

A. GENERAL INFORMATION

**Exam Date:5/13/2013 and
10/11/2013**

- SOUTH FORK BOISE RIVER

[illegible]

Method of Determination: AERIAL PHOTOGRAPHS

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
<u>MAIN SPRING</u>	NOT APPLICABLE				
<u>SPRING # 2</u>	NOT APPLICABLE				
<u>SPRING # 3</u>	NOT APPLICABLE				

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
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2. Measurements: NONE TAKEN

E. FLOW CALCULATIONS _____ Additional Computation Sheets Attached

THEORETICAL NOT APPLICABLE HERE

Measured Method:

FLOW THROUGH TWO PIPES WITH 3 INCH DIAMETER = 0.25 CFS EACH. FLOW THROUGH ONE PIPE WITH 3.5 INCH DIAMETER, BASED ON IDWR REFERENCE SHEET *EXPECTED PIPE FLOWS FOR PIPE DIAMETERS* =
 $0.25 + 0.25 + 0.35 = 0.85$ CFS.

THIS IS WITHIN 75% OF THE PERMITTED QUANTITY, SO I RECOMMENDED THE PERMITTED QUANTITY OF 1 CFS TO BE LICENSED.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: NOT APPLICABLE

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses: COMMERCIAL

Vir based on information collected by the totalizing measuring device is maximum of 104700 gallons per year for operations and maximum of 3984000 gallons per year of bottled water =

$$\frac{104,700 + 3,984,000}{325850} = \frac{4,088,700}{325850} = 12.55 \text{ af} = 12.6 \text{ af}$$

$$V_{dr} = 1 \times 365 \times 1.9835 = 723.98 = 724 \text{ af}$$

The lesser volume of 12.6 af to be recommended for licensing.

G. NARRATIVE/REMARKS/COMMENTS

The permit was issued for 1.0 cfs from hot springs for commercial use. The commercial use is for a water bottling plant. Spring water is used for operations, such as equipment cleaning, and the spring water is bottled and sold. It is also used for heating, which is not a permitted use. No one was available to accompany me on the field exam.

The plant operated from to 2006. The permit has been assigned several times and is currently owned by the Hawley Troxell, et al, law firm. Mail sent to Mark Johnson, a Trinity Springs LTD board member and the person to be contacted for the field exam, per the proof of beneficial use, was returned. I visited the site on 5/13/13, and saw the administrative building, the bottling plant, and the spring house for the main spring. There was no one at the plant and it was clear that the business was not operating.

Tom Chandler, attorney with Hawley Troxell, responded to a letter I sent to the current permittee, and put me in touch with Mr. Johnson, who is still a Trinity Springs board member. Mr. Johnson provided supporting documentation, including the as-built drawing of the spring house and bottling plant, and the measurement data required by the permit. The water temperature has been measured several times over the years and remains consistent at 138 degrees F.

There are three developed springs that are the PODs, not two, as permitted. A permit amendment adding a POD is needed. Water gravity flows from each spring to the plant via steel pipes. Overflow from all three springs collects in an overflow ditch to a pond north of the springs, as seen in the aerial and the photographs, in the licensing file.

The water processing and bottling is a complex process represented by the as-built schematic in the licensing file.

Mr. Johnson said that the main spring produces about 27 gpm [0.06 cfs], spring # 2 about 9 gpm [0.02 cfs], and spring no 3 produces at least 120 gpm [0.27 cfs], based on past measurements. This adds up to a diversion rate of at least 0.35 cfs. However, each of the springs is encased in a vault; the main spring is encased in a cylinder approximately 3 feet in diameter; spring # 2 is a rock encasement that is 4' x 4' x 4' with a lockable rock cover; and, the spring # 3 vault is 8' x 8' x 10' feet.

During the field exam on 10/11/13, I observed that the three springs flowed continuously. I saw the three pipes that Mr. Johnson states were right of the plat door, and that conveyed water from the springs to the plant. Two of the pipes were 3" in diameter and the third pipe was 3.5" in diameter. Based on the IDWR reference sheets *EXPECTED FLOWS FOR PIPE DIAMETERS*, the flow through the three pipes under low pressure calculates to 0.85 cfs, which is within 75% of the permitted amount. I recommend licensing the permitted 1 cfs.

Mr. Johnson provided a spreadsheet of annual volumes, collected by the totalizing measurement device, installed as required by Permit Condition No. 5. The condition only asked for 2 years of measurements. Mr. Johnson provided measurements from 1991 to 2006. Proof of beneficial use was due in 2000, but I used the measurements from 2006, which were greater. No expansion took place. Rather, it is reasonable, due to the sophistication of the processing, that this represents time to "work out the bugs" and get the plant running efficiently. The measurements were 104,700 gallons for operation and 3,984,000 gallons of packed good, for a total of 4,088,700, or 12.55 af per annum. I recommend 12.6 af be licensed.

