

To: PUC, Case No. TGW-W-04-1

Jan. 07, 2006

Subject: The residents of the Pioneer Neighborhood Subdivision wish to thank the PUC for all their assistance in dissolving the Terra Grande Water (TGW).

The following is a chronological list of problems that Pioneer Neighborhood residents have had to put up with TGW.

1. **4 Nov, 1959.** Dalice Chester and Barbara Chester (now Barbara Childs) husband and wife took over the water system calling it Terra Grande Water, from the undersigned Horlan's, INC of Boise on 4 Nov 1959. The trustees were Don H. Eagleson (president of Eagleson Real Estate), G. J Garnrdner (Trust Officer, First Security Bank of Idaho).
2. **July 1, 1971** the water system had become so fowled from lack of maintenance that the residence of the Neighborhood had hired an attorney and requested a meeting with:
 - a. Mr. Killingsworth,- Chief, Engineering, Ada Development Council.
 - b. Mr. Yoder - (?)
 - c. Mr. Scanland, - Attorney for Dalice Chester.
 - d. Mr. Sales, - Ada county P&Z Commission
 - e. Mr. Anderson, - Manager, Boise Water Corporation.
 - f. Mr. Merrick,- Attorney for neighborhood residents. He stated that the legal owners of the water corporation in question is the Trustee - First Security Bank. The property owners are the beneficiaries of the Trust - we are entitled to all rights, privileges and uses of the water. Mr. Chester's only responsibility is providing the water and keeping it up to par. Mr. Merrick stated that we have several possible solutions to the question of quantity and quality of water:
First: We Could sue Mr. Chester, as Manager, and First Security Bank as Trustee. Mr. Chester would probably disappear and the First Security Bank would petition the court to be absolved of the trusteeship and we would be right back where were we are now.
Second: We could connect up with Boise Water Corp., but that would be quite expensive.
Third: We could give Mr. Chester financial assistance to get all the wells in good operating condition and in finding another to drill a new well.

Mr. Merrick said his advice to us would be to form a committee of all those present and discuss with those not present that transpired at this meeting . Then to hold another meeting and discuss the question and possible solutions again. The group decided to form a committee and have a short meeting of the property owners present, all volunteered to serve on a committee.

(Attachment 2)

3. **July 16, 1971-** Beneficiaries of the TGW, Community Steering Committee, Water Problems

(Attachment 3 please read)

(Attachment 4 News paper release, reporters were better then)

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UTILITIES COMMISSION

In accordance with attachments 1,2, & 3. I understand that the First Security Bank is the trustee, but the property owners are the beneficiaries of the trust and are entitled to all rights, privileges and as uses of the water. TWG is only responsibility is providing the water and keeping the water's quantity, quality and safe for a monthly service payment from the property owners. These rules were from the 1960's not today.

4. 1972 until now ahs been a continual fight between TWG and the resident for service of the water and wells.

5. July 2004: Pioneer Neighborhood residents aggregated to construction, installation of improvements in the form of a sanitary sewer.

(a) From the first week of construction of the sewer line on Penninger Street it was obvious that TWG's water lines have never received any form of maintenance since they were installed. There were over twenty breaks in TWG's water lines during the construction of the sewer system; some of the water line was so bad that United Water had to be called in to explain how pipes so thin could be repaired. United water recommended a complete replacement of the pipe system.

(b) During this time TWG had to send out letters to residents that the water system had to be shut down for up to 4 hr. to repair their pipes. After repairing the pipe/pipes, TWG never flushed with chlorine to prevent Bio-contamination or to clear dirt of sand to prevent clogging of home owners plumbing fixtures and causing loss of efficiency of hot water tanks etc. Where was TWG's Quality and Safety? Where was DEQ/Depart of Water quality? Where was Idaho Department of Health? Who in Ada County or the State of Idaho was supposed to look at and support and protect the residents?

(Attachment 5)

6. Feb 19, 2004, PUC, Case No. UWI-W-04-2.

TGW want to sell the system to United Water for \$47,000

7. April 2, 2004 PUC, Case No. TGW-W-04-1

PUC, recommends a \$0.00 price. But TWG determined it was not in its best interest. So its Application was withdrawn.

8. June 8, 2004, PUC Commission issued Order No. 29512 in Case No TGW-W-04-1

. Issuing TWG a Certificate of Public Convenience and Necessity and **opening and investigation to establish: The neighborhood would like you to reopen and expand your investigation.**

(1) & (2) You can read your own case study.

Where was all the information that was sent in to the PUC and the testimony given to PUC personnel, and the PUC person that spoke to residents and observed only a trickle of water coming from kitchen facets, dirt in the water in toilets and bath tubs and from any hose in the neighborhood. A large number of the past problem including the above mentioned in the attachments. It was like some one in your staff had buried all the residents and your PUC investigator so the PUC Commissioners could not look at it to make the wrong decisions.

9. January 21 and January 24, 2005

The commission was notified by TGW that the DEQ that all three water supply wells of TGW were contaminated with Trichloroethylene (TCE).

DEQ took just two tests of the wells and left. Many of the residents have called DEQ and DWQ asking if they found where the contamination came from. To this date there have been no returned call to any of the residents of DEQ or DWQ.

The residents and my self began looking and found no wells in our area that are being tested have any contamination from TCE or any other chemical. We found a process, though expensive it that would remove TCE from a water supply. We also found there are no test wells in the aquifers below the large old gravel pit along interstate 80 between Cole and Orchard. We found other potential areas of concern but most of us believe that it may have been TGW that contained there own wells to prevent paying for putting in new water lines to meet state codes. An investigation would have found that mismanagement, lack of maintenance and reinvestment in there system would show they were only interested in the monthly money income and not the protection or safety of the resident they were receiving money for a service they were barely providing.

(Attachment #)

10. March 21, 2005. -The PUC established a schedule of payment:

After the hookup of United Water to TGW's system. TGW was to divide the cost from United Water equally and TGW receives a \$13.00 per month flat rate for administrative service.

The problem like always is TGW's in ability to service the water system.

(Attachments #&#)

These two attachments show that TGW can not follow its own instruction to the neighborhood residents. It states that if there is a problem with the water call before 12:00 on Friday or there will be no one to come by until the following Monday.

Don Bean 2109 Penninger called TGW at 10:30 am on Friday, July 22, 2005 to report they were unable to repair a leak because Mr. Bean was unable to turn TGW's water shutoff valve. Mr. Bean called TGW again at 11:30 am. He also called United Water and the PUC, leaving messages at each. TGW's son tried to shut off TGW's valve but was unsuccessful and said it would be Monday before he could get back.

I was notified and went down at about 4:00 o clock and took pictures called the PUC and spoke to Nancy. The water was flowing out of TGW's pipe that provided access to TGW's shut of valve. The water was flowing so fast that Mr. Bean had dug a hole next to the pipe and was using a pump to try and keep the water away from his home and into the street.

During the time from Friday until the repair on Monday afternoon water from a ¾ inch water line flowed under Mr. Beans home down the street and into the neighbor's yard. The total quantity of water could only be estimated if the water pressure was known. Then TGW divided the total amount of water used from United Water between the residents. This was done by TGW even though it was the problem of TGW's faulty shut off valve.

TGW back charged Mr. Bean \$150.00 for a back hoe and for fixing his pipe that was broken just past TGW's bad shut off valve. Mr. Bean was present when the back hoe operator asks TGW's son if he wanted to fix the valve while the hole was open. TGW's son said no.

I have more of these stories but I hope you're seeing what the neighborhood has had to tend with over the years from TGW. It was the PUC that told TGW to divide the amount of water used by United Water between the residents but TGW must have felt no matter how much water was lost from their valves it was the residents and not a responsibility of TGW to also pay for water wasted....

11. Dec. 21 2005, -

You know the rest. It's in your report. The residents have had a very difficult time with TGW since 1971 and are happy that the PUC has come to this decision. We appreciate all the hard work of Randy Robb has done on our behalf. We also appreciate all those that have helped the Commission in finalizing this decision.

12., Jan 7 2006, -

The residents of this subdivision would wish that the Commissions will complete a more through investigation of TGW and have the wells pumped again to verify the present or lack of TCE. We feel there may be more in keeping the wells out of the agreement, then just selling the water rights.

Hopefully the wells could be used to observe presents of contamination in the future by DEQ/DWQ.

DEQ/DWQ'S has failed to test TGW's wells again, or on any regular basis. Regular testing of TGW's wells would be an excellent way for the DEQ/DWQ to gain information and investigate many other chemical, biological and radiological contaminations (since no further chemicals will have to be added to the wells).

DEQ/DWQ could use the findings from these wells for a better understand of human contaminations of the water aquifers, thus protecting municipalities and other well owners.

No matter what is found in the wells, we the residents know the PUC has been working for the residents of the Pioneer Neighborhood and are working for the people of the State of Idaho.



Jim Storey.

President of the Pioneer Neighborhood Residents Association.

On behalf of all residents of the Pioneer Neighborhood.

Sub: Petition in the matter of the investigation of Terra Grande Water.

From: Owners and residents of Pioneer Subdivision.

We the property owners and residents being severed by the Terra Grande Water Co., agree with most of the findings of the PUC Commissioners, Case No. TWG-W-04-01.

Name (print)	Signature	Address	Property Owner /Renter
1. LANA D HALE	<i>Lana Hale</i>	1915 Pennington	X
2. LANA D HALE	<i>Lana Hale</i>	1903 Pennington	X
3. Kim Kostechka	<i>Kim Kostechka</i>	8000 Dorian St	X
4. Kim Stolorow	<i>Kim Stolorow</i>	8017 Dorian	X
5. Troy Price	<i>Troy Price</i>	8044 Dorson	X
6. Cheryl Klemm	<i>Cheryl Klemm</i>	8020 Dorian St.	X
7. William L. Heston	<i>William L. Heston</i>	1714 S. Ash Park Ln.	X
8. Tana Brown	<i>Tana Brown</i>	1735 S. Ash Park	X
9. PETER CROVOSTEK	<i>Peter Crovostek</i>	1737 SASH PARK	X
10. Cynthia Spencer	<i>Cynthia Spencer</i>	1819 S Ash Park	X
11. JIM PRUITT	<i>Jim Pruitt</i>	1623 ASH PARK	X
12. Kim Elam	<i>Kim Elam</i>	2013 ASH PARK	X
13. Steve Hughes	<i>Steve Hughes</i>	2021 S. Ash Park Ln	X
14. Bruce Holbert	<i>Bruce Holbert</i>	2031 S. Ash Park	X
15. Katie	CORN	2111 S. Ash Park	X
16. Frank	GRALIMY	8031 LEMHI	X
17. Chuck	<i>Chuck</i>	2164 S HILL	X
18. Pat	<i>Pat</i>	2023 Pennington	X

To: Idaho PUC. Commissioners, Case No. TWG-W-04-01.

Jan 08 2006

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Name (print)	Signature	Address	Property Owner /Renter	
19. Spence Edgerton	<i>Spence Edgerton</i>	2000 Penninger	✓	
20. H. Pettibone	<i>H. Pettibone</i>	2017 Penninger		✓
21. Terry Ansee	<i>Terry Ansee</i>	2016 Penninger	X	
22. Sam Daanish	<i>Sam Daanish</i>	2006 Penninger	X	
23. Dawn Jolley	<i>Dawn Jolley</i>	1946 Penninger	X	
24. Amy In - Amy Tsui	<i>Amy Tsui</i>	1922 Penninger	X	
25. Lily Miloslav Sahodac	<i>Miloslav Sahodac</i>	1918 Penninger Dr.	X	
26. Karen Adams	<i>Karen Adams</i>	1919 Penninger	X	
27. Kate Porter	<i>Kate Porter</i>	1906 Penninger Dr.	X	
28. Nicole W. Isaac	<i>Nicole W. Isaac</i>	1843 Penninger Dr.		✓
29. Louis Felice	<i>Louis Felice</i>	1866 Penninger	X	
30. Saker Thomas	<i>Saker Thomas</i>	1842 Penninger		X
31. Matt Wasson	<i>Matt Wasson</i>	1825 Penninger	X	
32. Eugene Schwab	<i>Eugene Schwab</i>	1816 1/2 Penninger Cir	✓	
33. Angeline Norman	<i>Angeline Norman</i>	1804 - S Penninger		✓

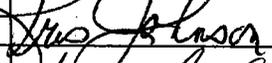
Sub: Petition in the matter of the investigation of Terra Grande Water.

Date: Jan 07 2006

From: Owners and residents of Pioneer Subdivision.

To: Idaho PUC. Commissioners, Case No. TWG-W-04-01.

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	Name (print)	Signature	Address	Property Owner /Renter
34	1. MIKE DENNIS		8110 LEMMI	<input checked="" type="checkbox"/>
35	2. KRIS JOHNSON		8108 Lemhi	<input checked="" type="checkbox"/>
36	3. Eugene Johnson		1816 S. Pennison	<input checked="" type="checkbox"/>
37	4. Tim Storey		1607 S. Ash Park	<input checked="" type="checkbox"/>
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817 WEST FRANKLIN STREET
BOISE, IDAHO 83702

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), receipt of which is hereby acknowledged, the undersigned, HORLAN'S BOISE, INC., an Idaho corporation, does hereby sell, transfer, assign and set over unto DALICE CHESTER and BARBARA CHESTER, husband and wife, all of its right, title and interest in and to that certain Trust Deed made and entered into on the 4th day of November, 1959, by and between Real Estate Sales Corporation, therein designated as Grantors, and the First Security Bank of Idaho, a National Association, therein designated as Trustee, a copy of which Trust Deed is attached hereto and by reference incorporated herein as if fully set forth hereat in haec verba, wherein said grantors did, for and in consideration of the undertakings therein set forth, provide and assure maintenance and operation of that certain water system as therein described and did therein grant and convey to said Trustee the following property:

All of its right, title and interest in and to the following described real property:

Commencing at the southeast corner of Lot 3 of Block 2 of Terre Grande Park No. 1 Subdivision as the same appears on the official plat of such Subdivision on file and of record in the office of the County Recorder of the County of Ada, State of Idaho, and running thence West along the southerly boundary of said Lot 3 a distance of 87 feet to a point, being the real point of beginning; running thence South 5 feet; thence West 16 feet; thence North 10 feet; thence East 16 feet; thence South 5 feet to the real point of beginning;

Commencing at the center of the intersection of Skillern Way and Penninger Circle Drive as such streets appear on the official plat of

817 WEST FRANKLIN STREET
BOISE, IDAHO 83702

1 Terra Grande Park No. 1 Subdivision on file
2 and of record in the office of the County
3 Recorder of the County of Ada, State of Idaho,
4 and running thence East a distance of 25 feet
5 to the east sideline of Skillern Way, being
6 the true place of beginning; thence running
7 North 6 feet; thence East 12 feet; thence
8 South 12 feet; thence West 12 feet; thence
9 North 6 feet to the point of beginning.

