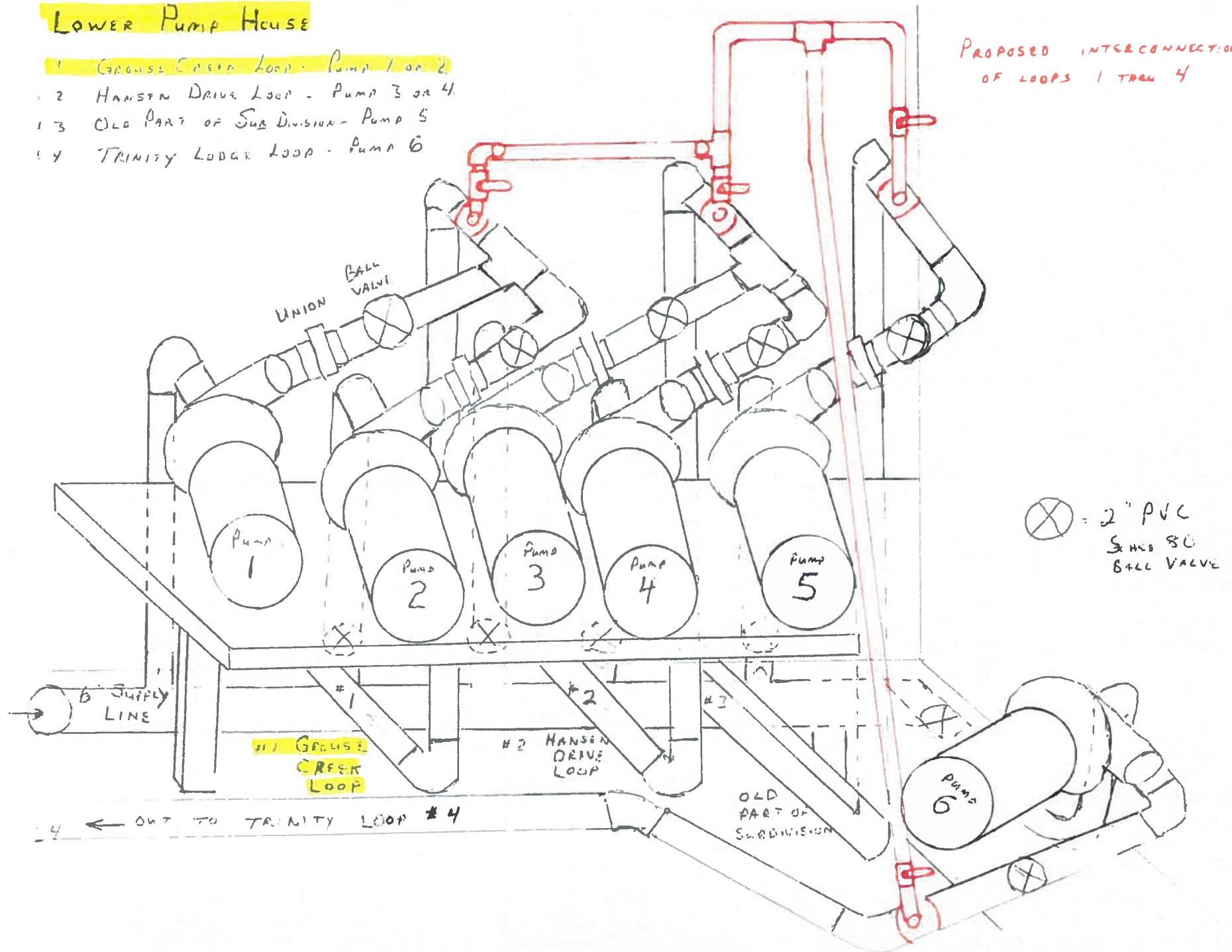
FEB 23 1996

First Name	Last Name	Lot #	Improved	Main Sq Ft	Upper Sq Ft	Lower Sq Ft	Attached Garage	Detached Garage	Change since 2004	Not Licensed/ Permitted
Norma	Weaver	1	Yes	1316	0	0	0	0		
Brad & Kelly	Christiansen	2	Yes	600	600	0	0	0		
Mac & Gale	Brown	3	Yes	864	432	0	0	0		
David & Kellie	Smith	4	Yes	600	600	600	0	0		
Michael & Mary Lou	Koech	5	Yes	1025	650	0	0	0		
Michael & Mary Lou	Koech	6	No	0	0	0	0	0		
Jerry & Carol	Davis	7	No	0	0	0	0	0		
Jerry & Carol	Davis	8	Yes	1200	600	0	0	484		
Jerry & Carol	Davis	9	No	0	0	0	0	0		
Robert & Diana	Bennett	10	Yes	1050	1850	0	600	0		
Terry	Reinke	11	Yes	1000	400	1000	0	0		
Richard & Sherry	Bloom	12	No	0	0	0	0	0		
Rob & Sherri	Ellis	13	Yes	900	450	600	0	0	0 Major add/snow melt	
Mike & Jennifer	Marcus	14	Yes	0	0	0	0	0	0 New cabin	
Dan & Marry	Cruser	15	No	0	0	0	0	0		
Gary & Karen	Boeshike	16	No	0	0	0	0	0		
Gary & Karen	Boeshike	16	No	0	0	0	0	0		
Brad & Leslie	Hobbs	17	Yes	1024	1140	0	0	512		
Brad & Leslie	Hobbs	18	No	0	0	0	0	0		
Jim & Juene	Walker	19	Yes	1000	600	0	0	0		
James	Holesnisky	20	Yes	1200	1200	0	0	0	0 Major add	
Conley	Cruser	21	Yes	720	720	0	0	0		
Wes & Joyce	Farris Cruser	22	No	0	0	0	0	0		
Wes & Joyce	Farris	23	Yes	1000	600	0	500	0		
Norman & Donna	Garlington	24	Yes	830	600	0	0	0	0 Major add	
	PHOA	25	No	0	0	0	0	0		
Wendy	St Jean	26	Yes	0	0	0	0	0	0 New cabin	
Richard	Starkey	27	No	0	0	0	0	0		
Joe & Joan	Pavlov	28	Yes	520	1040	0	520	0		
Richard & Krs	Boesigner	29	Yes	1200	1000	0	0	600		
Richard & Krs	Boesigner	30	No	0	0	0	0	0		
Tom & Kim	Faulner	31	Yes	850	0	850	0	0		
Larry & Joanne	Johnson	32	No	0	0	0	0	0		
David	Johnson	33	No	0	0	0	0	0		
Charlie	Vines	34	Yes	1364	256	0	0	0		
Doug	Helkila	35	Yes	1000	0	0	0	240	Major add Radiator	