There are no place of use overlaps in the warehouse/bottling plant. There are POD overlaps because the springs are used in the administration building for water right nos. 63-8206 [heating] 63-11051 [domestic], and 53-11053 [commercial use]. The systems are separate so no combined use condition is necessary.

The company meets Permit Condition no. 4. It has a 40 year contract with the federal Bureau of Reclamation.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

- | | |
|-------------------------|-----------------|
| 1) Permit amount | <u>1</u> cfs |
| 2) Beneficial use limit | <u>n/a</u> cfs |
| 3) System measurement | <u>0.85</u> cfs |
| 4) Proof fee amount | <u>1</u> cfs |

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	1.000 CFS	12.60 AF
	<u>Totals:</u>	1.000 CFS	12.60 AF

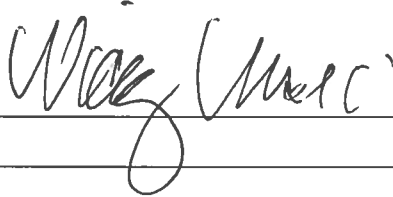
2. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name



Date

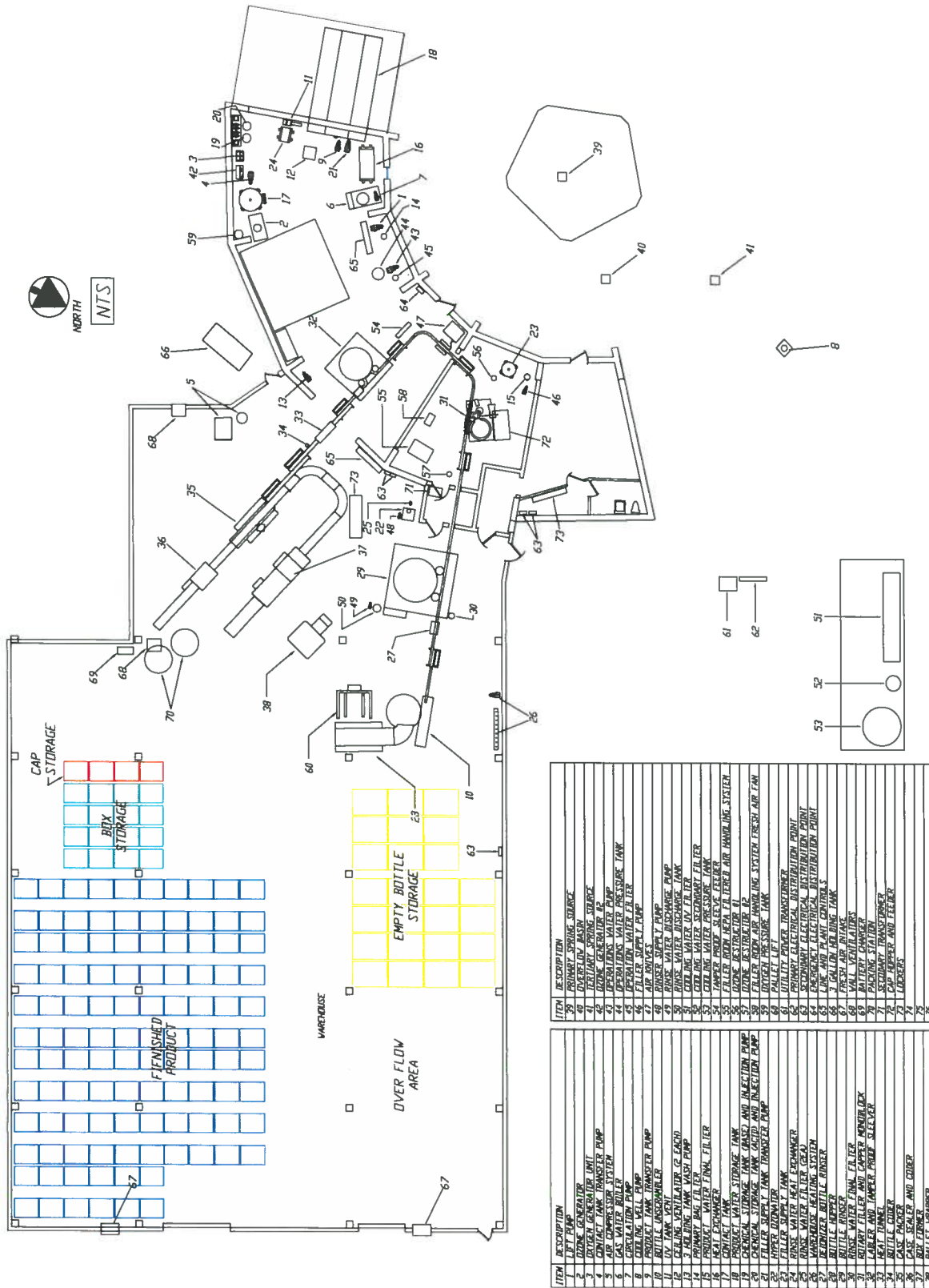
10-16-13

Reviewer

Date



63-11439-- 2011 BING PHOTOGRAPHY -- Trinity Springs Ltd. The springs that are the PODs are shown as green points. The POU is the bottling plant and warehouse, outlined in orange. The piping from the springs to the bottling plant are shown as white lines.



ITEM	DESCRIPTION	ITEM	DESCRIPTION
1	LEFT PUMP	39	PRIMARY SPRING SOURCE
2	DIAPHRAGM PUMP	40	OVERFLOW BASIN
3	DIAPHRAGM PUMP	41	HEATING WATER SOURCE
4	DIAPHRAGM PUMP	42	HEATING WATER SOURCE
5	AIR COMPRESSOR SYSTEM	43	OPERATORS WATER PRESSURE TANK
6	GAS WATER BULLER	44	OPERATORS WATER PRESSURE TANK
7	CIRCULATION PUMP	45	OPERATORS WATER PRESSURE TANK
8	PRODUCT TANK TRANSFER PUMP	46	OPERATORS WATER PRESSURE TANK
9	PRODUCT TANK TRANSFER PUMP	47	AIR ROLVES
10	BOTTLE UNDERMILLER	48	RINSE SUPPLY PUMP
11	WATER TANK VENT	49	RINSE WATER DISCHARGE PUMP
12	HEATING WATER TANK (3 LEAD)	50	RINSE WATER DISCHARGE PUMP
13	HEATING WATER TANK WASH PUMP	51	RINSE WATER DISCHARGE PUMP
14	PRODUCT WATER TANK	52	RINSE WATER DISCHARGE PUMP
15	PRODUCT WATER TANK	53	RINSE WATER DISCHARGE PUMP
16	PRODUCT WATER TANK	54	RINSE WATER DISCHARGE PUMP
17	PRODUCT WATER TANK	55	RINSE WATER DISCHARGE PUMP
18	PRODUCT WATER TANK	56	RINSE WATER DISCHARGE PUMP
19	PRODUCT WATER TANK	57	RINSE WATER DISCHARGE PUMP