10 (b) The well or wells, plant, chemical treatment facilities,
11 storage and distribution facilities, including the water mains
12 and lateral lines, heretofore constructed or to be constructed,
13 including all easements incident to the ownership and operation
14 of said water system.

15 BY THESE PRESENTS, The undersigned Assignor does hereby
16 direct the said Trustee to recognize the Assignees hereinabove
17 named, to wit: Dalice Chester and Barbara Chester, husband and
18 wife, in the same place and stead as said Trustee has recognized
19 the Assignor hereinabove named, as if these presents had not
20 been made.

21 Dated this 1st day of October, 1969.

22 HORLAN'S BOISE, INC.

23 By Russell D Fereday
24 President

25 STATE OF IDAHO)
26 County of Ada) ss.

27 On this 2nd day of October, 1969, before me, the under-
28 signed, a Notary Public in and for said State, personally
appeared RUSSELL FEREDAY, President of Horlan's Boise, Inc.,
known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year first above written.

James E. Duda
Notary Public for Idaho
Residing at Boise, Idaho

Met. 3-15
467532
Book 40, Page 38

TRUST DEED

THIS TRUST INDENTURE, Made this 4th day of November, 1959, by and between REAL ESTATE SALES CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of Idaho, (hereinafter called "GRANTOR" or "PARTY OF THE FIRST PART"), and FIRST SECURITY BANK OF IDAHO, NATIONAL ASSOCIATION, TRUSTEE, a banking corporation duly chartered, organized and existing under and by virtue of the laws of the United States of America, (hereinafter called "TRUSTEE" or "PARTY OF THE SECOND PART"),

W I T N E S S E T H:

THAT, WHEREAS, grantor is now the owner of property known as Pioneer Park, located in or near the City of Boise, County of Ada, State of Idaho, which property is being improved and developed by the construction of dwellings thereon; and,

WHEREAS, grantor is the owner of certain property, (hereinafter more particularly described) upon which there is located a well or wells and a plant, together with distribution facilities (hereinafter referred to as "water system"), for the purposes of supplying water to all properties connected or to be connected to the said water system; and,

WHEREAS, the Federal Housing Administration will not accept for insurance, and the Veterans Administration will not guarantee or insure, mortgage loans covering the separate properties and improvements built or to be built thereon, without receiving assurances as to the continuous and satisfactory operation of the said water system; and,

WHEREAS, such improvement and development of the properties and the future financing and sale of the properties is contingent upon the insurance of said mortgage loans by the Federal Housing Administration or the guaranty or insurance of said mortgage loans by the Veterans Administration; and,

WHEREAS, it is the intention and purpose of the grantor that such water system shall be used and operated to provide an adequate supply of water for each of the properties connected thereto, regardless of the ownership of the individual properties, and properly to maintain an adequate water supply for domestic consumption for the occupants of said properties, and to assure the continuance of the operation and maintenance of such water system for the benefit of the present and future owners of the properties connected thereto, the mortgagees holding mortgages covering such property, and the Federal Housing Administration and Veterans Administration.

* NOW, THEREFORE, for and in consideration of the undertakings of the grantor to provide and assure the maintenance and operation of the water system as aforesaid and the further sum of One Dollar (\$1.00) lawful money of the United States cash in hand to grantor by Trustee, the receipt whereof is hereby acknowledged, the grantor does hereby grant and convey to the party of the second part, as Trustee, the following property, to wit:

* (a) All of its right, title and interest in and to the following described real property:

Commencing at the southeast corner of Lot 3 of Block 2 of Terra Grande Park No. 1 Subdivision as the same appears on the official plat of such

Subdivision on file and of record in the office of the County Recorder of the County of Ada, State of Idaho, and running thence west along the southerly boundary of said Lot 3 a distance of 87 feet to a point, being the real point of beginning; running thence south 5 feet, thence west 16 feet, thence north 10 feet, thence east 16 feet, thence south 5 feet to the real point of beginning;

Commencing at the center of the intersection of Skillern Way and Penninger Circle Drive as such streets appear on the official plat of Terra Grande Park No. 1 Subdivision on file and of record in the office of the County Recorder of the County of Ada, State of Idaho, and running thence east a distance of 25 feet to the east side-line of Skillern Way, being the true place of beginning; running thence north 6 feet, thence east 12 feet, thence south 12 feet, thence west 12 feet, thence north 6 feet to the point of beginning.

(b) The well or wells, plant, chemical treatment facilities, storage and distribution facilities, including the water mains and lateral lines, heretofore constructed or to be constructed, including all easements incident to the ownership and operation of said water system. *

Further, the grantor hereby warrants that there are no existing encumbrances, liens, or other indebtedness to the title of the water system conveyed hereunder other than the following:

Real estate mortgage from Real Estate Sales Corporation as mortgagor to Don H. Eagleson as mortgagee, dated November 1, 1959, securing the indebtedness in the principal amount of Eight Thousand Two Hundred Fifty-four and no/100 Dollars (\$8,254.00) together with interest thereon, evidenced by promissory note of even date therewith, recorded in the office of the County Recorder of the County of Ada, State of Idaho,

6 13

In Book _____ of Mortgages at page _____.

There is also Merchandise Purchase Conditional Sales Contract dated August 18, 1959, between H. J. Wood Co., Inc. as seller, and Real Estate Sales Corporation as buyer, whereby Real Estate Sales Corporation purchased certain personal property which became a part of the water system described herein, and by the terms of said contract the seller reserved title to such personal property in itself until payment of the full purchase price in the amount of \$4,746.00 is made to the seller by the buyer in monthly installments. Said contract has been assigned by the seller H. J. Wood Co., Inc. to First Security Bank of Idaho, National Association.

The grantor hereby warrants that the above said encumbrances, reservations of title, liens, or indebtedness have been subordinated to this conveyance and are subject to this trust deed.

This conveyance is upon the trusts and for the purposes following, to wit:

1. This grant is for the benefit of the present and future owners of all and each of the properties now or hereafter connected to the said water system, as well as the holders of the mortgages covering each of the said properties, and Trustee shall hold the title to the property granted by this indenture until either (a) the water system is taken over by either a Governmental authority or a public utility (regulated and controlled as to rates and services by a duly constituted public regulatory body or commission) for maintenance and operation, or (b) other adequate water service is provided either by a Governmental authority or public utility (regulated and controlled as to rates and services by a duly constituted public regulatory body or commission) through means other than the operation of water system and facilities now transferred to the Trustee herein. Upon the happening of either of such events at a time when the grantor is still operating and managing the water system in accordance with the terms and provisions hereof, the Trustee shall immediately reconvey the property to the grantor, its successor or assign, and this indenture shall be of no further effect.

2. The grantor shall supply at all times and under adequate pressure for the use of each of the properties duly

connected to the said water system, a sufficient quantity of water to meet the reasonable needs of each of the properties duly connected to said water system. Such water shall be of the quality and purity as shall meet the standards recommended by the "Public Health Service Drinking Water Standards," promulgated by the United States Public Health Service, Federal Security Agency, February 5, 1946, and the water shall be treated in the manner necessary to assure its being of the quality and purity recommended in the above mentioned Standards and also so as to produce water without excessive hardness, corrosive properties, or other objectionable characteristics making it unsafe or unsuitable for domestic use or harmful to any or all pipes within and/or without the dwellings. Records of any and all tests conducted in connection with said system shall be kept as permanent records by the grantor and said records shall be open to inspection by the State Board of Health of the State of Idaho and the owners of the properties connected to the said water system. The said Board of Health and/or its agents shall at all times have access to the plant of the grantor to conduct any and all tests as said Board shall consider necessary to determine compliance with the said Standards. In any event, the grantor shall have said analyses made at least quarterly and shall pay all costs in connection therewith. In the event said Board shall determine that the quality and purity of the water does not meet the said Standard, the grantor shall with reasonable dispatch at its sole costs make any adjustment, repair, installation or improvement that shall be necessary or recommended by said Board to bring the purity

of the water up to the said Standard.

3. The grantor shall maintain said water system at all times in good order and repair so that satisfactory service as aforesaid may be supplied to each of said properties as provided in paragraph 2 above.

4. Until the happening of one of the events set forth under paragraph numbered 1 above: Should grantor fail to operate and manage the water system, in the manner and under the conditions specified in paragraphs numbered 2 and 3 above and should grantor fail, after notice in writing from the Trustee, to correct such failure with reasonable dispatch, then Trustee shall have the right to immediate possession of the water system for the purpose of operating and maintaining the same, and the right to hold, use, operate, manage, and control the same either itself or by or through any of the agencies or parties for whose benefit this trust is created and it may take possession thereof for the purpose of operating the same, and in that event, the Trustee or the entity operating the water system in its behalf or in the behalf of any of the beneficiaries of this trust, shall be subrogated to all rights of the grantor to levy and collect a charge against each customer at rates not in excess of those specified in paragraph numbered 6 herein.

5. In the event the Trustee takes possession of the water system pursuant to the provisions of paragraph numbered 4 or paragraph numbered 6, the grantor shall have no further right, title or interest in or to the water system or other property

granted by this indenture and shall not be entitled to any portion of the proceeds resulting from any sale of such system or property; but the Trustee shall have the right to transfer such system to a Governmental authority upon such terms or conditions as may be approved by the Trustee and the owner or owners of a majority of the properties connected to the water system.

6. The grantor reserves the right to levy and collect a charge for water furnished and consumed by the occupants of each of the properties connected with said water system, in the amount of \$5.00 per month, with additional charges for summer irrigation water, based on lot area, as follows:

AREA	MONTHLY CHARGE	ANNUAL PERIOD
5,000 to 9,500 sq. ft.	No extra charge	May 15 to September 15
9,500 to 11,500 " "	\$ 3.00	" "
11,500 to 13,500 " "	4.50	" "
13,500 to 15,500 " "	6.00	" "

Service shall be charged on a pro-rata basis from the date the service is established at the request of the consumer to the date of discontinuance. The grantor shall have the right to install on each of the individual properties a water meter to be maintained by the grantor, through which all water supplied to the consumer or consumers shall pass and through which the grantor shall have access at reasonable times for the purpose of taking meter readings and keeping said meter in repair.

(a) It is agreed between the parties hereto that for the first year of operation of the water system the above rates shall be deemed reasonable.

(b) The grantor shall maintain accurate books relative to the water system. Such books shall be available for inspection by a person or persons designated in writing by the Trustee or designated in writing by not less than one-third of the beneficiaries of this Trust, provided, that the continuing right of inspection hereby created shall be exercised only at the place where such books are customarily maintained in Boise, Idaho; that such right of inspection shall be exercised during usual business hours, after reasonable notice and in such a manner as not to hamper unduly or interfere with the conduct of the grantor's business.

(c) Changes in rates may be proposed by the grantor and by the said beneficiaries. If within 90 days after notice to the Trustee and to the beneficiaries of a rate change proposed by the grantor not more than one-third of the beneficiaries of this Trust shall have signified in writing their opposition to such proposed rate change, the grantor may forthwith establish such new rates which shall be deemed reasonable pending the accumulation of experience to show such new rates to be unreasonable. If more than one-third of the beneficiaries signify in writing their opposition to a rate change proposed by the grantor, or if more than one-third of the beneficiaries propose in writing a rate change which the grantor opposes, and the parties cannot reach an agreement by negotiation within 30 days, then the matter shall be referred to a board of arbiters, who shall be designated as follows: The grantor shall designate an arbiter, the beneficiaries shall designate an arbiter and the two arbiters thus selected shall choose a

third arbiter. The decision of the board of arbiters as to the reasonableness of rates shall be final upon the parties hereto. All costs of arbitration shall be paid by the losing party or parties. The duly elected officers of a citizens' or property owners' association comprised of the beneficiaries, or the members of a committee duly appointed by such officers, shall prima facie represent more than one-third of the beneficiaries.

(d) Should the grantor charge rates for water service in excess of reasonable rates, as herein above defined, then the Trustee shall notify the grantor of such over-charge by registered mail. Should the grantor thereafter fail or refuse to establish and maintain fair and reasonable rates, as herein above defined, within the period of ninety (90) days, the Trustee shall have the right to immediate possession of the water system for the purpose of furnishing water service at fair and reasonable rates and the Trustee shall have the right to hold, use, operate, manage and control the water system, as set forth under paragraph numbered 4 above.

7. Notwithstanding any other provision of this trust deed, any creditor of record of the grantor shall have a reasonable period of time to correct any default hereunder prior to the taking over of the property by the Trustee.