Lodge	Trinity	38	Yes	3450	2570	0	0	750		
Cabin 1	Trinity	38	Yes	600	0	0	0	0		
Cabin 2	Trinity	38	Yes	1200	0	0	0	0		
Cabin 3	Trinity	38	Yes	560	0	0	0	0		
Cabin 4	Trinity	38	Yes	550	180	0	0	0		
Cabin 5	Trinity	38	Yes	600	0	0	0	0		
Jim & Glenys	Paulson	39	No						Shop on PP12	
Jim & Glenys	Paulson	40	Yes	1080	1080	1080	0	0		
Don & Pat	Davis	41	Yes	1200	775	0	0	0		
Grant & Sharon	Starley	42	Yes	500	1200	0	600	0		
	PHOA	43	No	0	0	0	0	0		
David	Knowlton	44	No	0	0	0	0	0		
Dowe	Demaray	45	Yes	1200	600	0	0	0		
Harold & Vonda	Johnson	46	Yes	960	660	960	0	0	0 Major add	
Harold & Vonda	Johnson	47	No	0	0	0	0	0		
Randy & Becky	Fowers	48	Yes	1200	900	1200	0	0	0 Major add/snow melt	Yes
Dale & Carla	Pippitt	49	Yes	1155	155	0	0	480		Yes
Dale & Carla	Pippitt	50	No	0	0	0	0	0		Yes
John & Stephanie	Holland	51	No	0	0	0	0	0		Yes
Jed & Cindy	Roeser	52	Yes	900	600	0	0	0		Yes
Jim & Karen	Sirucek	53	Yes	3400	3400	0	0	0		Yes
Gary	Miller	PP1 2	No	0	0	0	0	0		Yes
Norma	Weaver	PP1 3	No	0	0	0	0	0		Yes
Mel & Jasmine	Moeller	PP1 4	No	0	0	0	0	0		Yes
Jake & Jennifer	Traughber	PP1 5	No	0	0	0	0	0		Yes
Robert & Vicki	Brnegar	PP1 6	No	0	0	0	0	0		Yes
New Lourdes LLC		PP1 7	No	0	0	0	0	0		Yes
Gundler	DeVincent	WTP1	Yes	1350	400	0	0	0		Yes
Grouse Creek 1		GC1							Removed	
Grouse Creek 2		GC2							Removed	
Grouse Creek 3		GC3							Removed	
Grouse Creek 4		GC4							Removed	
Grouse Creek 5		GC5							Removed	
Grouse Creek 6		GC6							Removed	
Cold Water Wells	Wagon Town Prop	WTP2	Yes	200						
Hot Springs 1	Pump House (Lower)	PHOA1	Yes	240						Yes
Hot Springs 2	Pump House (Upper)	PHOA2	Yes	200						Yes
PHOA Pool	Pool House	PHOA3	Yes	200						Yes
Wagon Town Property	Old store	WTP3	No	0	0	0	0	0	0 Old store	yes
TOTALS				4001	25058	6300	2220	3066		