20	PRODUCT WATER TANK	58	RINSE WATER DISCHARGE PUMP
21	PRODUCT WATER TANK	59	RINSE WATER DISCHARGE PUMP
22	PRODUCT WATER TANK	60	RINSE WATER DISCHARGE PUMP
23	PRODUCT WATER TANK	61	RINSE WATER DISCHARGE PUMP
24	PRODUCT WATER TANK	62	RINSE WATER DISCHARGE PUMP
25	PRODUCT WATER TANK	63	RINSE WATER DISCHARGE PUMP
26	PRODUCT WATER TANK	64	RINSE WATER DISCHARGE PUMP
27	PRODUCT WATER TANK	65	RINSE WATER DISCHARGE PUMP
28	PRODUCT WATER TANK	66	RINSE WATER DISCHARGE PUMP
29	PRODUCT WATER TANK	67	RINSE WATER DISCHARGE PUMP
30	PRODUCT WATER TANK	68	RINSE WATER DISCHARGE PUMP
31	PRODUCT WATER TANK	69	RINSE WATER DISCHARGE PUMP
32	PRODUCT WATER TANK	70	RINSE WATER DISCHARGE PUMP
33	PRODUCT WATER TANK	71	RINSE WATER DISCHARGE PUMP
34	PRODUCT WATER TANK	72	RINSE WATER DISCHARGE PUMP
35	PRODUCT WATER TANK	73	RINSE WATER DISCHARGE PUMP
36	PRODUCT WATER TANK	74	RINSE WATER DISCHARGE PUMP
37	PRODUCT WATER TANK	75	RINSE WATER DISCHARGE PUMP
38	PRODUCT WATER TANK	76	RINSE WATER DISCHARGE PUMP
39	PRODUCT WATER TANK	77	RINSE WATER DISCHARGE PUMP
40	PRODUCT WATER TANK	78	RINSE WATER DISCHARGE PUMP
41	PRODUCT WATER TANK	79	RINSE WATER DISCHARGE PUMP
42	PRODUCT WATER TANK	80	RINSE WATER DISCHARGE PUMP
43	PRODUCT WATER TANK	81	RINSE WATER DISCHARGE PUMP
44	PRODUCT WATER TANK	82	RINSE WATER DISCHARGE PUMP
45	PRODUCT WATER TANK	83	RINSE WATER DISCHARGE PUMP
46	PRODUCT WATER TANK	84	RINSE WATER DISCHARGE PUMP
47	PRODUCT WATER TANK	85	RINSE WATER DISCHARGE PUMP
48	PRODUCT WATER TANK	86	RINSE WATER DISCHARGE PUMP
49	PRODUCT WATER TANK	87	RINSE WATER DISCHARGE PUMP
50	PRODUCT WATER TANK	88	RINSE WATER DISCHARGE PUMP
51	PRODUCT WATER TANK	89	RINSE WATER DISCHARGE PUMP
52	PRODUCT WATER TANK	90	RINSE WATER DISCHARGE PUMP
53	PRODUCT WATER TANK	91	RINSE WATER DISCHARGE PUMP
54	PRODUCT WATER TANK	92	RINSE WATER DISCHARGE PUMP
55	PRODUCT WATER TANK	93	RINSE WATER DISCHARGE PUMP
56	PRODUCT WATER TANK	94	RINSE WATER DISCHARGE PUMP
57	PRODUCT WATER TANK	95	RINSE WATER DISCHARGE PUMP
58	PRODUCT WATER TANK	96	RINSE WATER DISCHARGE PUMP
59	PRODUCT WATER TANK	97	RINSE WATER DISCHARGE PUMP
60	PRODUCT WATER TANK	98	RINSE WATER DISCHARGE PUMP
61	PRODUCT WATER TANK	99	RINSE WATER DISCHARGE PUMP
62	PRODUCT WATER TANK	100	RINSE WATER DISCHARGE PUMP