8. If it should become necessary at any future time for the Trustee or any entity acting in its behalf or any beneficiary under this trust indenture, to take over, operate and manage the water system under the provisions of this trust,

then and in that event, the operator of such system shall be entitled to a Trustee's fee payable from the income of the water system at a rate not in excess of ten per cent (10%) of the gross charges collected by such Trustee, provided that such Trustee's fee may be increased with the approval of the owner or owners of seventy-five per cent (75%) of the properties connected to the said water system.

9. It is agreed that the trustee, at any time after execution of this instrument, may resign as said trustee, whether or not it has become necessary for said trustee or any entity acting in its behalf to take over, operate and manage the water system under the provisions of this trust. Such right of resignation, however, may be exercised only after an appropriate court, by petition thereto, has duly appointed a qualified successor trustee, and after such successor trustee has accepted the duties and responsibilities of trustee as such duties and responsibilities are set out herein.

IN TESTIMONY WHEREOF, Real Estate Sales Corporation, the grantor, has caused these presents to be executed in its behalf by Don H. Eagleson, its President, and its corporate seal to be hereunto affixed and attested by Pat T. Fitzgerald, its Secretary, and First Security Bank of Idaho, National Association, the Trustee herein named, has caused these presents to be executed by its Trust Officer, the day and year first hereinabove written. In entering into the agreement contained herein and executing this Trust Indenture, First Security Bank of Idaho, National Association, acts for itself as

14-13-1

Trustee and as representative of and by authority of all persons, firms, corporations, or entities which are or may be beneficiaries under the trust thereby created.

REAL ESTATE SALES CORPORATION

ATTEST:

/s/ Pat F. Fitzgerald
Pat T. Fitzgerald, Secretary

By/s/ Don H. Eagleson
Don H. Eagleson, President

GRANTOR

FIRST SECURITY BANK OF IDAHO,
National Association

By/s/ G. J. Gardner
G. J. Gardner, Trustee Officer

TRUSTEE

15-15

STATE OF IDAHO,)
) ss.
COUNTY OF ADA,)

On this 4th day of November, 1959, before me, the under-
signed, a Notary Public in and for said State, personally
appeared DON H. EAGLESON, known to me to be the president
of Real Estate Sales Corporation, the corporation that executed
the foregoing instrument, and acknowledged to me that such
corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first
above written.

/s/ Rebecca Woodworth
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO,)
) ss.
COUNTY OF ADA,)

On this 18th day of November, 1959, before me, the under-
signed, a Notary Public in and for said State, personally
appeared G. J. Gardner, known to me to be the Trust Officer
of First Security Bank of Idaho, National Association, that
executed the foregoing instrument as Trustee, and acknowledged
to me that such Bank, as such Trustee executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first
above written.

/s/ R. E. Severn
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, COUNTY OF ADA, ss.
I for record at the request of Howard M. ...
JS Min. P. 102nd P. This 26 day of January 1967
in Bk. 24 Pg. 294 CLARENCE A. PLANTING
13.50 Recorder By [Signature]
D. 12/15
Pay 20.27

15-15

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

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of Real Estate Sales Corporation, the corporation that executed
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corporation executed the same.

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my official seal, the day and year in this certificate first
above written.

/s/ Rebecca Woodworth
Notary Public for the State of Idaho,
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of First Security Bank of Idaho, National Association, that
executed the foregoing instrument as Trustee, and acknowledged
to me that such Bank, as such Trustee executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first
above written.

/s/ R. E. Severn
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, COUNTY OF ADA, ss.
I for record at the request of Howard Manweiler
55 Min. P. M. This 16 day of January, 1967
in Bk. 24 Pg. 274 by CLARENCE A. PLANTING
13.50 Recorder By [Signature]
D. 2027.

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriates the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant _____
post office address _____

2. Source of water supply _____ which is a tributary of _____

3. a. Location of point of diversion is _____ ¼ of _____ ¼ of Section _____ Township _____
Range _____ B.M. _____ County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

Received by _____ Date _____ Time _____

Preliminary check by _____ Fee \$ _____

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director

July 1, 1971

8:00 P. M.

Hospitality House - Intermountain Gas Company

Minutes of the First Meeting of Property Owners re: Terra Grande Water Company

The meeting was called to order by Mr. Leslie D. Killingsworth, Chief, Engineering, Ada Development Council. Mr. Killingsworth gave a brief statement on the problem with regard to the water company, then introduced Mr. Jerry Yoder, Idaho State Health Department.

Mr. Yoder stated that the water company has a history of problems. It was developed at a time (16 years ago) when standards for wells were not so high. Wells were drilled on 12 foot easements, close to septic tanks, etc. Also, when the wells were drilled and hooked up for use, the Health Department was not always notified of their location. A report submitted, according to Mr. Yoder, in 1968 indicated that at that time there was sufficient water and water pressure, but that with future building, more wells would "probably" be required.

Mr. Yoder stated that at least two samples of water per month should be submitted to the Health Department in order to keep the quality of the water up to proper standards. Also, in order to run a water system of this size, the wells should be inspected every day and flow meters should be used, with records kept on all wells.

Also, because of the size of the water mains, this subdivision has no fire hydrants. There must be at least a 6 inch water main existing to have a fire hydrant installed.

Mr. James Scanlan, attorney for Dalice Chester, was introduced, along with Mr. Chester.

Mr. Scanlan gave a brief history of the water system since Mr. Chester assumed managerial duties of it 22 months ago. He stated that on a regular schedule, from March, 1970, either 1 or 2 samples of water per month have been submitted to the Health Department and that there has been no indication of any irregularity in the quality of water.

Discussion was held on the merit of flow meters and if such were available. Mr. Chester stated that he has several in his garage but, if they are installed, there would be a sacrifice of 8% of the existing water pressure.

Mr. Chester said that the fourth well in this subdivision is now ready to be hooked up with the water system - just waiting on the decision of the Health Department with regard to water samples.

Mr. Chester stated that there is a three trailerhouse park just south of our subdivision which has a 20 or 22 inch well with a 30 hp turbine pump. If we were able to include these trailers in the subdivision and gain control of the well, it would vastly improve our water availability and pressure.

Mr. Larry Sales, Ada County Planning & Zoning Commission, was then introduced. He stated that the Ada County Commissioners have prohibited any further building in this subdivision until the water problem is settled. Also, the subdivision east of Ash Park Lane has been suspended until the Engineers determine that the water lines and pressure are sufficient. (He also stated that no new subdivision in our area could be added to our water system unless we had more water than we could use.)

Mr. Jack Anderson, Manager, Boise Water Corporation, was introduced. He discussed the possibility of hooking up our subdivision to the Boise City Water Corporations' system. According to his rough estimate, it would take a minimum of \$75,000.00 to hook up our system with the City water system. This would provide fire hydrants and more water for more building, but the cost per house - on the basis of the 107 houses presently built - would be roughly \$200 to \$250 each.

Mr. Gale Merrick of the law firm of Marcus & Marcus was introduced. Mr. Merrick stated that the legal owner of the water corporation in question is the Trustee - First Security Bank. The property owners are the beneficiaries of the Trust - we are entitled to all rights, privileges and uses of the water. Mr. Chester's only responsibility is providing the water and keeping it up to par.

Mr. Merrick stated that we have several possible solutions to this question of quantity and quality of water;

First: We could sue Mr. Chester, as Manager, and First Security Bank, as Trustee. Mr. Chester would probably disappear and First Security Bank would petition the Court to be absolved of the trusteeship and we would be right back where we are now.

Second: We could connect up with Boise Water Corporation, but that would be quite expensive.

Third: We could give Mr. Chester financial assistance to get all the wells in good operating condition and in finding another location to drill a new well.

Mr. Merrick said his advice to us would be to form a committee of those present and discuss with those not present what transpired at this meeting. Then to hold another meeting and discuss the question and possible solutions again.

The group decided to form a committee and have a short meeting.

Of the property owners present, the following named persons volunteered to serve on a committee:

Dennis Kauffman	375-1969
Phil Gardner	375-5124
Pat Chase	376-0698
Don Miller	375-0086
Henry Petri	376-0446
Olen Wright	376-0662
Jim Storey	376-0044
Wes Paul	375-2401

The committee had a brief meeting and decided to meet again on Wednesday evening, July 7, 1971, at 8:00 p. m.

Respectfully submitted,

Jean Wright

Jean Wright
1613 So. Ash Park Lane
Boise, Idaho

(Legal Secretary to Mr. Gale Merrick)

*Thanks for Lunch if
you can't find it we
ate it
Adria*

July 16, 1971

TO: Beneficiaries of the Terre Grande Water Company
FROM: Community Steering Committee
RE: Water Problems

The problem of water pressure in the subdivision should be solved in a matter of days, perhaps will have been solved by the time you receive this communication. The solution is a temporary one only, relying on the reactivation of the number one well which has not been in service for the past eight years.

While the reactivation of the well will solve the immediate problem and enable us to get through the summer season, a more permanent solution is desirable. There are several alternatives being investigated at the present time, among them the purchase of a lot on which a new well could be drilled. This fall Dalice Chester, manager of the water company, will close down the number one well again and enlarge it from the present six inches to fourteen inches. Since the heavy demand for irrigation water will be over, the water from the other three wells will be sufficient to maintain pressure while the enlargement is being done.

Until a permanent solution is reached, there are several things that residents of the subdivision can do to alleviate problems and to expedite solutions. As much as possible, do not water the street or water so long in one place that the water runs off and is wasted. Don't try to use more than one hose at a time; neither can do an adequate job then.

Most important, keep your water bill paid up. Refusal to pay or neglecting to do so hurts only the residents of the subdivision. Without money, improvements cannot be made on the water system. The community steering committee feels that Dalice Chester is sincerely trying to solve the problems with the water system, problems which he largely inherited and did not create. Your cooperation with him by paying your bills can only help to improve the water system.

The steering committee has been meeting regularly and is exploring every possible solution to our water problem. We will keep the residents of the subdivision informed of our findings. Before any final decisions are made, the residents will have the opportunity to discuss the issues and to vote. If anyone has a question or a suggestion, feel free to contact a member of the steering committee.

THE COMMUNITY STEERING COMMITTEE

Jim Storey, Chairman
Henry Petri
Don Miller
Wes Paul
Dennis Kauffman
Phil Gardner
Olen Wright
Pat Chase

1604	Penninger	Kenneth Walker	1887	Penninger	Irma Coombs
1608	"	Joy L. Montcalm	1888	"	Fred Clifford
1609	"	Dean Hymas	1903	"	Larry Chase
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1724	"	Larry L. Johns	2020	"	Mrs. Margaret Cross
1800	"	Donald Haines	2021	"	Loren Stem
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1804	"	Bruce Montgomery	2040 ^{25?}	"	Donald Whipple
1805	"	Richard Haylett	2109 ⁰¹	"	Max Wheeler
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23 Terrance

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 1943 " Donna Hair
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 " F. E. Keller Lot 33
 " Elmer Hansen Lot 32
 " Gladdis Rooker ^{27 27}

July 16, 1971

THE COMMUNITY STEERING COMMITTEE
Jim Storey, Chairman
1607 So. Ash Park Lane
Boise, Idaho 83705

First Security Bank of Idaho
Mr. Jim Hawkins, Trust Dept.
119 N. 9th Street
Boise, Idaho

Dear Sir:

As trustee of the Terre Grande Water Company, you are know
doubt aware of the existing water problem.

Enclosed is a letter distributed to all the homes within
the Terre Grande Water Company district, also one was sent to
Mr. Dalice Chester, Manager of the water company.

It is our purpose to let all parties involved know that we
are working toward a permanent solution to the water problem.
It is our sincere hope that by working together on the problem
a more expedient answer can be obtained.

Very truly yours,

THE COMMUNITY STEERING COMMITTEE

Jim Storey, Chairman

JS/vls

16 Jul 1971

Document #2

only four still live here 2005

Terra Grande's Water Troubles

Residents of the Terra Grande subdivision have a problem: an inadequate water system over which no one, including the Idaho Public Utilities Commission, has regulatory authority. Because the company is a trust it enjoys an unusual legal status.

One answer to their problem would be to connect to the Boise Water Corp. system. The cost is estimated as up to \$250 per home —about half for Boise Water and half to reimburse the owner of the existing system for his investment.

Ideally, all subdivisions in the Boise urban area should be connected to the Boise Water Corp. system as they are developed. Small systems are put in that are inadequate, with small pipe and a limited water supply. Or, they become inadequate as more homes are built — which is happening in the Terra Grande area.

The further subdivisions are built from

existing Boise Water wells, the higher the cost of reaching them with service. Apparently this is particularly true with small, scattered tracts:

If the city of Boise owned the water company, it could extend service on an orderly basis. As it is, the city has nothing to provide in the way of water service, and little to say about the way water service is delivered and extended. Neither does the county.

Building in the area should have been stopped before now, pending an improvement in the system or connection to Boise Water. The County Planning and Zoning Commission did impose a cutoff, but it apparently acted too late.

A neighborhood committee will seek a solution. The troubles of the Terra Grande area should make federal housing authorities and the county more aware of the hazards of allowing new construction in areas with limited water systems.

Jul. 1971

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 " Geo. Oakes Lot 28
 " Jen Lockyear Lot 35
 " F. E. Keller Lot 33
 " Elmer Hansen Lot 32
 " Gladdis Rooker 27 27

Issues concerning Water, Sewer, the Boise City Limits.

6-17-04

- ① The United Water did not give us all the information about what it cost a property the size the ones we have.
I spoke with property owners having lots the same size as ours and have United Water. Figure on getting a bill ever month for \$150.00 to \$180.00 (or \$300 to \$360 every two months) that's what their were charged to keep lawns, trees, flowers etc up to city code. If you wash your car or have a swimming pool expect to pay the higher plus. If you have a pipe break, forget to turn off the water for a weekend or worse case 7-day vacation. United Water will not be forgiving you still owe for the water. There are other Licensed Plumbers that would like to take our water system over. Any comments now from the Water board are two years behind our needs. And since the water board has not been involved before, "we don't need their involvement now
- ② Since the sewer construction was the cause of so many losses of water () for the subdivision, the constructors bond should be forfeited and a new water line put in place on Penninger . You may think it was the problem with the existing pipe but the condition of pipe was not the issue.
- ③ I think its is time for all owner to sign a petition to prevent annexing by the city of Boise.

