

attn: Dennis Dunn



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

900 North Skyline Dr., Suite B • Idaho Falls, Idaho 83402-1718 • (208) 528-2650

Dirk Kempthorne, Governor
Toni Hardesty, Director

February 25, 2005

Bonneville Planning & Zoning Department
Attn: Rick Dunn
605 N Capital Ave
Idaho Falls, ID 83402
Fax #: (208) 529 - 1330

RE: Timberline Estates Block 4, Lot #8 Drinking Water Service From Fairview Estates.

Dear Mr. Dunn,

On February 23, 2005 this office received a request from Mr. Travis McLing, owner of Lot #8 of Block 4 in the Timberline Estates Subdivision, asking for our permission to connect to the Timberline Estates Drinking Water Distribution System. On August 6, 2003, this office received, reviewed, and approved plans, specifications, and necessary checklists for the Timberline Estates Subdivision Drinking Water Distribution and Sanitary Sewer Collection Systems. With our conditional approval, developers must follow **IDAPA 58.01.08.551.03.**

Connection To An Existing System. *If the proposed project is to be connected to an existing public water system, a letter from the purveyor must be submitted to the Department of Environmental Quality stating they will be able to provide services to the proposed project.* On July 28, 2003 this office received a Will-Serve letter from Russ Donahoo, Fairview Estates Operations Manager, stating the Fairview Estate Public Drinking Water System (PWS #: **7100201**) has the capacity to serve the Timberline Estates Subdivision. On August 6, 2003, this office received a Will-Serve letter from the City of Ucon – Public Works Department declaring the City of Ucon had adequate sanitary sewer collection capacity to serve the Timberline Estates Subdivision. With the receipt of the Will-Serve Letters, the Timberline Estates Subdivision achieved DEQ's 'Connection To An Existing System' requirement.

On March 16, 2004, this office received a copy of the Timberview, LLC (Timberline Estates Subdivision Developing Board) IDWR Drinking Water Right Application. The IDWR Water Right Application was for installation of an additional well to assist the Fairview Estates Public Drinking Water System, which was to provide drinking water service to the Timberline Estates Subdivision. However, on July 9, 2004 the Timberview, LLC Water Right Application was protested.

In October of 2004, IDWR had requested to the Bonneville County Planning & Zoning that only six (6) homes be allowed to connect to the Timberline Estates Public Drinking Water System until the water rights application was approved. During a February 24, 2005 site visit to the

IFRO

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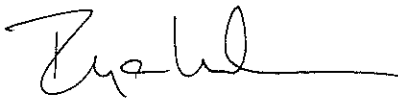


Timberline Estates Subdivision, it was documented that seven (7) homes are currently built and two (2) additional homes are under construction, making a total of nine (9) homes connected to the Timberline Estates Drinking Water Distribution System.

We, at the Department of Environmental Quality (DEQ) believe the Fairview Estates Public Drinking Water System has the capacity to serve the Timberline Estates Subdivision, but not the water right. When in actuality, the Timberline Estates Subdivision does not have the authority to serve **any** potable drinking water since their IDWR Water Rights Application is not yet approved.

If you have any questions in regard to this letter or if we can be of further service please contact this office at (208) 528 – 2650.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Urbanec', with a long horizontal flourish extending to the right.

Ryan Urbanec,
DEQ – IFRO

c: Travis McLing, 7327 N. 25th East, I.F., ID 83401;
Timberline Properties, LLC, Attn: George McDaniel;
James Johnston, Regional Administrator, DEQ – IFRO;
Greg Eager, PE, DEQ – IFRO;
Ryan Urbanec, DEQ – IFRO;
Kellye Eager, Director, D7HD;
DEQ File #: 03-24-10.