Annual useage based on totalizing measurement devices .

	A	B	C	D	E	F	G
1							
2			operations		heating		packed
3	11-Jan-91		water total		water total		goods total
4			gallonage		gallonage		gallonage
5	1991		9600		1562400		10800
6							
7	1992		10800		1562400		14400
8							
9	1993		13100		1562400		18000
10							
11	1994		14200		1562400		21600
12							
13	1995		21300		210000		33400
14							
15	1996		22500		222000		37200
16							
17	1997		24300		222000		41500
18							
19	1998		32300		310300		81300
20							
21	1999		37450		312600		1588300
22							
23	2000		44300		303500		1890000
24							
25	2001		50100		357000		2480000
26							
27	2002		67200		370500		2893000
28							
29	2003		72200		312700		3102400
30							
31	2004		83400		334100		3402100
32							
33	2005		90100		346900		3751000
34							
35	2006		104700		354300		3984000
36							
37	2007		8750		333490		12000
38							
39	20008		7600		342800		11900
40							
41	2009		8730		311550		12200
42							
43	2010		7650		343400		13600
44							

	A	B	C	D	E	F	G
45	2011		9050		310500		12800
46							
47	2012		9640		298700		13400

Music, Vicky

From: Music, Vicky
Sent: Tuesday, October 08, 2013 2:10 PM
To: 'Mark Johnson'
Subject: RE: FW: 63-11439 Trinity Springs permit

Are the flow rates of 27 gpm from the main spring and the 9 gpm at #2 based on measurements? The permit was issued for 1 cfs but adding the quantities you gave me adds up to about 0.35 cfs. I presume that the main spring water pools within the vault and fills the 3.5 inch pipe, is that correct? What about spring # 2" - is the rock cover just a cover, or is it a vault of sorts that allows the spring to pool somewhat within it ?

Thanks.

Vicky M

From: Mark Johnson [<mailto:waterfromgranite@gmail.com>]
Sent: Tuesday, October 08, 2013 2:03 PM
To: Music, Vicky
Subject: Re: FW: 63-11439 Trinity Springs permit

The Company has a forty year water service contract with the federal bureau of Reclamation.

On 10/8/2013 1:42 PM, Music, Vicky wrote:

Regarding the mitigation permit condition #4

"Water may be diverted under this right only [a] during periods of when Lucky Peak Reservoir is spilling flood flows, or [b] as an exchange when an equivalent amount is provided by other sources, such as storage water."

How does the company meet [b]? Does it have a storage contract with the Dept of Rec? or is there another source the company uses to mitigate this consumptive use?