Jim Storey
1607 S. Ash Park Lane



Terra Grande Water

P. O. Box 7112
Boise, ID 83704
Phone 208-322-2509

T G W C

February 19, 2004

JIM STOREY
1607 S ASH PARK
BOISE, ID 83709

RE: Sale of Terra Grande Water to United Water Idaho

Dear Customer:

After considerable negotiations, I have agreed to sell and United Water Idaho has agreed to purchase the Terra Grande Water system. Terra Grande Water has been supplying service to the residents in the Terra Grande Subdivision for nearly 50 years and as the owner, I now wish to retire from the water business. Due to the many changes in the business, I can no longer continue to serve the users on a part-time basis. The time and work involved in handling the requirements of testing, monitoring, billing, collections, keeping certified and responding to customer and government agency inquiries and complaints regarding service has created significant stress for me. I no longer desire to remain in the water business.

The proposed agreement will now be filed with the Idaho Public Utilities Commission for review and approval. It is possible that the Commission will hold a public hearing on this purchase agreement, but may not be required to do so. In any event, United Water Idaho and I plan to hold an informational meeting in order that you can be informed of the details, reasons and ramifications of the sale. More information about the date and location of this meeting will be forthcoming.

The water system is not new and I am not in a financial position to make the upgrades, handle repairs, respond to emergencies and provide the service that will be necessary in the future. To remain in business, I believe I would have to request a large rate increase for system repairs and investments that are needed.

United Water Idaho has been in the water supply business in Boise for over 100 years and the company is dedicated to providing quality water service to its customers. They have experienced personnel in engineering, operations, customer service, and system repair. They have trained and knowledgeable staff available during normal business hours and also have the ability to respond to emergencies 24 hours a day, seven days a week. United Water Idaho also has the expertise and financial capability to make any necessary system repairs and improvements.

I truly believe that the best interest of you the water customer will be served with this sale and change of management. I know you may have questions and it is our intent to keep customers fully informed. Please do not hesitate to call me at 322-2509 or plan on attending the informational meeting, which will be scheduled in the near future.

Sincerely,

Barbara Child, Owner
Terra Grande Water

3/2/04-

ALERT

ALERT

ALERT

March 2, 2004

Dear Customer,

Please be aware that during the next 10 days the water will have to be turned off in order to install a new main shut off valve. Please have extra drinking water and water for other uses available for this event.

Also during the duration of the sewer project on Penninger there is always a chance of an unexpected break in water service. Please keep extra water available for any of these emergencies.

We appreciate your cooperation.

Terra Grande Water

Terra Grande
P. O. Box 7112
Boise, ID 83707
Phone 208-322-2509
Emergency 381-5381

June 3, 2004

Dear Water Customer,

As most of you are aware I had attempted to sell Terra Grande Water to United Water of Idaho. That action was not successful and I am retaining ownership. I am now in the process of doing a major renovation to the water system. This includes but not limited to:

- An evaluation of the entire system by a civil engineer
- Water main replacement
- Installation of a new operating system on one well
- Installation of meter vaults and water meters
- Installation of additional water mains

With these improvements Terra Grande Water will be able to continue to provide the excellent water that we have provided for the past 50 years.

We have strived to keep the rates low and will continue to do so. However, these improvements, the new requirement for testing and the requirements to maintain a reserve to make additional alterations and repairs to the water system will force a significant increase in rates.

As we make these improvements there will times when there will be interruptions in service. Please continue to keep several jugs of water in your bathrooms for flushing the toilets and always keep water in your refrigerator for drinking and cooking. At this time one well is off-line as we install the new operating system. Please be observant of the odd/even system for using water outside of the house.

It has been a pleasure to provide you with your water and I will continue to provide you with great water at the lowest possible rate.

Sincerely,
Barbara Child



Terra Grande Water

P. O. Box 7112
Boise, ID 83707
Phone 208-322-2509

TGWC

March 8, 2004

JIM STOREY
1607 S ASH PARK
BOISE, ID 83709

Re: Information Meeting – Terra Grande Water

Dear Customer:

As you know I have entered into an agreement to sell the Terra Grande Water system to United Water Idaho. This letter is to inform you that, as promised, a customer information meeting has been scheduled. The meeting time and place are as follows:

Date: Thursday March 18, 2004

Time: 7:00 P.M.

Location: District Services Center
8169 West Victory Road
Boise, Idaho
(This is the School District Administration building on the south side of Victory between Cole and Maple Grove)

At this meeting you will have an opportunity to hear from United Water Idaho about the proposed transition and about the proposed changes and improvements they intend to make to the system. You will have an opportunity to ask questions as well.

Because this transaction requires the approval of the Idaho Public Utilities Commission (IPUC), there will be representatives from the Commission Staff in attendance also. The Commission will solicit comments from customers during this meeting.

United Water Idaho, the IPUC and I all encourage you to attend this information meeting so that your questions and concerns can be addressed.

If you have any questions, please do not hesitate to call me at 322-2509.

Very Truly Yours,

Barbara V. Child
Terra Grande Water

*CEO - Gregg Wyatt Idaho Water
Dennis Fucus (District
Patty Faus) Meter Repair
Linda Farga Customer Service*

RSZ

29/MAY/09

Terra Grande Water
P.O. Box 7112
Boise, ID 83707
322-2509
Emergency 381-3581

Important Notice

Dear Terra Grande Customer,

On Monday, May 24 we will begin replacing a portion of the main water line on Penninger.

While replacing this line there will be interruptions in service.

Interruptions to service will be between 8:00 a.m. and 5:00 p.m. on the days the repair is being made.

Please be advised to keep several gallons of water in your bathrooms for flushing the toilets. Also keep at least a gallon of water in your refrigerator for drinking or cooking. You can fill empty bottles you have from the tap to keep in the bathrooms for flushing the toilets.

Terra Grande Water

Terra Grande
P. O. Box 7112
Boise, ID 83707
Phone 208-322-2509
Emergency 381=5381

6/3/04
Extra Copy

June 3, 2004

Dear Water Customer,

As most of you are aware I had attempted to sell Terra Grande Water to United Water of Idaho. That action was not successful and I am retaining ownership. I am now in the process of doing a major renovation to the water system. This includes but not limited to:

- An evaluation of the entire system by a civil engineer
- Water main replacement
- Installation of a new operating system on one well
- Installation of meter vaults and water meters
- Installation of additional water mains

With these improvements Terra Grande Water will be able to continue to provide the excellent water that we have provided for the past 50 years.

We have strived to keep the rates low and will continue to do so. However, these improvements, the new requirement for testing and the requirements to maintain a reserve to make additional alterations and repairs to the water system will force a significant increase in rates.

As we make these improvements there will times when there will be interruptions in service. Please continue to keep several jugs of water in your bathrooms for flushing the toilets and always keep water in your refrigerator for drinking and cooking. At this time one well is off-line as we install the new operating system. Please be observant of the odd/even system for using water outside of the house.

It has been a pleasure to provide you with your water and I will continue to provide you with great water at the lowest possible rate.

Sincerely,
Barbara Child

2172/05
KTS
Notification

FOLLOW-UP INFORMATION ABOUT YOUR DRINKING WATER
Terra Grande Has Levels of Trichloroethylene (TCE)
Above Drinking Water Standards

Terra Grande notified you on January 21, 2005 regarding trichloroethylene found in the drinking water system. This is a follow-up notification regarding this issue.

What should I do?

- Continue to use an alternative water supply for drinking and cooking such as bottled water until notified.
- Avoid all other use if possible.
- If use is necessary, minimize time of exposure (bathing/showering)

What does this mean?

Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer. In addition, breathing small amounts may cause headaches, lung irritation, dizziness, poor coordination, and difficulty concentrating.

What happened? What is being done?

Test results we received on 1/18/2005 and verified on 1/21/2005 show that our system exceeds the standard, or maximum contaminant level (MCL), for Trichloroethylene (TCE). The standard for Trichloroethylene (TCE) is 0.005 mg/L. The most recent samples for Trichloroethylene (TCE) ranged from 0.069 mg/L to 0.096 mg/L.

- Residents were notified on 1/21/2005 and were provided with bottled water for the short-term.
- **We are currently working on a connection with United Water and are hopeful that construction on this connection could begin as soon as tomorrow, January 26.**
- **We are also hopeful that the connection could be completed as soon as the weekend of January 28-30, 2005. We will notify you by subsequent notice when you can use your water service.**

What are the current arrangements for bottled water?

- You can obtain bottled water for drinking/cooking at Wal-Mart at cost. Terra Grande will credit you on your billing at the rate of 2 liters per person per day.

We will keep you informed as information becomes available.

*This notice provided by Terra Grande.
For more information, please contact Barb Child at 322-2509*

TERRA GRANDE WATER

P. O. Box 7112

Boise, ID 83707

Phone 208-322-2509

Emergencies 208-381-5381

May 1, 2005
Account # 680

Jim Storey
1607 S ASH PARK
BOISE, ID 83709

3669.08

1607 S ASH PARK

Account #680

Balance Forward 14.29
Payment April Ck # 4467 \$14.29
Past Due Charges 0.00
May Customer Charge 13.00
May Commodity Charge 24.63

*First Copie
with no explanation
of cost.*

Refund from February and March Customer Charge (6.00)

Balance Due 31.63

There was some confusion at the IPUC in its instructions for billing of the customer charge for February and March. Enclosed it a letter from the IPUC to Terra Grande's attorney regarding this event. A total of \$6.00 is being refunded to you on this billing.

Tip of the month: Water early in the day for optimal absorption by your lawn. Mulch planting areas. Cut grass no shorter than 2.5 inches.

BALANCE DUE 31.63

Account is due 10 days after bill date
Please include the account number on your check
If you disagree with this balance please give us a call.

Terra Grande Water
PO Box 7112
Boise, ID 83707
Phone 208-322-2509

This is a summary of the rules for termination of service for all Terra Grande Water customers as determined by the Idaho Public Utilities Commission (IPUC). These rules cover the rights and responsibilities of the Customer and the Utility. An explanation of our rate schedule has also been included.

If you have any questions concerning this information please contact us or you can directly contact the IPUC, P.O. Box 83720, Boise, ID 83720-0074 or phone 334-0369

RULES FOR TERMINATION OF SERVICE

TERMINATION WITH PRIOR NOTICE

With proper customer notice Terra Grande Water may deny or termination water service for on of the following reasons:

1. Non-payment of a past due bill or payment of a past due bill with a NSF check.
2. Failure to honor the terms of a payment arrangement.
3. Obtaining service by false identity.
4. Refusing to allow access to the water meter or shut off valve.
5. Willfully wasting service through improper equipment or otherwise.

TERMINATION WITHOUT PRIOR NOTICE

Terra Grande Water may deny or terminate water service without notice for one of the following reasons:

1. A situation exists that is immediately dangerous to life, physical safety or property.
2. To prevent a violation of federal, state, or local safety or health codes.
3. Service is obtained, diverted or used without the authorization of Terra Grande Water.
4. Terra Grande Water has diligently attempted to notify you of termination and has been unable to contact you.
5. If ordered by any court, the Commission or any other duly authorized public authority.

NOTIFICATION AND BILLING

1. Bills will be sent out on the 1st of the month with payment due by the 15th day after the billing date.
2. A billing may be considered past due (15) twenty-five days after the billing date. A written notice of termination must be mailed at least (7) seven days before the proposed termination date.
3. At least (24) twenty-four hours before the service is terminated, a notice will be left at the property advising you of the steps needed to have services restores.
4. Only a (24) twenty-four hour notice is required if you do not keep payment arrangements or pay with a dishonored check.

PAYMENT ARRANGEMENTS AND SPECIAL CIRCUMSTANCES

If you cannot pay your billing in full or you receive a notice of termination, please call our office. **Payment arrangements can be made to avoid termination of services.**

If you cannot pay your bill and a member of your household is seriously ill or there is a medical emergency, Terra Grande Water will postpone termination of service for (30) thirty days. A written certification is required from a licensed physician or public health official stating the name of the person who is ill, the relationship to the customer, title, and signature of the person certifying the serious illness or medical emergency.

COMPLAINT PROCEDURES

If at any time you have a complaint concerning the termination of service, policies and practices or any other matter regarding our service please contact Terra Grande Water in person or by telephone or in writing. Your complaint will be investigated promptly and thoroughly. You will be notified orally or in writing. Your service will not be disconnected while the complaint is being investigated by the utility or the IPUC.

2/4/05

United Water
hook ups

FOLLOW-UP INFORMATION ABOUT YOUR DRINKING WATER
Terra Grande Has Levels of Trichloroethylene (TCE)
Above Drinking Water Standards

Terra Grande notified you on January 21, 2005 regarding trichloroethylene found in the drinking water system. This is a follow-up notification regarding this issue.

What should I do?

- Continue to use an alternative water supply for drinking and cooking until you do the following:

After 5:00 pm today (January 28, 2005) turn on a hot water faucet and run the water until the water runs cold (in a ventilated area if possible).

What was done to correct the problem?

- Terra Grande system has been connected to United Water of Idaho.
- The authorities will continue to investigate the source of the contamination.
- The main pipes were flushed and clean water is available.

What does this mean?