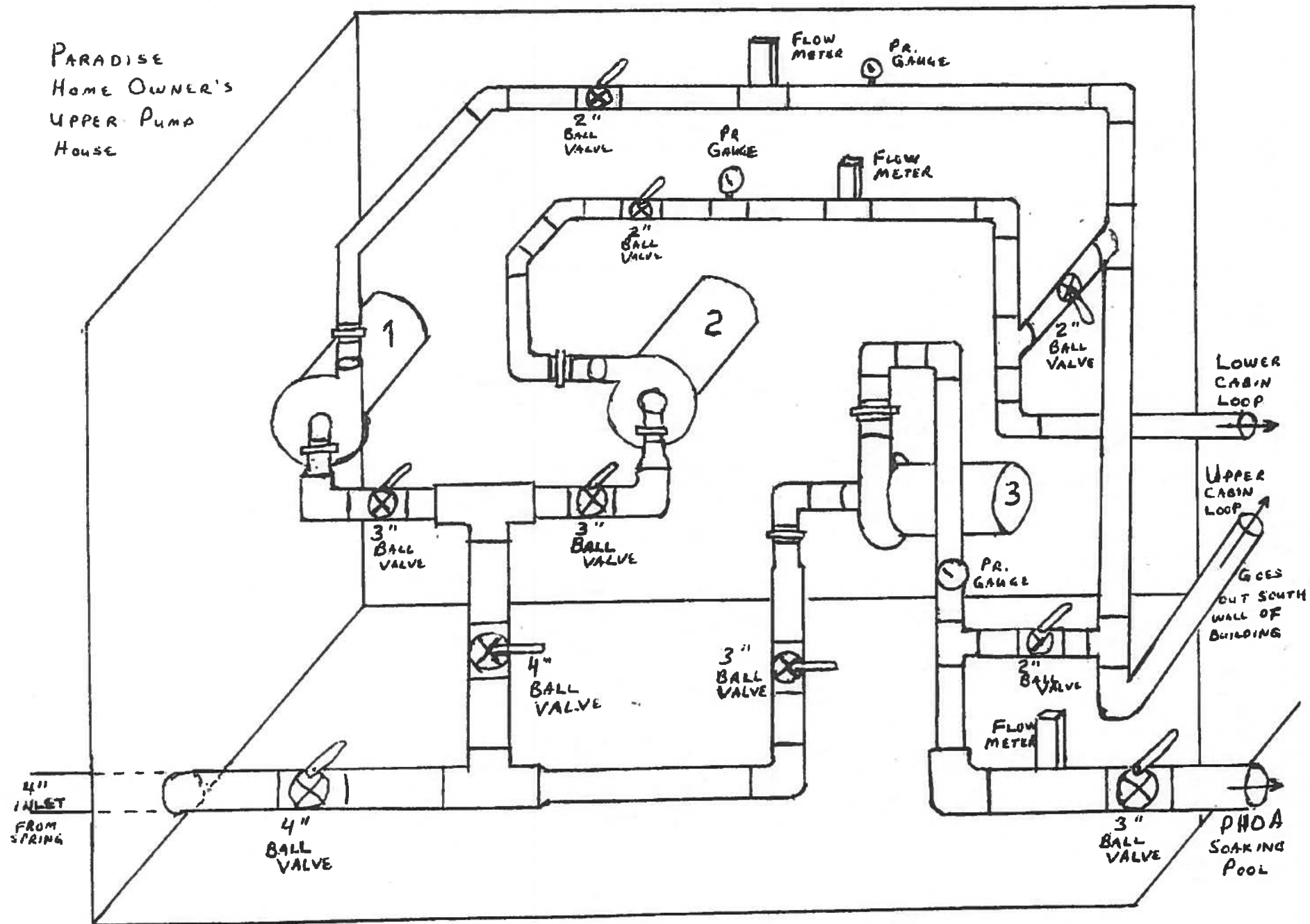
Lower Pump House

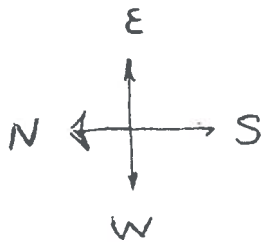
- 1 GRAYSON CREEK LOOP - Pump 1 or 2
- 2 HANSEN DRIVE LOOP - Pump 3 or 4
- 3 OLD PART OF SUB DIVISION - Pump 5
- 4 TRINITY LODGE LOOP - Pump 6