Thanks

Vicky M

From: Mark Johnson [<mailto:waterfromgranite@gmail.com>]
Sent: Tuesday, October 08, 2013 11:01 AM
To: Music, Vicky
Subject: Re: FW: 63-11439 Trinity Springs permit

Yes it has been tested many times over the years - always the same - 138 F

On 10/8/2013 10:39 AM, Music, Vicky wrote:

Mark – has the temperature of the hot water been tested, if so, what was it?
Thanks again.

Music, Vicky

From: Mark Johnson [waterfromgranite@gmail.com]
Sent: Monday, October 07, 2013 4:59 PM
To: Music, Vicky
Subject: Re: FW: 63-11439 Trinity Springs permit

Vicky,

my replies are in your text below.

On 10/7/2013 3:06 PM, Music, Vicky wrote:

Mark –

All uses in the administrative building are covered under other rights, so the information I need are the springs that are used in the bottling plant only. I have a few more question for clarity:

1 –When was the bottling plant constructed? Springhouse and adjacent bottling building were completed in fall 1985. Warehouse attached was added in 1997.

2 - is it correct that the water that is bottled comes only from the spring in the springhouse, that flows to the bottling plant through a 3.5" pipe That is correct Or is the water pumped directly from the spring with the 12 and 20 hp pumps? Is the water diverted directly from the springs into the 30,000 gallon tanks? The water can be diverted directly to the storage silos. We have a good number of choices once the water enters the plant. For example, if we are in a cleaning sequence, which happens every production day, we may divert all the water to cleaning uses in the plant for the duration of the cleaning process. This takes usually less than an hour in the early morning before the first shift begins. We also divert a continus stream of water during production to rincing bottles with highly ozinated source water. We draw on storage to fill packed goods. These storage silos are filled at night, currently off shift and bottled the next day. Is this main spring a hot spring or cold water spring? Hot Springs.

3 – would you please mark the locations of the other springs that provide water for the bottling plant only, Currently we only draw water from the three hot springs we have been talking about. indicate whether it is hot or cold, and what it is used for either on the aerial or a copy of the as built you sent me and the approx locations of the piping and where it goes into the bottling plant? [I do see the location of the tertiary spring is noted on the as built].

4 – When the bottling plant was operating, what was the schedule: for instance – 8 hours a day, 6 days a week, no holidays, etc. At first 8 hr shifts, eventually we went to 10 hr shift. Work week was dependant on backlog; approximately 22 people were employed at the springs. How many people worked in the plant /day?

Thanks –

Vicky M

From: Mark Johnson [<mailto:waterfromgranite@gmail.com>]
Sent: Monday, October 07, 2013 12:45 PM
To: Music, Vicky
Subject: Re: FW: 63-11439 Trinity Springs permit

Vicky,

1. Building in front was used for administration. Spring water used for heating.
2. Though it hard to make out in the aerial photo, within the concave left edge of the main structure lies a separate building - the springhouse. This structure is 6 sided, constructed with a deep, large foundation of concrete laid on the bedrock granite. The building is constructed of double walled stone masonry and the roof is made of cedar covered with a rubber membrane and planted with local grasses.
3. There is one main spring with multiple emanations on the property. They are within about 45 feet of each other. The first spring developed is within the protected springhouse and flows at 27 gallons per minute.
4. There is 1 (one) 3 1/2 inch stainless pipe from the springhouse to the bottling plant. Pumps are 12 and 20 horsepower depending on what we are doing.
5. Just adjacent to the springhouse is a 9 gallon per minute and a third source just down the outflow that is at least 120 gallons per minute. We use the secondary and tertiary springs for operations and heating water. These two additional spring emanations are also covered, one with stone, the tertiary source is covered with stainless steal. Both have supply piping from the spring to the bottling plant and 12 - 20 hp motors on the impeller pumps.
6. The objects in the foreground of the aerial photo are two water storage tanks - each 30,000 gallons.

Anything else, please feel free to contact me.

Mark Johnson

786 328 1007

On 10/7/2013 10:34 AM, Music, Vicky wrote:

From: Music, Vicky
Sent: Monday, October 07, 2013 10:34 AM
To: Music, Vicky
Subject: RE: 63-11439 Trinity Springs permit

Mark ~

Attached is an aerial of the plant. Will you please answer questions on it? I need to know where and # of the springs, how they were developed, info regarding the equipment, such as the diameter and type of pipe that transports the water from the springs to the plant, and size of pump and motor if these are used.

You can either call me with the information, or email it back to me with the aerial, whatever is convenient for you.

Thank you.