- Your water is safe to drink after you complete the above step to flush your hot water heater.
- United Water will be supplying safe water to the Terra Grande system. Terra Grande will purchase this water from United Water for resale to its customers. United Water routinely disinfects with chlorine to prevent microbial contamination. You may notice a faint odor for a few weeks as the system stabilizes.
- Terra Grande will credit you on your next bill at the cost of 2 liters of bottled water per person per day.

*This notice provided by Terra Grande.
For more information, please contact Barb Child at 322-2509*

322-5043
1935 Ash Park

Feb 11 Feb 05
02/11/05

IMPORTANT NOTICE FOR TERRA GRANDE WATER SYSTEM CUSTOMERS REGARDING RATE CHANGES

On February 9, 2005 Terra Grande filed an Application with the Idaho Public Utilities Commission ("IPUC") requesting to increase rates for water service provided to its customers. The proposed request is based on Terra Grande's recent connection to the United Water of Idaho, Inc. supply system to procure reliable and safe water service for its customers. This connection was completed on January 28, 2005, whereupon United Water began selling water to Terra Grande for resale to its customers. Because United Water's rates for water service are higher than the rates Terra Grande charges its customers the Company has requested that the IPUC authorize it to increase its rates.

In the interim Terra Grande has requested that the IPUC authorize the Company to continue to charge its customers its currently approved winter rates of \$16.00 per month. In addition, to these charges, the Company has requested that it be allowed to pass on the actual costs it incurs from procuring water supply from United Water for its customers.

Because the actual consumption of water from the United Water supply system has not been measured yet an illustration of Terra Grande's proposal is provided. Using United Water's average consumption per residential customer as stated in the Company's Tariff's of 208.75 ccf, and assuming the use of a 3" meter and a 65%/35% summer winter split estimated customer rates can be calculated using United Water's winter volume charge of \$.9825 and customer charge of 82.49 bi-monthly for one 3" meter. The resulting Terra Grande customer's portion of the United Water bill would be \$241.79 annually or \$40.30 bi-monthly. Adding Terra Grande's existing flat rate for water service in the winter would increase each customer's bill to \$72.30 for the winter months. This of course could be higher or lower based upon what the actual usage is recorded for each billing period. *bi monthly*

Terra Grande also wishes to notify its customers that water usage is now being measured by a 3" meter installed by United Water. Accordingly, all actual usage will be billed to Terra Grande and in turn the Company proposes to pass these costs on to its customers. Thus, the Company requests that its customers engage in any reasonable methods by which they can conserve the use of water. The Company believes that conservation efforts will help to reduce the impacts of any proposed rate increase.

This request to increase rates for water service is subject to public review and a decision by the IPUC. Copies of the filing are available at the Company's offices and the office of the IPUC. Please call the Company during business hours at 322-2509 to make arrangements to view the Notice at its office.

In addition to this request Terra Grande has also requested that the IPUC set just and reasonable rates to replace and/or adjust any interim rate that it may approve for the Company after the Company's operations are thoroughly analyzed.

2/25/05

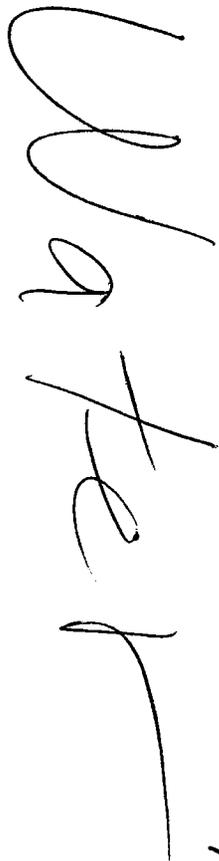
IDAHO PUBLIC UTILITIES COMMISSION

Case No. TGW-W-05-1, Order No. 29716

February 25, 2005

Contact: Gene Fadness (208) 334-0339

Website: www.puc.idaho.gov



Feb 25 05

Terra Grande seeks emergency relief

Boise – The Idaho Public Utilities Commission will take comments through March 4 on Terra Grande Water’s application for interim rate relief and further proceedings to establish a permanent rate.

Terra Grande Water, with about 117 residential customers in southwest Boise, notified customers of contamination problems from Trichloroethylene (TCE) on Jan. 21. The company advised customers to stop using the water for drinking and started supplying bottled water. One week later, on January 28, an emergency connection was made to United Water’s system. Terra Grande customers now receive water from that system. The state Department of Environmental Quality provided funds from the Idaho Hazardous Waste Emergency Response Fund to pay the cost of the emergency connection to the United Water system.

Terra Grande is seeking commission authorization to continue assessing its flat \$16 per month non-summer charge (\$26 during the summer) plus a surcharge that will cover the billing it receives from United Water. The company proposes to divide its United Water bill by the total number of Terra Grande customers and pass the pro rata expense on to each customer equally by adding a surcharge to the existing flat rate.

Further, Terra Grande is asking the commission to establish permanent rates that are just and reasonable for its customers on a going-forward basis.

The company is asking for immediate authorization to change its rates based on an emergency that it says was beyond its control and that has unexpectedly increased its expenses on short notice. It is asking that the case be processed by written comment rather than by public hearings.

The commission will proceed under a modified procedure that allows the case to be handled through written public comments. Those wishing to submit comments must do so by no later than March 4. Comments are accepted via e-mail by accessing the commission’s homepage at www.puc.idaho.gov and clicking on “Comments & Questions.” Fill in the case number (TGW-W-05-1) and enter your comments. Comments can also be mailed to P.O. Box 83720, Boise, ID 83720-0074 or faxed to (208) 334-3762.

A full text of the commission’s order, along with other documents related to this case, are available on the commission’s Web site at www.puc.idaho.gov. Click on “File Room” and then on “Water Cases” and scroll down to the above case number.

PUC
334 0329

April 5, 2005

To: Idaho Public Utilities Commissioners.

Subject: Letter of appreciation concerning Mr. Randy Lobb.

Commissioners:

I would like to express my appreciation for Mr. Randy Lobb attending our meeting on 3-29-05 from 7:00 p.m. until 8:15 p.m.. His professionalism was noted and appreciated by all present.

After being introduced, he projected a physical and then verbal air of relaxation, which put everyone at ease and was most knowledgeable concerning our water problems. His answers were up to date and even though some wanted more they understood he would give more information when it became available.

On behalf of everyone present and myself, we want you to know that Mr. Lobb is the example many other government agencies could use.

Pioneer Neighborhood Association.

Jim Storey, President

TERRA GRANDE WATER

P. O. Box 7112

Boise, ID 83707

Phone 208-322-2509

Emergencies 208-381-5381

April 10, 2005
Account # 680

Jim Storey
1607 S ASH PARK
BOISE, ID 83709

1607 S ASH PARK

Account #680

Balance Forward	16.00
Payment March Ck XXXXXX	\$16.00
Past Due Charges	0.00
April Customer Charge	13.00
April Commodity Charge	6.29

Water Credit (5.00)

Balance Due \$14.29

Customers' April 2005 bill contain commodity charges for water consumed between January 28, 2005 and February 14, 2005 and the monthly customer charge of \$13.00 per authority from Commission Order No 29735.

Tip of the month: Use the dishwasher only when it is full. A dishwasher used about 25 gallons for each load. Remember water is a precious commodity.

BALANCE DUE \$14.29

Account is due 10 days after bill date
Please include the account number on your check
If you disagree with this balance please give us a call.

3/4/05

Subj: **Your Comments & Request for a Meeting**
 Date: 3/4/2005 3:58:05 PM Mountain Standard Time
 From: Jean.Jewell@puc.idaho.gov
 To: jvstorey2@aol.com

Dear Mr. Storey:

Thank you for your comments regarding Case No. TGW-W-05-01-In the Matter of the Application of Terra Grande Water Requesting that the Commission Authorize Interim Rate Relief and Further Proceedings to Establish Just and Reasonable Rates. The Idaho Public Utilities Commission appreciates your input and interest in this case. Your comments have been directed to the Commissioners and staff for their review. Per your request, we are also adding your name to the list of interested parties for this case so you will receive a copy of any future notices and the final order.

A PUC staff member will be contacting you the first of next week regarding your request for a meeting.

Thanks again for taking the time to share your thoughts with us.

Sincerely,

Jean Jewell
 Commission Secretary

-----Original Message-----

WWW Form Submission:

Friday, March 04, 2005
 12:20:42 PM

Case: tgw-w-05-1
 Name: Jim Storey
 Street_Address: 1607 S Ash Park Ln.
 City: Boise
 State: Idaho
 ZIP: 83709
 Home_Telephone: 3760044
 E-Mail: jvstorey2@aol.com
 Company: terra Grande water
 mailing_list_yes_no: yes

Comment_description: I am the Pioneer Neighborhood Asso. Pres. Terra Grande Water is our provider of water. I have been receiving complaints about bills received by residents. They have received bills from \$16.00 to \$32.00 for March payment. A letter sent on Jan 21 by Terra Grand said, they will credit you on your billing at a rate of 2 letters per person per day. This would equate to \$5.00 perperson. There accounting seems to be way off. As Pioneer Neighborhood Association President I would like to discuss some other issues residents have concerning resampling, libility where we the users stands in reopening our wells. Drilling new wells and water rights.

I want to thank Ron Lane, Rob Whittney, Mark Jeffers, Mark Slifka, and Kelen Harrigton for all their assistance. But, I am getting question for residents that only the commission can handle. I would appreciate a person to person meeting before this and other issues are completed.

Jim Storey
 Pioneer Neighborhood Association President

TGW-W-05-1
 Order No. 29716
 Feb 25

Subject: Comment acknowledgement
Date: 3/4/2005 12:21:10 PM Mountain Standard Time
From: ehowell@puc.idaho.gov
To: jvstorey2@aol.com

Thank you for your submission.

This message has been generated by a computer. Thank you for your recent e-mail message. If your comments are related to a specific case they will be circulated to the Commissioners for their information and placed in the commission Secretary's official file. If you have a question or complaint, your message will be forwarded to a member of the Commission staff for review and appropriate action.

If your message requires a reply and you have not received a personalized response to your message within 10 business days, please call 334-0369, if you are in the Boise/Treasure Valley calling area or 1-800-432-0369 if you are in Idaho but not in Boise/Treasure Valley calling area. If you are calling from outside Idaho, dial 1-208-334-0369.

Your submission of 3/4/2005 at 12:20:42 PM follows:

Case No. - tgw-w-05-1
Your Name - Jim Storey
Your Address -
Your City - Boise
Your State -
Your Zip -
Home Telephone -
Your E-mail address - jvstorey2@aol.com
Name of Utility Co. -

Add to mailing list - yes

Your question/comment - I am the Pioneer Neighborhood Asso. Pres. Terra Grande Water is our provider of water. I have been receiving complaints about bills received by residents. They have received bills from \$16.00 to \$32.00 for March payment. A letter sent on Jan 21 by Terra Grand said, they will credit you on your billing at a rate of 2 letters per person per day. This would equate to \$5.00 perperson. There accounting seems to be way off.

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Jim Storey
Pioneer Neighborhood Association President

Account #700

Previous Balance \$32.00

March 2005 water 0
January Payment Received Check 7024 # \$32.00
February Payment Received Check # \$
Past Due Charges \$0.00
Balance Due \$ 32.00

You are being billed for March only. Since we are now obtaining water from United Water the Idaho Public Utilities Commission is in the process of determining a new rate for water. This rate may be retroactive to include March. We will advise you of their determination.

Total Due 32.00

**Account is due 10 days after bill date
Please include the account number on your check
If you disagree with this balance please give us a call.**

Terra Grande Water
PO Box 7112
Boise, ID 83707



Jim Storey
1607 S ASH PARK
BOISE, ID 83709

Acct # 680

In order to give you your water credit on the April (other half of your bi-monthly billing) we need to know the number of persons living in the household.

Name JIM STOREY Acct # 680

Address: 1607 S. ASH PARK LANE BOISE ID 83709

Adults 2 Children 0

You can fold this form so the Terra Grande address is on the outside, tape it, and mail back.

Terra Grande Water Inc
PO Box 7112
Boise, ID 83707
Phone (208) 322-2509
Emergencies (208) 381-5381

15 \$500
30-1600

March 1, 2005
Account # 680

Jim Storey
1607 S ASH PARK
BOISE, ID 83709

1607 S ASH PARK

Account #680

Previous Balance \$32.00

March 2005 water 16.00
January Payment Received Check # 4408 \$32.00
February Payment Received Check # \$
Past Due Charges \$0.00
Balance Due \$ 16.00

You are being billed for March only. Since we are now obtaining water from United Water the Idaho Public Utilities Commission is in the process of determining a new rate for water. This rate may be retroactive to include March. We will advise you of their determination.

Total Due 16.00

Account is due 10 days after bill date
Please include the account number on your check
If you disagree with this balance please give us a call.

~~XXXXXXXXXXXXXXXXXXXX~~
P.D. 3-11-05
16.
00
#

IDAHO PUBLIC UTILITIES COMMISSION**Case No. TGW-W-05-1, Order No. 29716****February 25, 2005****Contact: Gene Fadness (208) 334-0339****Website: www.puc.idaho.gov****Terra Grande seeks emergency relief**

Boise – The Idaho Public Utilities Commission will take comments through March 4 on Terra Grande Water's application for interim rate relief and further proceedings to establish a permanent rate.

Terra Grande Water, with about 117 residential customers in southwest Boise, notified customers of contamination problems from Trichloroethylene (TCE) on Jan. 21. The company advised customers to stop using the water for drinking and started supplying bottled water. One week later, on January 28, an emergency connection was made to United Water's system. Terra Grande customers now receive water from that system. The state Department of Environmental Quality provided funds from the Idaho Hazardous Waste Emergency Response Fund to pay the cost of the emergency connection to the United Water system.

Terra Grande is seeking commission authorization to continue assessing its flat \$16 per month non-summer charge (\$26 during the summer) plus a surcharge that will cover the billing it receives from United Water. The company proposes to divide its United Water bill by the total number of Terra Grande customers and pass the pro rata expense on to each customer equally by adding a surcharge to the existing flat rate.