PROPOSED INTERCONNECTION
OF LOOPS 1 THRU 4



PARADISE
HOME OWNER'S
UPPER PUMP
HOUSE





PARADISE
HOMEOWNER'S ASSOCIATION
GEOTHERMAL WATER
SYSTEM

16 CABINS ON
UPPER
LOOP

LEGEND:
HOT WATER
RETURN

Pump 1 or 2
UPPER
LOOP

PHOA
POOL
CROUSOLA
VALVE

UPPER PUMP
HOUSE

NEW LINE
SEW SWAGE

16 CABINS ON
UPPER
LOOP

Pump 3
PHOA POOL
AND WEST CABIN
LOOP

OLD PART
LOWER
SUBDIVISION

EXISTING
LINE + NEW
CONNECTION

TRINITY
PARADISE
POOL

TRINITY
PARADISE
LOOP

LOWER
HOT WATER
SOURCE

LOWER
PUMP
HOUSE

GUARD
HOUSE

Wagon Town Council

EXISTING
LINE + NEW
CONNECTION

SHUT OFF

9 CABINS
HAWKIN
DAVE LOOP

SHUT OFF
@ JOHNSON'S

PINE
FEATHERVILLE
ROAD

GRACE
CREEK
ROAD

THURNE
DRIVE

MEMORANDUM

DATE: 12/16/2004

FROM: Lori Graves

TO: Application File

RE: 63-32016

Paradise Homeowners Association Inc. encompasses:

1. Willis Carrie's Subdivision, which consists of Paradise Homeowners Association (PHOA) located east of Featherville Road and north of Grouse Creek Road.
2. Paradise Pines Subdivision, which consists of Paradise Pines Inc. (PPI) and Grouse Creek Cabins (GC) located east of Featherville Road and south of Grouse Creek Road.
3. Wagon Town Property (WTP) located west of Featherville Road.

There are a total of 76 heating connections within the boundary of the above properties as listed on the spreadsheet attached to the application. Currently, applicants have license 63-10560 and permit 63-12316 that cover heating uses within the association. The following is a brief description of each:

License 63-10560 covers 54 homes @ 2000 sq ft/hm, 1 lodge @ 6000 sq ft and 1 shop @ 1000 sq ft. The specific properties are lots 1-35, 39-46, 5 Trinity Springs cabins and Trinity Paradise Lodge (aka lot 38 for all on spreadsheet) and 6 Grouse Creek cabins. Heating use was limited to .64 cfs because of the heating system capacity during the time of the field exam in 1989. A system analysis was conducted by McClure Engineering for the licensing of permit 63-10560. They determined that 5 gpm/hm and 33 gpm/lodge was sufficient for heating and system capacity for the two developed geothermal springs was .96 cfs. Trinity Pool eventually receives all the water diverted from the springs, including the spent water used in the heating system, which is why recreation use was licensed at .96 cfs. Domestic use for Trinity Paradise Lodge was also included on the license.

As mentioned above, the department used an average of 2000 sq ft/hm in the flow rate calculations for heating use along with 6000 sq ft for the lodge and 1000 sq ft for the shop. Since flow rate was limited to .64 cfs, annual diversion volume was licensed based on $287 \text{ gpm} \times 240 \text{ dys/yr} \times 12 \text{ hrs/dy} \times 60 \text{ min/hr} = 49593600/325850 = 152 \text{ af/yr}$. Applicants feel that there was an oversight in the above volume calculation because the pumps have always operated continuously 24 hr/dy, rather than 12 hrs/dy. As a result, diverted annual volume is actually twice the amount licensed. Applicants wish to account for the 152 afa not licensed because of the oversight on this application.