Sincerely,

Vicky M

From: Music, Vicky
Sent: Monday, October 07, 2013 8:32 AM
To: 'Mark Johnson'
Subject: RE: 63-11439 Trinity Springs permit

Mark –

The attachments appear to be exactly what I needed. Thank you.
Sincerely,

Vicky M

From: Mark Johnson [<mailto:waterfromgranite@gmail.com>]
Sent: Friday, October 04, 2013 3:26 PM
To: Music, Vicky; Tony Ballard; William Foster; John Kurtz
Subject: Re: 63-11439 Trinity Springs permit

Dear Vicky,

Attached are two files:

1. As built internal schematics for the plant at Trinity Springs.
2. A spread sheet providing flow totals for various uses at the Companies property 1991 - 2012.

This email and attachments are in response to your letter dated August 5, 2013 requesting the above information.

Please let me know if you require anything else.

Regards,

Mark Johnson
Board of Directors,
Trinity Springs Ltd.

On 8/29/2013 2:34 PM, Music, Vicky wrote:

Mark –

In my letter to Tom Chandler, Hawley Troxell, dated August 5, 2013, I set a deadline of September 6, 2013, by which the information was to be submitted to verify the beneficial use developed per permit 63-11439.

Based on our conversation today, IDWR will extend the deadline by which Trinity Springs must provide the requested information to October 6, 2013.

Sincerely,

Vicky Music
Sr. Water Resource Agent
Western Region
208.334.2190

Please reply that you received this message.

Mark –

Attached is an aerial of the plant. Will you please answer questions on it? I need to know where and # of the springs, how they were developed, info regarding the equipment, such as the diameter and type of pipe that transports the water from the springs to the plant, and size of pump and motor if these are used.

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Vicky M

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Sincerely,

Vicky M

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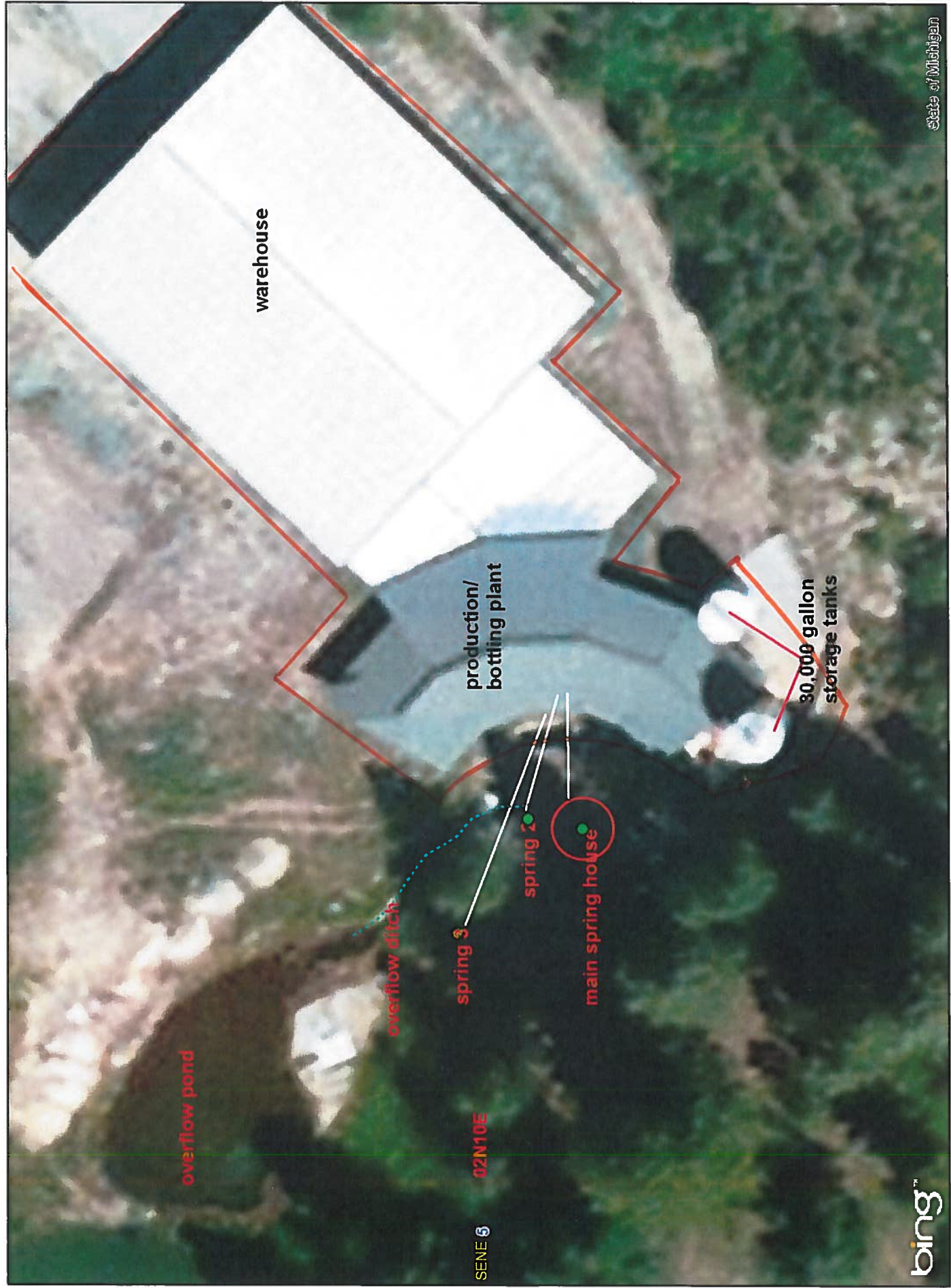
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Please let me know if you require anything else.

