

September 8, 1998

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SEP 09 1998

WATER RESOURCES
WESTERN REGION

Twin Pine Water Users Assoc
Michael Ashby
10362 Martingale Dr
Boise, Idaho 83709

State of Idaho
Department of Water Resources
Western Region
Steve Lester, Water Rights Supervisor
2735 Airport Way
Boise, Idaho 83705-5082

RE: Permit #63-11334

Dear Mr. Lester:

In response to your letter dated July 21, 1998, I have enclosed the copy of the letter that was sent to all Lot Owners that are participating in the Twin Pine Water Users Association dated February 11, 1991. This letter requests each Lot Owner that had a line stubbed into their lot share in the expense of that line. In reviewing my correspondence file on Permit # 63-11334, even the original Proposed Development Papers, copy enclosed, states the lots that will be involved with the Twin Pine Water Users Association.

Lots 1, 2, 3, 4, 5, 6, 7, & 12 in the Twin Pine Subdivision are either using the water for in-house use at this time or the lot has been stubbed with the water line for hook-up when the property owner builds on the lot. Ray Brun and Gwinn Rice are on the system but do not use the water in-house; They have a line with ready access on their property also, and are included in the system.

Mr. Lester, I hope this will give you the proof needed to establish the fact that these lots were stubbed lines at the time of the filing of proof of beneficial use, in August, 1995.

Please let me know if we need to provide further documentaion.

Thank you for your interest in our dilemma. This has been difficult because of our lack of knowledge in the laws concerning water rights.

Sincerely,

Michael Ashby

Michael Ashby
Twin Pine Water Users Assoc

Encl: 3

for field exam 63-11334

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WATER RESOURCES
WESTERN REGION

February 11, 1991

Dear Twin Pines Water Project Participant:

As you are aware, during the summer of 1990 there were many activities which helped develop the Twin Pines project. Since my cabin is the first to be on this system, I would like you to know that it seemingly works quite well. Even during Christmas, when it was 37 degrees below zero up in Pine, the system continued to work quite well.

The large tank that is the holding tank up below the Franklin Mine was donated by Ray Brunn. This approximately 7500 gallon tank provides the backup water system. The system was evaluated for heavy metals and bacteria, and it has been shown to be very good spring water. From out of the tank runs a 1 1/4" high pressure line off which the lots (1, 2, 3, 4, 5, 6, 7, and 12) will be on the system.

In order to gain permission to use this in this way, we as an association have put up the expense and labor to put the system in. Brunn and Rice, who are below our property and have first primary rights in the water system, were to be given ready access and priority to it. Our usage on the system is for domestic use only and not for irrigation. Therefore, the cost of this system will be divided equally between the owners of lots 2, 3, 4, 5, 6, 7, and 12 (Ray Brunn is the owner of Lot 1). We chose not to have any more than ten people on the system because we would have to go to a whole different association and incorporation, etc.

In order to gain the rights and abilities to use this spring, we--the owners of those lots--agreed to meet any of the continuing expenses which should be negligible. If and when Ray Brunn ever sells Lot 1, that person, in order to remain on the water system, would come in and share upkeep on the system.

The following are the expenses that have so far been encumbered. There may be some minor charges later on this summer. This would be primarily to put in some possible pressure regulators along the line. We are probably going to see how things go before that is done.

Your costs, therefore, are 1/7 th of the total bill. In view of the fact that you will have a good source of consistent water available to you on your property, you will undoubtedly feel that this is a great opportunity for you. It is certainly less costly than putting in wells and pumps.

The total you are expected to pay now is \$478.

I will start a private checking account for these funds and pay them out to the appropriate people. Your response to the request of these monies in the very near future would be very much appreciated.

Sincerely,

Zane Nelson

Costs:

Pipe

7-1-90

370-

10-5-90

270-
+ 640-

Backhoe Expense

7-8-90

723-

8-1-90

180-

9-26-90

90-
+ 993-

Truck Expense on Tank -

10-5-90

120-

10-5-90

300-
+ 420-

Misc Fitting + Supplies -

197¹⁵

Bennis - 157¹⁵
NELSON 40-

WATER TESTING

125-

Equip. Rental

7-3-90

45-

10-5-90

308

Consultation and Labor -
Charles Wilson

425-

Total Costs
\$ 3337.85

Stream Clean For Tank
Preparation + Ties For
Platform

184⁷⁰

Individual
cost = by
7 Lots \$479.70-

Application For Water Permit 30-

SEP 09 1998

WATER RESOURCES
WESTERN REGIONProposed Development of Water System Originated from the Old Franklin Mine

The spring source is at the opening of the Franklin Mine Shaft. The property belongs to Ray Brun. The access road to the spring source is on the property of Ray Brun and the present owners of Twin Pines.

The water from the spring has been cleared by the laboratory to be clear of bacteria, heavy metals and poisons. The old metal pipe of the system has been replaced by new poly pipe of a high pressure nature. It has been buried approximately four feet and extended down to Ray Bruns property and his manifold. Because of the necessity to relocate the pipe access and the rusted-corroded condition of the original pipe, the entire line was replaced.

The new poly line was connected to the original feeder box. This present feeder box has very little holding capacity (5-8 gallons).

Just across the road from the feeder box, located on Ray Bruns property, a spot was leveled to place the large holding tank which Ray Bruns owns and will contribute to the new proposed system. The tank is 10' by 12' in measurement and is therefore estimated to hold about 942 cubic feet or 7065 gallons.

It is proposed that the new holding tank be established and placed in the spot cleared for it. The new line will be connected to the new holding tank and the spring feed directly into it.

The original water rights of Quinn Rice and Ray Brun will not be hindered or thwarted in any way.

All the expenses of the new system will be met by the owners of those who presently own Lots 2, 3, 4, 5, 6, 7, and 12. No expense will be incurred by Mr. Rice and Mr. Brun. The water usage by the cabins will be limited to domestic usage and not irrigation. At those lots a reduced T has been made in the new pipe. The cabins would be connected as they are built. Hooking up of any cabins will be discontinued if the demand on the system is not adequate. That is, if Mr. Rice, Mr. Brun or any of the cabin owners feel the system is being depleted, no more cabins will be connected to the proposed system.

The number of people using the system will always be ten or less; thus a water association or corporation will not be necessary.

It is speculated that the new system will provide more efficiency and water usage than before. The services of Charles Wilson, an expert in such systems, has been already utilized and he will continue to oversee the projects conclusion.

Any expenses incurred for the maintaining, cleaning and tests for water quality will be met by those living in Twin Pines and connected to the system.

If this proposed agreement is acceptable please sign and date

Date

Ray Brun

Quinn Rice

For Twin Pine Owners of Lots 2, 3, 4, 5, 6, 7, 12

Date

Burdett Bernhardt

Zane Nelson

Michael Ashby

- 2 -

2N
76E
5.31

Lot 1 • Brun
Lot 2 • Jeppson
Lot 3 • Titmus
Lot 4 • Ashby
Lot 5 • Hayhurst
Lot 6 • - Lot 12 Hayhurst
Lot 7 • Nelson
Kelson

Storage Tank

Not 5348
A UNIDENTIFIED
SCREENED by
SA [redacted]

Spring just
Above 4x
Road

Strong tank
just below
4x Rachel

main reduced
to 1" for
homes BOI

RRW

- Ashby

Nelson

Boat Ramp 7" main

63-11334

~~139114~~