Further, Terra Grande is asking the commission to establish permanent rates that are just and reasonable for its customers on a going-forward basis.

The company is asking for immediate authorization to change its rates based on an emergency that it says was beyond its control and that has unexpectedly increased its expenses on short notice. It is asking that the case be processed by written comment rather than by public hearings.

The commission will proceed under a modified procedure that allows the case to be handled through written public comments. Those wishing to submit comments must do so by no later than March 4. Comments are accepted via e-mail by accessing the commission's homepage at www.puc.idaho.gov and clicking on "Comments & Questions." Fill in the case number (TGW-W-05-1) and enter your comments. Comments can also be mailed to P. O. Box 83720, Boise, ID 83720-0074 or faxed to (208) 334-3762.

A full text of the commission's order, along with other documents related to this case, are available on the commission's Web site at www.puc.idaho.gov. Click on "File Room" and then on "Water Cases" and scroll down to the above case number.

3/21/05

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF TERRA GRANDE WATER FOR)	CASE NO. TGW-W-05-1
INTERIM RATE RELIEF AND FURTHER)	
PROCEEDINGS TO ESTABLISH JUST AND)	
REASONABLE RATES)	ORDER NO. 29735
)	

On February 9, 2005, Terra Grande Water filed an Application with the Commission requesting immediate interim rate relief, further proceedings to establish just and reasonable rates, and deferred accounting treatment for excess water supply costs above interim rates if appropriate. This Application is based upon the emergency interconnection of Terra Grande Water with United Water Idaho Inc.

In Order No. 29716 the Commission found that, because of the emergency situation, there was good cause to process the Company's Application for interim rate relief on expedited proceedings with comments due on March 4, 2005. The Commission received comments from seven of Terra Grande's customers, as well as comments filed by the Commission Staff. In this Order the Commission establishes Terra Grande's interim rate as a \$13 per month, flat rate, year round customer charge in addition to charges collected for United Water's metered service. —

BACKGROUND

On June 8, 2004, the Commission issued Terra Grande Water a Certificate of Public Convenience and Necessity and authorized the Company's current two-season flat rate fee schedule of \$26 per month in the summer and \$16 per month in non-summer months. Order No. 29512. Case No. TGW-W-04-1. Additionally, that Order initiated an investigation of the Company. *Idaho Code* §§ 61-501, 61-503. The investigation is to establish: (1) whether the existing rates for water service are just and reasonable; and (2) whether Terra Grande Water furnishes, provides and maintains service, instrumentalities, equipment and facilities that promote the safety and health of its patrons, employees and the public and is in all respects adequate, efficient, just and reasonable. *Idaho Code* §§ 61-301, 61-302.

Staff was in the process of its investigation when, on January 21 and January 24, 2005, the Commission was informed by the Company and by Department of Environmental Quality (DEQ) officials that the three water supply wells of Terra Grande Water were

contaminated with Trichloroethylene (TCE), a hazardous chemical. Customers were notified on January 21, 2005 not to consume the water and to minimize all other uses of the water. DEQ recommended an emergency interconnection of Terra Grande's water system to United Water's supply system, and offered to make funds available from the Idaho Hazardous Waste Emergency Response Fund to pay for the costs of making the connection. On January 28, 2005, the Commission was notified that the interconnection with United Water was completed.

THE APPLICATION

According to its Application, Terra Grande has provided water service to the Terra Grande Subdivision for over 50 years, and currently has approximately 117 residential customers. The Company states that it notified customers of the contamination on January 21, 2005, and advised them to cease the use of water for drinking and to minimize all other uses, such as bathing and showering. The Company also started supplying bottled water to its customers and arranged for them to purchase water at wholesale price from a Wal-Mart across from the subdivision. Terra Grande notified customers that it would provide them with a billing credit against future bills for their purchase of water. According to the Application this amount has not yet been calculated. Terra Grande and DEQ are working together to determine the cause of the contamination, but have not yet been able to identify the party responsible for the contamination of the Company's water source.

The Application states that the connection with United Water's supply system was completed on January 28, 2005 and United Water began providing water service to the Company around 5:00 p.m. on that same day under United Water's current Schedule 1, General Metered Service. This connection consists of: (1) a 3" meter installed in a concrete vault; (2) 4" pipe connecting the United Water System with Terra Grande's system; and (3) a backflow device to prevent any residual contamination from the Terra Grande system from entering into United Water's system. DEQ provided funds from the Idaho Hazardous Waste Emergency Response Fund to pay for the costs of this connection.

According to the Company's Application, United Water's charges under Schedule 1 for General Metered Service consist of a volume charge for all water use of \$0.9825 per 100 cubic feet (CCF) in the winter, and \$1.2281 per CCF for the summer as well as a customer charge for a 3" meter of \$82.42 bi-monthly. Summer rates apply for all water consumed between May 1 and September 30 each year. United Water also assesses a 50¢ bi-monthly

charge as required by DEQ to fund the State Drinking Water Program and a 3% municipal franchise fee as required by the City of Boise.

Terra Grande's Application requests immediate interim rate relief, effective as of the date it filed the Application, February 9, 2005. The Company subsequently filed an Amendment and Supplement to its Application. In this Amendment the Company requests that any interim relief be made effective as of January 28, 2005, the date on which United Water began supplying water to the Company's system. The Amendment also advised the Commission that the Company had received the first billing from United Water. That bill was \$723.49 for a 17-day period starting from the initial hookup. Finally, the Company advised that it was recently annexed into the City of Boise, and requests that the Commission, to the extent possible, take into consideration the effect of the potential impact on rates of a possible municipal franchise fee that the Company may have to pay in the future.

CUSTOMER COMMENTS

The Commission received comments from seven of Terra Grande's customers. Three of the comments were not opposed to paying United Water's charges for water use, but were opposed to paying Terra Grande's fee in addition to United Water's charges. Two of the comments opposed paying anything for the United Water bill, stating that it was not the customers' fault that the water was contaminated and they should not be punished for it. One comment stated that the customers should not pay for the hookup to United Water's system. Several of the comments took issue with Terra Grande crediting customers for only two liters of water per day for their purchase of bottled water.

FINDINGS OF FACT

I. INTERIM RATES

Terra Grande requests that the Commission allow it to continue charging its customers \$16 per month for water service based on the Company's current, filed tariff. Additionally, the Company requests that it be authorized to add the costs of purchasing water from United Water to the Company's existing flat rate. The Company proposes to divide the United Water bill by the total number of Terra Grande customers, and pass this expense on to each customer equally by adding it to their existing flat rate. United Water bills on a bi-monthly basis, and Terra Grande bills its customers in advance for two months of service.

than they were before interconnection, we find it reasonable to set the interim monthly charge at \$13 per customer per month. In establishing this interim rate we reject the Company's request to take into consideration the effect of a possible future municipal franchise fee that may or may not be imposed.

We find that the \$13 monthly charge should be year round, with no increase during the summer months. The existing flat rate differential between summer and winter assumes that the Company will incur additional costs in summer due to increased water consumption. Absent a metered rate, a higher summer rate was needed to recover those costs. That is not the case after interconnection with United Water. UWI meter charges will increase in the summer but Terra Grande's costs recovered through the flat rate will not. Customers will pay higher charges in summer because they will be charged for the water provided by United Water.

We find that the United Water retail rate is appropriate at this time. Although this is technically a resale arrangement between United Water and Terra Grande, we find that, under the circumstances of this case, the service arrangement at existing retail rates is appropriate on an interim basis. United Water does not have a separately tariffed wholesale rate. Given the lack of individual meters in the Terra Grande system, we also find it reasonable for Terra Grande to divide United Water's charges by the total number of Terra Grande customers and to collect the amount on a monthly basis along with its monthly flat rate charge.

Although United Water's tariffed rates are billed on a bi-monthly basis we find it reasonable and prudent for United Water to make a special exception in this particular set of circumstances and bill Terra Grande on a monthly basis. This is based upon the circumstances surrounding the contamination of Terra Grande's wells, the resulting emergency interconnection with United Water, the bulk nature of Terra Grande's service, (all of Terra Grande's 117 customers are on one meter from United Water), and United Water's cooperation. This is also based upon the fact that bills for Terra Grande's customers are going to change rather dramatically, and a monthly monitoring and price signal is vital, especially because this change comes at the beginning of the summer season. We also note that United Water has a pending rate increase request at the Commission.

The Commission wishes to complement United Water on its prompt and professional response and cooperation in this emergency situation. We additionally find that United Water is specifically authorized to deviate from its tariff for this one customer, Terra Grande, and bill on a

with estimated costs and proposed timing. No further capital investment is to be made in the water system without Commission approval.

We find this requirement is all the more critical given the severe water quality problems encountered by the Company.

Commission Findings: We find that Terra Grande should develop a permanent service arrangement plan and submit it to the Commission for approval prior to the establishment of permanent rates or consideration of deferral of any additional costs.

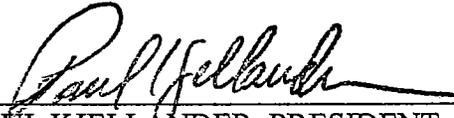
III. CUSTOMER NOTICE

The Company states that notice to its customers concerning this interim and more general rate request has been accomplished by news media releases simultaneously with the filing of the Application and by individual notice mailed to each customer. The notice is attached to the Company's Application as Attachment C.

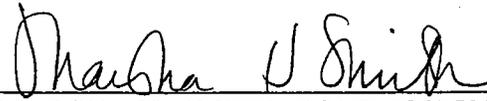
Based on information provided to customers by the Company and the media coverage of Terra Grande's water quality problem, customers are likely well aware of the current situation. However, the interim interconnection with UWI and the rates approved by the Commission will subject customers to unaccustomed consumption charges. Moreover, because none of the customers are individually metered, system consumption will be divided equally. Consequently, we find it is important for the Company to routinely notify its customers of the need to control water consumption, particularly in summer months to assure that water service remains affordable.

Commission Findings: We find that Terra Grande should notify its customers that the costs of water system consumption will be shared by all customers and inform them of the need to control their water consumption. We find that Terra Grande should also notify its customers that conservation materials and kits are available upon their request, describe what those materials are, and facilitate the distribution of those materials to those that request them. Terra Grande shall work in conjunction with Commission Staff and United Water to compile and provide a list and description of the pamphlets and the indoor and outdoor water conservation kits in order to provide that information to its customers. Terra Grande shall distribute the materials upon request by customers.

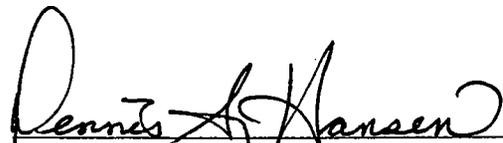
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 21st
day of March 2005.



PAUL KJELLANDER, PRESIDENT

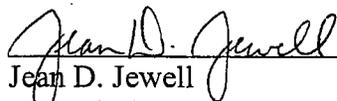


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O: TGWW0501_dw2



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

April 25, 2005

John R. Hammond, Jr.
Batt & Fisher, LLP
U.S. Bank Plaza, 5th Floor
101 S. Capital Boulevard
PO Box 1308
Boise, ID 83701

Re: Terra Grande Water, Case No. TGW-W-05-1

Dear John,

I am writing to confirm our phone conversations of today's date. This letter serves as clarification as to what we discussed regarding the customer charge portion of Terra Grande's monthly billing.

The Commission has received some inquiries from customers regarding the April bill that they received from Terra Grande in that their bills reflect a customer charge of \$16.00 for the months of February and March. Apparently, with the concurrence of Commission Staff, these two months were not adjusted from \$16.00 to \$13.00, pursuant to Commission Order No. 29735 issued on March 21, 2005, which made Terra Grande's interim rates retroactive back to January 28, 2005. As we discussed, it is my opinion that both the Commission's Order, as well as the Company's filed tariff are very clear that the \$13.00 customer charge is retroactive back to January 28, 2005, and thus will require a corrected billing to reflect a \$3.00 credit or refund for the month of February, and \$3.00 for the month of March.

I apologize for the inconvenience and the misunderstanding regarding this issue. I do not fault Terra Grande in this billing error as the Company relied upon representations from Commission Staff that it was proper to bill \$16.00 for the months of February and March. Unfortunately, this was not correct. Additionally, my understanding is that the April billing already reflects the correct customer charge of \$13.00 for the month of April 2005.

I appreciate the opportunity we had to discuss these matters and reach a common understanding. Please contact me immediately should you have any comments, questions, or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Donovan E. Walker".

Donovan E. Walker
Deputy Attorney General

cc: Randy Lobb
Nancy Hylton

COPY

RECEIVED
APR 26 2005

2/25/05

IDAHO PUBLIC UTILITIES COMMISSION

Case No. TGW-W-05-1, Order No. 29716

February 25, 2005

Contact: Gene Fadness (208) 334-0339

Website: www.puc.idaho.gov**Terra Grande seeks emergency relief**

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A full text of the commission's order, along with other documents related to this case, are available on the commission's Web site at www.puc.idaho.gov. Click on "File Room" and then on "Water Cases" and scroll down to the above case number.

File thoughts on water rate request

Today is the last day to file comments on the Terra Grande Water company's request for an interim rate increase.

The company serves about 117 residential customers in southwest Boise. It notified its customers on Jan. 21 to stop using the water for drinking and start supplying bottled water. A week later, an emergency connection was made to United Water's system, which now supplies drinking water to the residents.

Terra Grande is asking the Idaho Public Utilities Commission for permission to assess customers for the costs incurred in buying water from United Water.

Comments are accepted via e-mail by accessing the commission's homepage at www.puc.idaho.gov and clicking on Comments & Questions. Comments can also be mailed to P.O. Box 83720, Boise, ID 83720-0074.

To: DEQ Representatives

May 4, 2005

From: Jim Storey Pioneer Neighborhood Assoc. President.

Subject: Water contamination.

When you find the source of the contamination from Trichloroethane (TCE) in our water system I would like to present a solution for cleaning the water.

Attached to this letter is an article with a new much faster and cheaper way of cleaning up pollutants such as TCE from the ground water. If you need the original document, it is in the "New Scientist" dated March 5-11, 2005 p26.

The use of this type of technology should be paid for by those found polluting the groundwater. I hope this could save our water system but if not perhaps it will provide an excellent point for your legal system to make restitution and cleaning the groundwater for others. When Polluters are made to pay 'be it error/arrogance', because they do not read Material Safety Data Sheets (MSDS's) gives instruction for the correct handling of this material. Manufactures and venders give MSDS's upon purchase and make available for handlers upon request. If violators know judgments would be made to the extent of total clean up of the groundwater back to prior readings no mater how long it takes, perhaps there will be no more cleanup necessary.

Please assure this letter and information is included in legal judgments and future DEQ's regulation changes is circulated as widely as possible.

Sincerely:

Jim Storey
Pioneer Neighborhood Assoc. president. 376-0044
(Still having problems with the Terra Grand Water Co.)

*Revision were
made
'PNA Clean Water')*

Gold cure for heavy industry's hangover



A clean-up in the pipeline

GOLD may hold the key to cleaning up a persistent toxic pollutant from groundwater much faster and cheaper than is possible now. Scientists in the US have hit upon a promising way to use the precious metal to clean up the carcinogen trichloroethane (TCE).

TCE is a colourless organic liquid that smells a little like chloroform. It is mostly used as an industrial degreaser in the manufacture of metal engineering parts such as steel tubes and pipes. TCE can cause liver damage and cancer in humans, but until regulations came into effect in the US in 1989, industry dumped hundreds of thousands of tonnes of the stuff on land or into water courses, according

to the US Environmental Protection Agency. And because TCE breaks down slowly in the environment, a lot of it still contaminates groundwater. Estimates for cleaning it up in America's brownfield sites run to billions of dollars.

One promising solution is to pump contaminated groundwater out of aquifers, mix it with hydrogen gas and send it through a filter containing a palladium metal catalyst. This converts the TCE molecule into non-hazardous ethane and chloride ions, and the water can then be returned to the aquifer.

Now researchers have found that bonding palladium atoms to particles

of gold creates a catalyst that is 100 times more efficient than particles of palladium on their own. The material could make it far more cost-effective to clean up TCE, according to Michael Wong and colleagues at Rice University in Texas and the Georgia Institute of Technology in Atlanta.

In trying to boost the efficiency of the catalyst, Wong's team initially investigated making the particles as small as possible to increase the catalytic surface area. But even in palladium particles measuring just 6 nanometres (or 15 hydrogen atoms) in diameter, only a quarter of the atoms are exposed on the surface. So the team tried a different approach.

They created particles of gold 5 nanometres in diameter and coated them with a single layer of palladium atoms. This means that every single palladium atom is available to help the catalysis.

The gold-centred particles proved a great success, but the research threw up a puzzle: partially coated gold particles were more efficient catalysts than particles covered entirely, even though fewer palladium atoms were available. The most efficient catalyst was a gold particle with about a third of its surface covered, yielding a hundredfold improvement on pure palladium.

Wong is baffled, since gold by itself isn't a catalyst. Somehow the gold is making the reaction more efficient, he says. However it works, Wong estimates the new catalyst would be cheaper than today's commercial palladium version. Even though it uses gold, so little catalyst is needed that there would be an overall saving. Kurt Kleiner, Toronto ●

CUTTING EDGE

PATCH ABOVE THE REST

A new rating for the importance of security flaws in commercial software has been developed to help IT system administrators prioritise the dozens of software "patches" they receive from software houses each week.

The Common Vulnerability Scoring System (CVSS) was developed by a consortium that includes Microsoft and antivirus company Symantec. "There are

just too many vulnerabilities for managers to pay attention to all of them," says Bruce Schneier, a security consultant with Counterpane Security in Mountain View, California.

CVSS assesses a vulnerability according to several characteristics, including the threat of data loss and system crashes, and the extent to which it gives a hacker access to confidential information that might lead to identify them.

GOVERNMENT ACTS ON VIRUSES

The British government has set up a service to warn people of computer virus attacks and other security threats - in plain English rather than geek-speak.

Called ITsafe (www.itsafe.gov.uk), the site will issue email alerts when virus and worm attacks begin. The site has been designed to work over slow dial-up connections and includes a glossary of technical terms.

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CVSS assesses a vulnerability according to seven characteristics, including the threat of data loss and system crashes, and the extent to which it gives a hacker access to confidential information that might lead to identity theft.

GOVERNMENT FACTS ON VIRUSES

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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
Terra Grande Has Levels of Trichloroethylene (TCE)
Above Drinking Water Standards

Recent water tests indicate levels in violation of a drinking water standard. You have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received on 1/18/2005 show that our system exceeds the standard, or maximum contaminant level (MCL), for Trichloroethylene (TCE). This is not a naturally occurring compound. The standard for Trichloroethylene (TCE) is 0.005 mg/L. The average level of Trichloroethylene (TCE) over the last year was 0.042 mg/L. The most recent samples for Trichloroethylene (TCE) ranged from 0.069 mg/L to 0.096 mg/L.

What should I do?

- You need to use an alternative water supply for drinking and cooking, such as bottled water.
- Minimize all other uses, such as bathing and showering.

What does this mean?

Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer. In addition, breathing small amounts may cause headaches, lung irritation, dizziness, poor coordination, and difficulty concentrating.

What happened? What is being done?

Bottled water is being provided for drinking and cooking. We are arranging for additional supply. Additional samples from the wells have been taken and are currently be analyzed. Further information will be provided as soon as it becomes available, but no later than January 28, 2005. We are working closely with DEQ to resolve this matter.

This is not a naturally-occurring compound. If you have information about chemical dumping in the area, please contact DEQ at 373-0550.

S. Teresa Rae S. Huffer

For more information, please contact Barb Child at 322-2509. 11:00

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Terra Grande Water Company.

- ① Pioneer well contaminated Pioneer in area up stream down?
- ② What are you DEQ doing to look into the contamination?
- ③ How long before we get our wells back? (Not getting them back is No)
- ④ We need an answer to ...

This fact sheet answers the most frequently asked health questions (FAQs) about trichloroethylene. For more information, call the ATSDR Information Center at 1-888-422-8737. This fact sheet is one in a series of summaries about hazardous substances and their health effects. This information is important because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Trichloroethylene is a colorless liquid which is used as a solvent for cleaning metal parts. Drinking or breathing high levels of trichloroethylene may cause nervous system effects, liver and lung damage, abnormal heartbeat, coma, and possibly death. Trichloroethylene has been found in at least 852 of the 1,430 National Priorities List sites identified by the Environmental Protection Agency (EPA).

What is trichloroethylene?

Trichloroethylene (TCE) is a nonflammable, colorless liquid with a somewhat sweet odor and a sweet, burning taste. It is used mainly as a solvent to remove grease from metal parts, but it is also an ingredient in adhesives, paint removers, typewriter correction fluids, and spot removers.

Trichloroethylene is not thought to occur naturally in the environment. However, it has been found in underground water sources and many surface waters as a result of the manufacture, use, and disposal of the chemical.

What happens to trichloroethylene when it enters the environment?

- Trichloroethylene dissolves a little in water, but it can remain in ground water for a long time.
- Trichloroethylene quickly evaporates from surface water, so it is commonly found as a vapor in the air.
- Trichloroethylene evaporates less easily from the soil than from surface water. It may stick to particles and remain for a long time.
- Trichloroethylene may stick to particles in water, which will cause it to eventually settle to the bottom sediment.
- Trichloroethylene does not build up significantly in

plants and animals.

How might I be exposed to trichloroethylene?

- Breathing air in and around the home which has been contaminated with trichloroethylene vapors from shower water or household products such as spot removers and typewriter correction fluid.
- Drinking, swimming, or showering in water that has been contaminated with trichloroethylene.
- Contact with soil contaminated with trichloroethylene, such as near a hazardous waste site.
- Contact with the skin or breathing contaminated air while manufacturing trichloroethylene or using it at work to wash paint or grease from skin or equipment.

How can trichloroethylene affect my health?

Breathing small amounts may cause headaches, lung irritation, dizziness, poor coordination, and difficulty concentrating.

Breathing large amounts of trichloroethylene may cause impaired heart function, unconsciousness, and death. Breathing it for long periods may cause nerve, kidney, and liver damage.

ToxFAQsTM Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>

Drinking large amounts of trichloroethylene may cause nausea, liver damage, unconsciousness, impaired heart function, or death.

Drinking small amounts of trichloroethylene for long periods may cause liver and kidney damage, impaired immune system function, and impaired fetal development in pregnant women, although the extent of some of these effects is not yet clear.

Skin contact with trichloroethylene for short periods may cause skin rashes.

How likely is trichloroethylene to cause cancer?

Some studies with mice and rats have suggested that high levels of trichloroethylene may cause liver, kidney, or lung cancer. Some studies of people exposed over long periods to high levels of trichloroethylene in drinking water or in workplace air have found evidence of increased cancer. Although, there are some concerns about the studies of people who were exposed to trichloroethylene, some of the effects found in people were similar to effects in animals.

In its 9th Report on Carcinogens, the National Toxicology Program (NTP) determined that trichloroethylene is "reasonably anticipated to be a human carcinogen." The International Agency for Research on Cancer (IARC) has determined that trichloroethylene is "probably carcinogenic to humans."

Is there a medical test to show whether I've been exposed to trichloroethylene?

If you have recently been exposed to trichloroethylene, it can be detected in your breath, blood, or urine. The breath test, if it is performed soon after exposure, can tell if you have been exposed to even a small amount of trichloroethylene.

Exposure to larger amounts is assessed by blood

and urine tests, which can detect trichloroethylene and many of its breakdown products for up to a week after exposure. However, exposure to other similar chemicals can produce the same breakdown products, so their detection is not absolute proof of exposure to trichloroethylene. This test isn't available at most doctors' offices, but can be done at special laboratories that have the right equipment.

Has the federal government made recommendations to protect human health?

The EPA has set a maximum contaminant level for trichloroethylene in drinking water at 0.005 milligrams per liter (0.005 mg/L) or 5 parts of TCE per billion parts water.

The EPA has also developed regulations for the handling and disposal of trichloroethylene.

The Occupational Safety and Health Administration (OSHA) has set an exposure limit of 100 parts of trichloroethylene per million parts of air (100 ppm) for an 8-hour workday, 40-hour workweek.

Glossary

Carcinogenicity: The ability of a substance to cause cancer.

CAS: Chemical Abstracts Service.

Evaporate: To change into a vapor or gas.

Milligram (mg): One thousandth of a gram.

Nonflammable: Will not burn.

ppm: Parts per million.

Sediment: Mud and debris that have settled to the bottom of a body of water.

Solvent: A chemical that dissolves other substances.

References

This ToxFAQs information is taken from the 1997 Toxicological Profile for Trichloroethylene (update) produced by the Agency for Toxic Substances and Disease Registry, Public Health Service, U.S. Department of Health and Human Services, Public Health Service in Atlanta, GA.

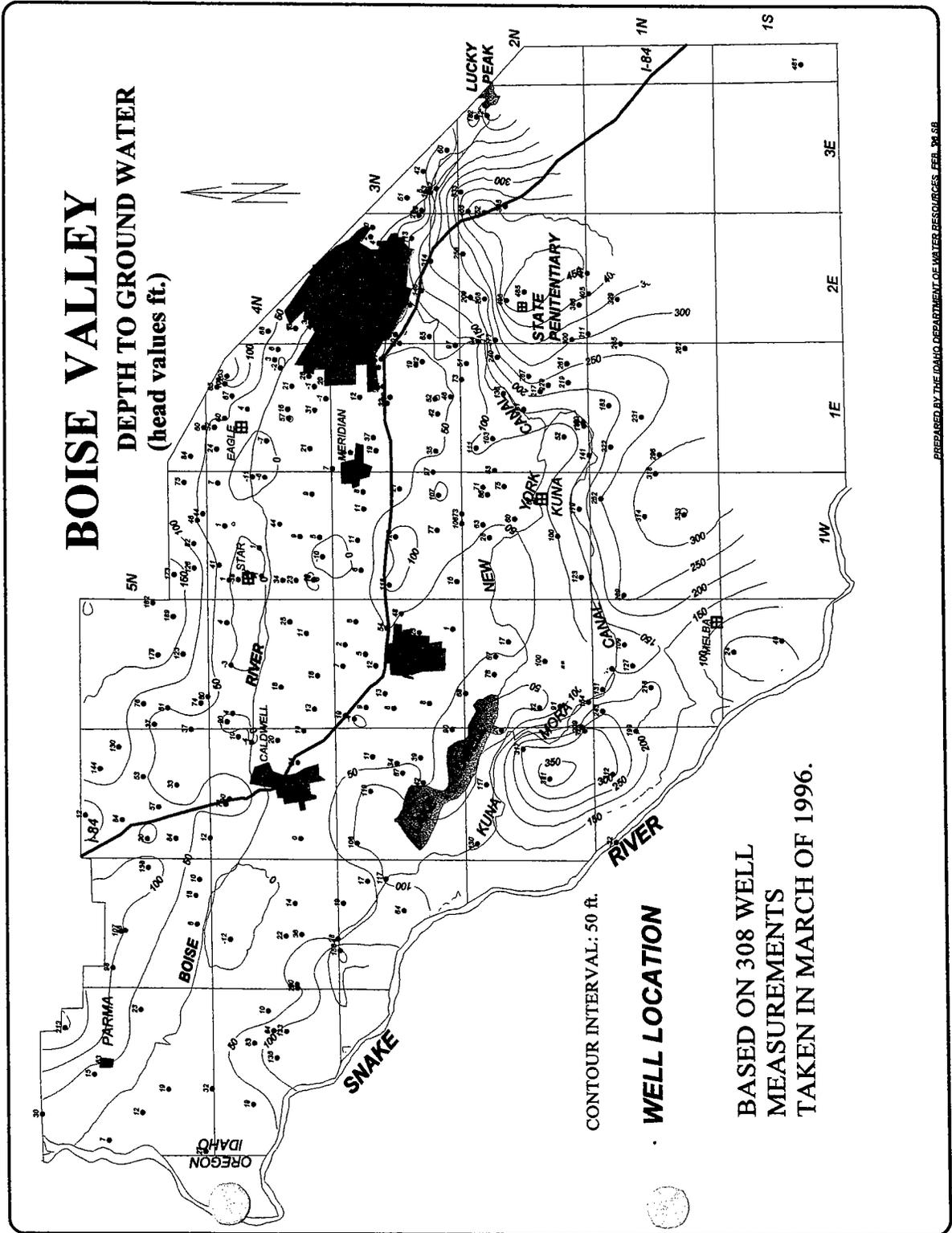
Where can I get more information? For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology, 1600 Clifton Road NE, Mailstop F-32, Atlanta, GA 30333. Phone: 1-888-422-8737, FAX: 770-488-4178. ToxFAQsTM Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>. ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.