Regards,

Mark Johnson
Board of Directors,
Trinity Springs Ltd.



63-11439 -- 2011 BING PHOTOGRAPHY --, TRINITY SPRINGS. PODs are the three springs. Place of use is in the production/ bottling plant and the warehouse.



The rock springhouse for main spring seen left is located about 12 feet west of the red building, which is the bottling plant.



This sun dome is on top of the mail springhouse. Looking east at the bottling plant.



Interior of the main springhouse. Spring is top center.



Main spring.



Steel piping from spring to bottling plant.



The rock vault for spring #2, located adjacent to spring # 1 on the north. View is from the top of the main springhouse.



Another view of spring # 2. The overflow ditch, from the main spring, is seen left, It continues past spring # 2 to an overflow pond.



Looking south. The overflow ditch, springs # 1 and 2, and the bottling plant are seen in this view.



Spring # 3 is enclosed in a steel vault. There is an overflow ditch to the pond.



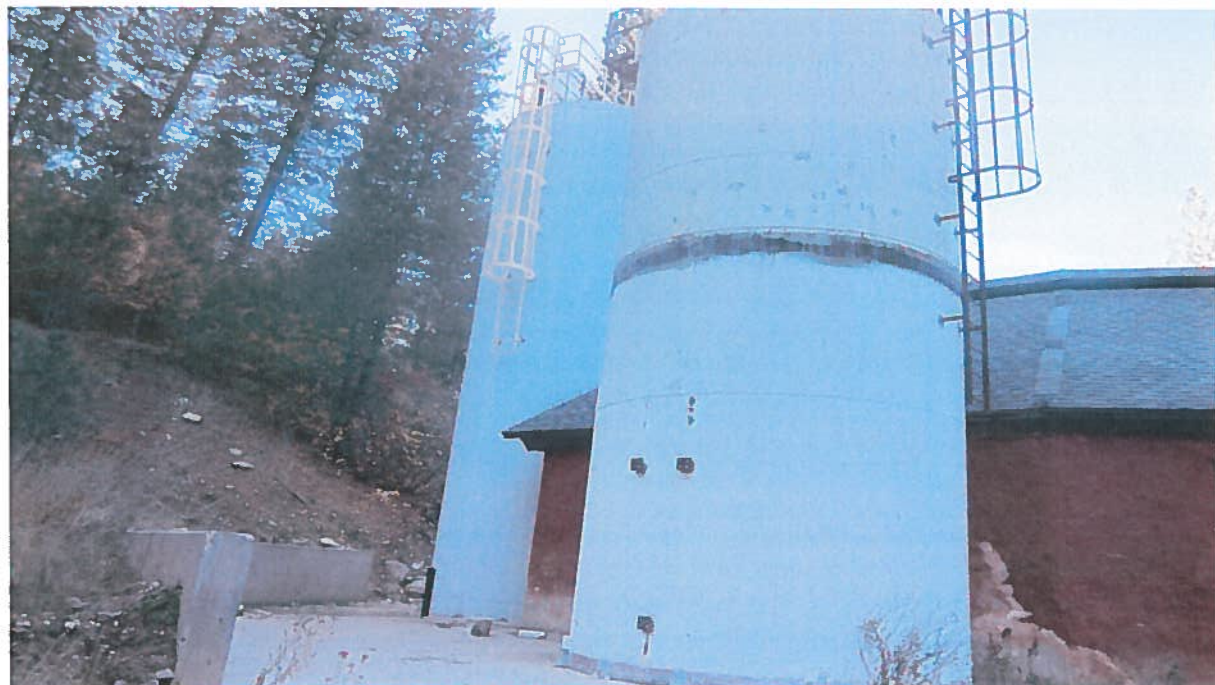
Looking northwest at spring # 3 and the overflow pond.



The overflow from spring # 3 into the pond.