12/16/04

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Applicants also feel that the average sq ft/hm should be 2500 sq ft rather than 2000 sq ft that was used in the licensing calculations. They want the sq footage built in excess of 2000 sq ft for licensed developed lots accounted for. These include lots 8, 10, 11, 17, 20, 23, 28, 29, 40 and 42. They also want to add 500 more sq ft to licensed undeveloped lots. These include lots 6, 7, 9, 12, 14, 15, 16, 18, 22, 25, 26, 27, 30, 32, 33, 39, 43, 44 and PPI 2. Please note that PPI 2 was licensed for a 1000 sq ft shop. According to the applicants, a home will be built on this lot rather than a shop resulting in an additional 1500 sq ft to be accounted for. Applicants also want 2500 sq ft/hm for lots not covered for heating use on the permit or license. These include lots 16B, 46-53, PPI 3 & 4, PHOA 1-3, and WTP 1-3. Please refer to the spreadsheet attached to the application, which lists the lots/service numbers and current "build status" of all 76 heating services.

Permit 63-12316 covers 1 home, aka PPI 6, and 1 recreation center, aka PPI 7. Lapsed permit 63-12230 covered PPI 3-5. The recreation center was planned to be built at ~4000 sq ft in size, but has been scrapped. Because permit 63-12230 lapsed, Steve Lester stated that 2 additional home lots could be recommended for licensing under permit 63-12316 instead of the recreation center because (per applicant) lots PPI 2-7 were stubbed into the heating system prior to the date proof was submitted for the permit. This would then leave only two PPI lots not covered to be included on application 63-32016. Three home lots @ 5 gpm/hm for heating use equates to .03 cfs that presumably will be recommended for licensing of permit 63-12316. The 3 home lots are undeveloped, but 2500 sq ft average/hm can be used in the licensing calculations based on the documented size of recent developments. Permit file 63-12316 will be noted with this memo and attachments for the licensing field exam.

The applicants also want to cover an additional 500 sq ft and 5 gpm for snow melt for each of the 76 services. This encompasses driveways, sidewalks etc.

$$5 \text{ gpm} \times 76 = 380 \text{ gpm} = .85 \text{ cfs}$$

To insure full heating volume is licensed based on system capacity, applicants included .67 cfs (301 gpm) already licensed and permitted for heating use. Total flow rate listed on the application is based on the following calculations:

$$\begin{aligned} 75 \text{ hms} \times 5 \text{ gpm} &= 375 \text{ gpm} + 33 \text{ gpm lodge} = 408 \text{ gpm necessary for internal heating} \\ 5 \text{ gpm/service} \times 76 \text{ services} &= 380 \text{ gpm estimated for external heating (snow melt)} \\ 408 \text{ gpm} + 380 \text{ gpm} &= 788 \text{ gpm} = 1.76 \text{ cfs (includes .64 licensed cfs and .03 permitted cfs} \\ &\text{likely to be licensed).} \end{aligned}$$

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As previously mentioned, the capacity of the two developed springs is .96 cfs. An additional spring has been proposed for development on this application. All three springs were listed to reflect a combined system. If the undeveloped spring can provide the additional flow rate requested, total system capacity volume would then be:

$$788 \text{ gpm} \times 240 \text{ dys/yr} \times 24 \text{ hrs/dy} \times 60 \text{ min/hr} = 272332800/325850 = 836 \text{ afa}$$

Based on the attached spreadsheet, total inside sq footage (built & requested) = *173580 sq ft. Plugging that figure into our heating requirement excel spreadsheet shows:

Required single floor flow rate and volume @ 2.32 cfs and 1106.0 afa

Required two floor flow rate and volume @ 1.86 cfs and 884.8 afa

The heating excel spreadsheet is not set up to account for snow melt heating. Regardless, it appears the volume amount for application 63-32016 will be based on system capacity.

Other rights used by the applicants include permit 63-31526 for recreation use in the PHOA pool from the two developed springs. They also have license 63-10559 and permit 63-12317 from ground water covering domestic, commercial and stockwater uses within the Association. They also have decree 63-4221 from Grouse Creek for cooling of Trinity Pool and irrigation uses within the association. Decree 63-27144 is for recreation use and storage in a pond from Grouse Creek and the S Fk Boise River. This right is in the name of Trinity Springs LTD and is located within the association's service area. SRBA late claim 63-31976, in the name of Boesiger Family Cabin Trust, was filed in August, 2004 for domestic and heating use from a spring located in the same ten acre tract as the new proposed spring. This party will be sent notice. No other rights are used.

*115000 licensed sq footage

5580 additional sq ft built in excess of 2000 licensed sq ft

10500 additional 500 sq ft for 19 undeveloped licensed lots + 1000 more sq ft for PPI 2

42500 sq ft for 17 lots not licensed or permitted

173580 Total built and proposed inside sq ft to be heated