

Hydro Logic, Inc.

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August 18, 2008

Mr. Steve Lester
Water Rights Supervisor
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

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WATER RESOURCES
WESTERN REGION

Subject: Request For Expedited Processing of City of Kuna Transfer Application

Dear Steve:

I write to describe an emergent situation that has arisen with the City of Kuna (City or Kuna) municipal supply Well #4. Owing to the recently implemented USEPA Arsenic Rule (2006), repeated sampling of the ground water produced from Kuna City Well #4 has been determined to carry elevated concentrations of dissolved arsenic that exceed the new Maximum Contaminant Level (MCL) of 0.01 mg/L. As a result, the City has entered into a Consent Order with the IDEQ to address the water quality exceedance by construction of a water treatment plant or other means that resolves the agency's health concerns for the customers of the municipal water supply system.

Because the cost of water treatment is elevated (\$M) if not prohibitive at this time, the City asked Hydro Logic, Inc. (HLI) to evaluate for other less expensive solutions to the problem. HLI initiated the drilling, development, construction, and sampling of a multi-level test well at the existing Well #4 site. We determined the ground water residing in an overlying aquifer to be relatively arsenic-free. Because of the shallow depth of the aquifer, though, and the associated decreased available drawdown in a well that would be completed in the shallow aquifer, we estimate that only about 50% of the productive capacity of the existing Well #4 could be replaced by a new well and, certainly, the fire protection quantity of the Well #4 ground water source could not be replicated by a new shallow well on the site.

The ground water geochemistry of the shallower aquifer is such that ground water from the new (proposed) well could be mixed with the ground water from the existing Well #4 to produce a blended ground water with arsenic concentrations below the MCL. In this scenario, Kuna would need to drill and construct a new supply well on the existing Well #4 site. For water right purposes, the City would need to add a point of diversion to water rights Nos. 63-11970, 63-08215, and 63-03266 through a transfer application. To that end, and under cover of this letter, I transmit a completed transfer application signed by the City to add a point of diversion (Well #4-B) at the existing Kuna Well #4 site.

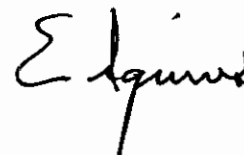
The City understands that it cannot increase the amount of its water diversion as a result of the proposed transfer. Kuna also understands the need for IDWR to place conditions on the water right to that effect and is amenable to any proposed language the Department feels is appropriate.

Owing to the implications to public health, and the current backlog of transfer applications from the SRBA, the City respectfully requests that IDWR consider this transfer for expedited processing.

Thank you for your consideration of this request. I stand available to answer for any questions you may have or to supply any additional information IDWR deems necessary.

Sincerely,

Ed Squires



c: Gordon N. Law, P.E., City of Kuna