From the area of the overflow pond, looking northeast at the bottling plant, with the attached warehouse in the left.



Two 30,000 gallon storage tanks on the south end of the bottling plant.



Piping from the springs to the bottling plant. Electrical box and conduit seen in the left of the picture, the three pipes from the three springs seen center.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

December 9, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

TRINITY SPRINGS LTD
AKA CRYSTAL PARADISE HOLDINGS INC
C/O HAWLEY TROXELL ENNIS & HAWLEY LLP
877 W MAIN STE 1000
BOISE ID 83702

RE: Permit No. 63-11439

Dear Permit Holders:

The Department of Water Resources sent you an Application for Amendment form on November 7, 2013, for the above referenced Permit. The amendment is required because the field examiner who verified the water use established, in connection with this permit, reported that one or more elements of your water use differs from the permit. As of this date the Department has not received a response.

If we do not receive the amendment and \$100.00 amendment fee within thirty (30) days, we will assume you are no longer interested in obtaining a water right license and the permit will be voided. In case the amendment form we sent you has been misplaced, a new form is enclosed for your convenience.

If you have any questions, please contact me as soon as possible at (208)334-2190.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

Enclosure: Amendment



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

November 7, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

TRINITY SPRINGS LTD
AKA CRYSTAL PARADISE HOLDINGS INC
C/O HAWLEY TROXELL ENNIS & HAWLEY LLP
877 W MAIN STE 1000
BOISE ID 83702

RE: Water Right Permit No. 63-11439

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Points of Diversion**
☒ **Place of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days. If you have any questions, please call me at (208)334-2190.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

Enclosure

Music, Vicky

From: Mark Johnson [waterfromgranite@gmail.com]
Sent: Thursday, August 29, 2013 2:36 PM
To: Music, Vicky
Subject: Re: 63-11439 Trinity Springs permit

On 8/29/2013 2:34 PM, Music, Vicky wrote:

Mark –

In my letter to Tom Chandler, Hawley Troxell, dated August 5, 2013, I set a deadline of September 6, 2013, by which the information was to be submitted to verify the beneficial use developed per permit 63-11439.

Based on our conversation today, IDWR will extend the deadline by which Trinity Springs must provide the requested information to October 6, 2013.

Sincerely,

Vicky Music
Sr. Water Resource Agent
Western Region
208.334.2190

Please reply that you received this message.

got it
thank you
MJ

Via phone call w/
Mark Johnson
(#3) 8' x 8' x 10' deep
concrete vault-

(#2) 4' x 4' x 4'
rock vault-



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 5, 2013

TRINITY SPRINGS LTD
C/O HAWLEY TROXELL ENNIS & HAWLEY
ATTN: THOMAS B CHANDLER
877 W MAIN ST, STE 1000
BOISE, ID 83702

Re Permit To Appropriate Water No. 63-11439

Dear Mr. Chandler:

The permit referenced above was issued for a water bottling commercial use from a spring. A field exam is required by Idaho law before a license can be issued, at which time it becomes a water right. The license is the end product needed for continued water use. However, I visited the facility earlier this year, and it is not operating.

To license the permitted use, the Department must have the following information to verify that the beneficial use was developed.

- 1 – An as-built schematic of the diversion, delivery system, and storage system with pump and motor specs and tank capacities; and,
- 2 – The measurements that were required by permit Condition No. 5. I have attached a copy of the permit for your convenience.

The requested information is due in writing by September 6, 2013. Failure to respond to this letter request may result in the permit being voided or a license issued for less than the permitted amount. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent

Enclosure: Permit To Appropriate Water No. 63-11439

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

Dem
MARK JOHNSON
TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM, ID



NIXIE 837 DE 1 00 04/28/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RC: 83705508235 *0495-01724-28-27

8304465582 8:



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED

APR 29 2013

WATER RESOURCES
WESTERN REGION

April 26, 2013

MARK JOHNSON
TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM, ID 83340

Re Permits To Appropriate Water No. 63-11439

Dear Mr. Johnson:

The permit referenced above was issued for a water bottling commercial use from a spring. This letter is to request that you call me to schedule the field exam for these permits. A field exam is required by Idaho law before a license can be issued, at which time it becomes a water right. The licenses are the end product needed for continued water use.

Please have ready for me an as-built schematic of the diversion, delivery system, and storage system with pump and motor specs, if applicable, tank capacities, and the measurements that were required by the permit.

I will be conducting exams in this area on Monday and Tuesday, May 13 and 14, 2013. Please call me at 208.334.2190, **by May 6, 2013**, to set an appointment for the exam. Failure to respond to this letter request may result in the permit being voided or a license issued for less than the permitted amount. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent