

## Keen, Shelley

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**From:** Keen, Shelley  
**Sent:** Tuesday, September 27, 2016 9:29 AM  
**To:** 'Randy and Becky Fowers'  
**Subject:** RE: PHOA Water use committee

Randy,

Thanks for keeping us informed. Ashley and I will take another look at the records and prepare a response to your questions about the shop, the other Paradise Pines lots, and the permit. You should hear back from us soon.

Regards,

Shelley

Shelley Keen  
Water Rights Section Manager  
Idaho Department of Water Resources  
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**From:** Randy and Becky Fowers [<mailto:RBFOWERS@msn.com>]  
**Sent:** Monday, September 26, 2016 6:49 PM  
**To:** Keen, Shelley  
**Cc:** Wendy St. Jean; Harold Johnson  
**Subject:** PHOA Water use committee

Shelley,

The PHOA Water Use Committee has started to develop an agenda with the stated goal of insuring that all of the heating uses that are represented by the stakeholders of PHOA are included on the licenses and permits that we own. We will also be paying attention to the volume of hot water approved on these instruments as it relates to our uses.

We hope to be able to offer a brief description of some of our tasks and receive an opinion from you as to the approach and perhaps the likelihood of success. We will be extremely grateful for your help with this task.

On the 63-10560, there is a shop that is identified on the license for a heating use. The shop was destroyed by a snow slide around 1996 and the property it sat on became a lot within the Paradise Pines Inc. Subdivision around the 1996/1997 time frame. Paradise Pines Inc. was brought into the PHOA group as full members and all the lots were stubbed in for all utilities including hot water for heating. The committee would like to transfer the heating use for the shop to the lot at the same location as a heating use for a future cabin.

The Paradise Pines Inc. Subdivision currently lacks a sufficient number of uses and volume for the 6 lots included in the platted subdivision. There is only one license that applies to those lots. It is 63-12316 and it identifies 1 home and 1 dressing room for around 9 gpm of water. It identifies a POU of Paradise Pines Inc.

lots 3 through 6. It appears to the committee that the POU which identifies 4 lots may be in conflict with the 1 use identified as a home. Is there any action the committee might undertake that could increase the approved volume and/or uses.

As the committee works through the administrative task of identifying our uses with our licenses and permits, we will be developing an amendment for our 63-34140 permit to include our uses not yet identified by a license or permit. We expect this amendment to include a request to add our two developed springs (used on our other two licenses) to this permit. What will be the requirement for PHOA to actively develop some or all of the other 3 identified springs.

In general terms I have described the path the PHOA Water Use Committee is attempting to navigate. Any suggestions would be appreciated. I have attached a document that represents the uses that the committee agrees represents all of the uses we are working with.

Thanks,  
Randy

| PHOA IDENTIFIED HEATING USE 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |                 |           |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------|-----------|----------------|
| Lots                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Uses                                     | # of Uses       | GPM @ 5   |                |
| 1-35                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | single                                   | 35              | 175       |                |
| 36& 37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Paradise Drive and Grouse Creek Road     |                 |           |                |
| 39-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | single                                   | 15              | 75        |                |
| 54                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Willis Carrie Drive (Now Hanson Drive)   |                 |           |                |
| 55 & 56                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Both are sewage beds for the subdivision |                 |           |                |
| PPI Lot 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Common Area Unbuildable                  |                 |           |                |
| PPI Lot 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | single                                   | 1               | 5         | Shop           |
| PPI Lots 3-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | single                                   | 5               | 25        |                |
| Change Room                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | single                                   | 1               | 2.5       | PHOA Pool      |
| Lodge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                          | (Exception = 1) | 33        | McClure Report |
| Lodge 4 cabins                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | single                                   | 4               | 20        |                |
| * Guenter cabin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | single                                   | 1               | 5         |                |
| * Wagontown                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | single                                   | 1               | 5         |                |
| * Cold Water Pumphouse                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | single                                   | 1               | 2.5       |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          | 65 uses         | 348 total |                |
| The list of uses in this Table is comprehensive of all properties to which the PHOA currently delivers hot water for heating purposes.                                                                                                                                                                                                                                                                                                                                                                              |                                          |                 |           |                |
| * <u>Board action is requested</u> ; to recognize the three uses under our current hot water delivery system. <u>Board Decision</u> :                                                                                                                                                                                                                                                                                                                                                                               |                                          |                 |           |                |
| <u>Board action is requested</u> ; to recognize that the Memorandum of Understanding (MOU) dated April 19, 1996, between Trinity Springs Ltd. and Paradise Home Owner's Association (PHOA) identifying specific uses is null and void and not binding on the PHOA. <u>Board Decision</u> :                                                                                                                                                                                                                          |                                          |                 |           |                |
| <u>Board action is requested</u> ; to recognize that the 1977 Agreement between Grouse Creek Cabins Inc. and Paradise Resort Inc. is null and void and not binding on the PHOA <u>Board Decision</u> :                                                                                                                                                                                                                                                                                                              |                                          |                 |           |                |
| <u>Board action is requested</u> ; to recognize that Paradise Pines Inc. is a full member of the PHOA subject to our Declarations, CC&R's and entitlements of hot water use for heating purposes.                                                                                                                                                                                                                                                                                                                   |                                          |                 |           |                |
| <u>Special Note</u> : The two current water licenses allow for 295.9 gpm of water for heating purposes. The licenses capture 58 uses only versus the 68 uses identified in this Table to which PHOA delivers hot water for heating purposes. The present PHOA hot water system is exceeding the licensing limits. It is for this reason that the Water Use Committee was established by the PHOA Board and is actively engaging a review of its water licenses with the Idaho Department of Water Resources (IDWR). |                                          |                 |           |                |
| <u>Special note</u> : It is the intent of the PHOA Board to update its water licenses with IDWR to capture all uses identified in this Table. The Water Use Committee will provide the PHOA Board options for consideration and                                                                                                                                                                                                                                                                                     |                                          |                 |           |                |

action regarding the delivery of water for heating purposes to Grouse Creek Cabins Inc.