From: Gehlert, David (ENRD) [David.Gehlert@usdoj.gov]
Sent: Monday, July 13, 2009 10:47 AM
To: Stanish, David; Marshall, Aaron
Cc: Van Bussum, Monica; Spencer, Nick
Subject: RE: 63-09890 - Status of VA Medical Center Geothermal Water Right License
David, You are correct. My management in DC has the approval package and I'm waiting to hear that it's been approved. Dave

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From: Stanish, David [mailto:david.stanish@ag.idaho.gov]
Sent: Monday, July 13, 2009 10:36 AM
To: Marshall, Aaron
Cc: Van Bussum, Monica; Spencer, Nicholas; Gehlert, David (ENRD)
Subject: 63-09890 - Status of VA Medical Center Geothermal Water Right License

This communication and its attachments are confidential and/or privileged. If you have received this communication in error, please immediately read the "NOTICE" appended below.

Aaron:

If I remember correctly, one of the reasons why were were holding back on the license was because we wanted to wait for the related SRBA settlement agreement to be finalized. My understanding is that the settlement agreement has been sent up the Dept. of Justice chain-of-command for final approval. Once we hear back from them, we should be able to move forward with the license. I expect a response no later than August 21, 2009.

David Gehlert, is my understanding correct?

Sincerely,

David I. Stanish
Deputy Attorney General

Natural Resources Division
Office of Attorney General
700 West State Street
Joe R. Williams Building, Second Floor
P.O. Box 83720
Boise, Idaho 83720

Phone: (208) 334-4549
Facsimile: (208) 854-8072
Email: david.stanish@ag.idaho.gov

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-----Original Message-----
From: Marshall, Aaron [mailto:Aaron.Marshall@idwr.idaho.gov]
Sent: Monday, July 13, 2009 7:44 AM
To: Stanish, David

Cc: Van Bussum, Monica; Spencer, Nicholas
Subject: VA Medical Center Geothermal Water Right 63-9890

David,

IDWR adjudication staff requested an update from me regarding the licensing of water right 63-9890 for heating at the VA Medical Center. The issuance of a license has been on hold pending the agreement referenced in proposed condition #3 below. Has there been any recent progress towards finalizing the agreement?
Thanks,
Aaron Marshall
Senior Water Resource Agent
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4943
aaron.marshall@idwr.idaho.gov

From: Van Bussum, Monica
Sent: Friday, July 10, 2009 1:37 PM
To: Marshall, Aaron; Spencer, Nick
Subject: RE: Spring 2009 Late Claim DR Deadline

Hi Aaron,

Do you have an update on this one? Thanks!

Monica

From: Marshall, Aaron
Sent: Tuesday, May 05, 2009 8:24 AM
To: Van Bussum, Monica; Spencer, Nick
Subject: RE: Spring 2009 Late Claim DR Deadline

Hi Monica,

Below are the conditions expected to be imposed on the license for 63-9890 when issued. However, the parties involved still have not signed the pending agreement that is referenced in condition no. 3. I'm not sure when we can expect the agreement to be signed. As soon as it is signed and I receive a copy for the water right file, I'll take the license to Jeff Peppersack for approval. Hopefully soon.

Aaron

1. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.
2. Heating use is for the space heating of buildings.
3. Upon specific notification by the Department, the right holder shall (a) install and maintain acceptable measuring device(s), including data logger(s), temperature gauge(s), and totalizing fluid meter(s), at the authorized point(s) of diversion and reinjection in accordance with Department specifications; (b) report measuring information to the Department upon its request; and (c) contribute a reasonable pro-rata share of costs for periodic updating of the Idaho Water Resources Research Institute, University of Idaho, Boise Front Low Temperature Geothermal Resource Management Area aquifer computer model or its successor. This condition will not be construed to obligate the expenditure of funds by any public agency beyond the amounts available to the agency for such purposes through lawful authorization and appropriation. Part (c) is a condition in an agreement between the right holder and other Boise Front low temperature geothermal water users -- the State of Idaho, City of Boise, Boise Warm Springs Water District, and Terteling Co., Inc. -- dated **[insert date]**, recorded as **Instrument No. xxxx** in Ada County, State of Idaho, to which the Idaho Department of Water Resources is not a party and which may be

enforceable by a court of law. The Idaho Department of Water Resources will not determine or enforce the provisions of part(c) of this condition.

4. All water diverted pursuant to this water right is to be reinjected into the geothermal aquifer from which it is diverted.

From: Van Bussum, Monica
Sent: Monday, May 04, 2009 1:51 PM
To: Spencer, Nick; Marshall, Aaron
Subject: FW: Spring 2009 Late Claim DR Deadline

Hi Nick and Aaron,

I'd like to put 63-9890 in this next report. Have we made progress on 63-9890 condition language? Thanks!

Monica

From: Saxton, Craig
Sent: Friday, May 01, 2009 3:01 PM
To: Fritschle, Carter; Shaff, Don; Van Bussum, Monica; Carlsen, Ernie; Shurte, Jan; Jones, Doug; Smith, Danni; Holliday, Michael; Christensen, Kelly; Baxter, Garrick; Sherman, Sally; Music, Vicky; Bromley, Chris; Spencer, Nick; Williams, Ray; Ridgeway, Renea; Kelly, Vicki; Clelland, Steve
Subject: Spring 2009 Late Claim DR Deadline

Hey Everyone,

Just wanted to remind you that if you want something to be included in the Spring 2009 Late Claim DR, please have the recommendation completed by Wednesday May 27th.

I am attaching two spreadsheets. One shows that recommendations that are ready to be reported, and the other shows active late claims waiting to be recommended. These are also available on \\A006\srba\Late Claims\Spring 2009 Late Claim DR

Let me know if you have questions/concerns.

Thanks,

Craig

Hey Everyone,

It's that time of year again. Please have any recommendation that you want included in the Spring 2008 Late Claim DR completed by **Wednesday May 27th**.

If there is a water right that absolutely has to be in the next report, please let me or Monica know or add it to the spreadsheet ***Rec must be in Spring 2009 report.xls*** The file is located at: <\\A006\srba\Late Claims\Spring 2009 Late Claim DR>

A updated spreadsheet will be sent out later.

Thanks,
Craig