Subj: **Treasure Valley Regional Ground Water Flow Map**
Date: 3/1/2005 11:07:25 AM Mountain Standard Time
From: Helen.Harrington@idwr.idaho.gov
To: jvstorey2@aol.com

> Hi, Mr. Storey. I don't think too well on the phone, so as soon as I hung
> up, I found what I was looking for.
>
> This is the regional map I mentioned. As you will see, it is quite
> general and doesn't characterize your area very well. I will focus in on
> your area and hopefully come up with better information for you.
>
> If you have any trouble opening this document, let me know.
>
> Helen Harrington, P.G.
> Idaho Department of Water Resources
> Technical Services Bureau
> PO Box 83720
> Boise, ID 83720-0098
> Phone: 208-287-4848
> FAX: 208-287-6700
> e-mail: helen.harrington@idwr.idaho.gov
>
>
>
> <<TVC.doc>>

BOISE VALLEY

DEPTH TO GROUND WATER
(head values ft.)



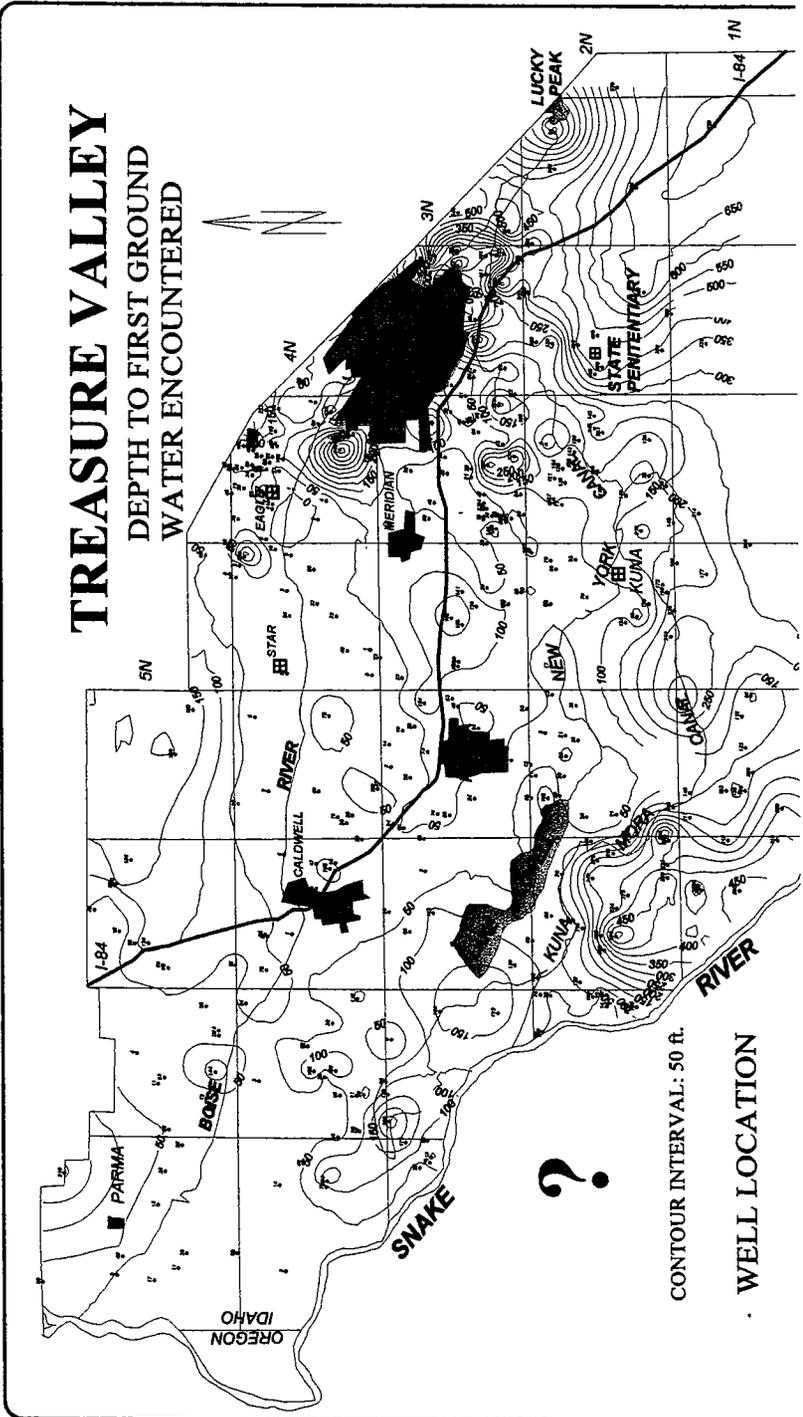
CONTOUR INTERVAL: 50 ft.

WELL LOCATION

BASED ON 308 WELL
MEASUREMENTS
TAKEN IN MARCH OF 1996.

TREASURE VALLEY

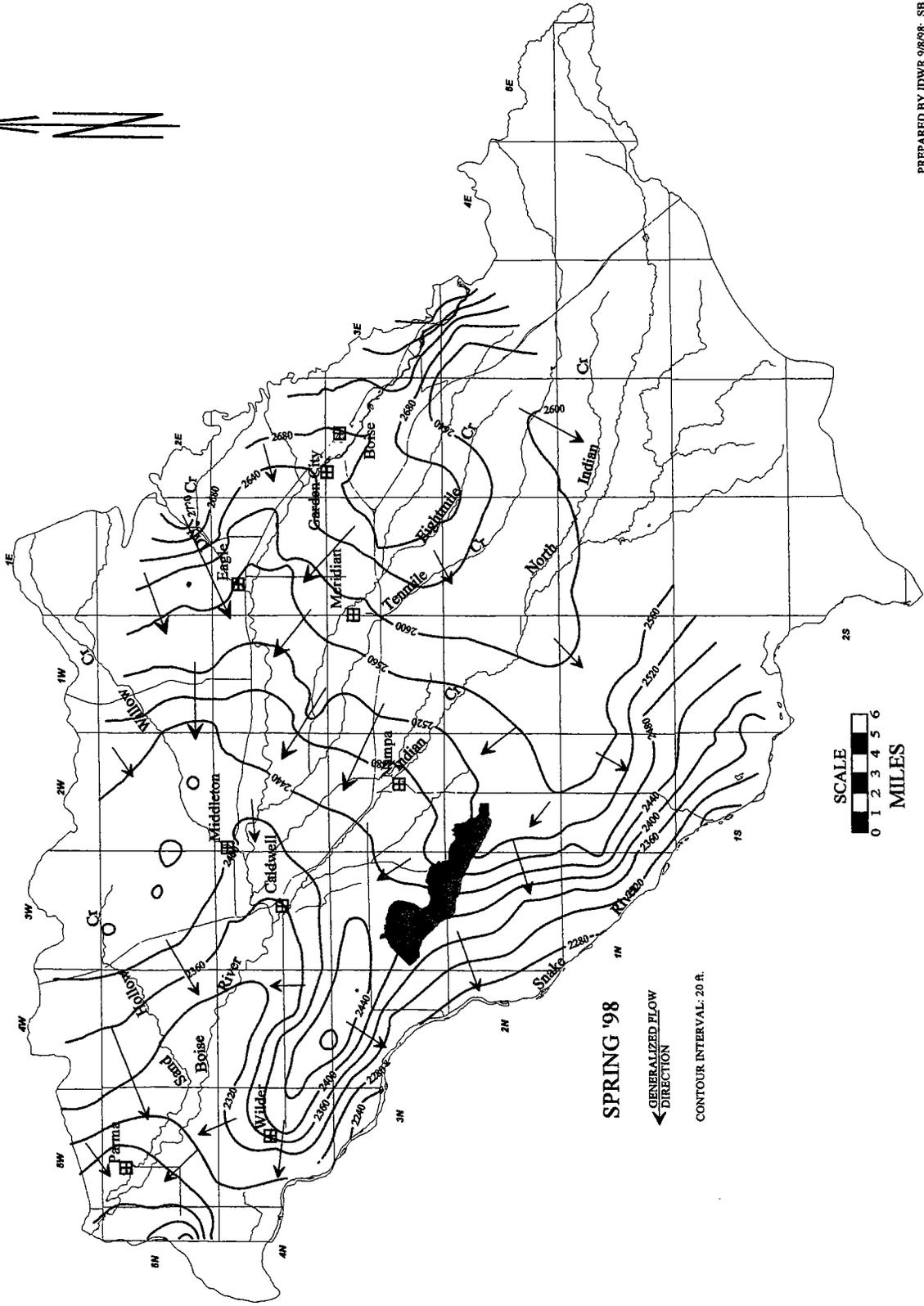
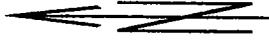
DEPTH TO FIRST GROUND
WATER ENCOUNTERED



CONTOUR INTERVAL: 50 ft.
WELL LOCATION

TREASURE VALLEY

GROUND WATER ELEVATIONS



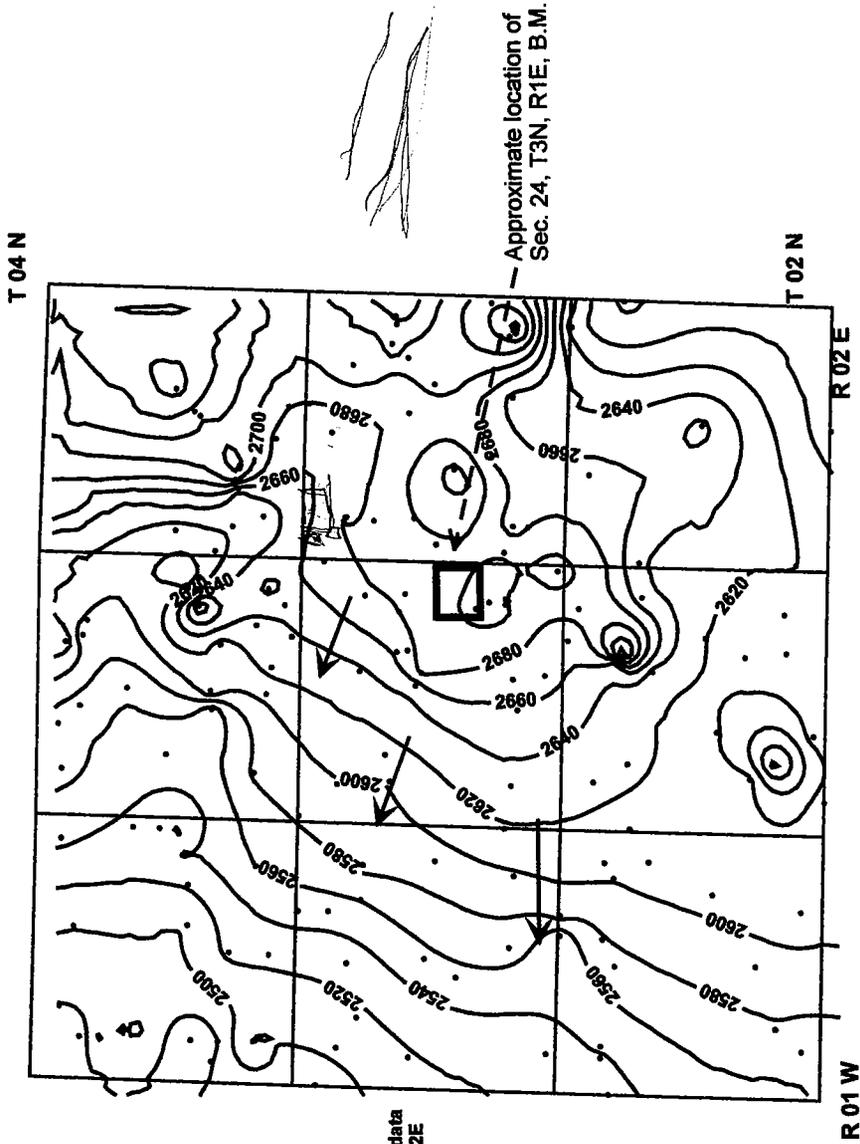
SPRING '98

← GENERALIZED FLOW DIRECTION

CONTOUR INTERVAL: 20 F.



General Ground Water Flow Direction



— Approximate location of Sec. 24, T3N, R1E, B.M.

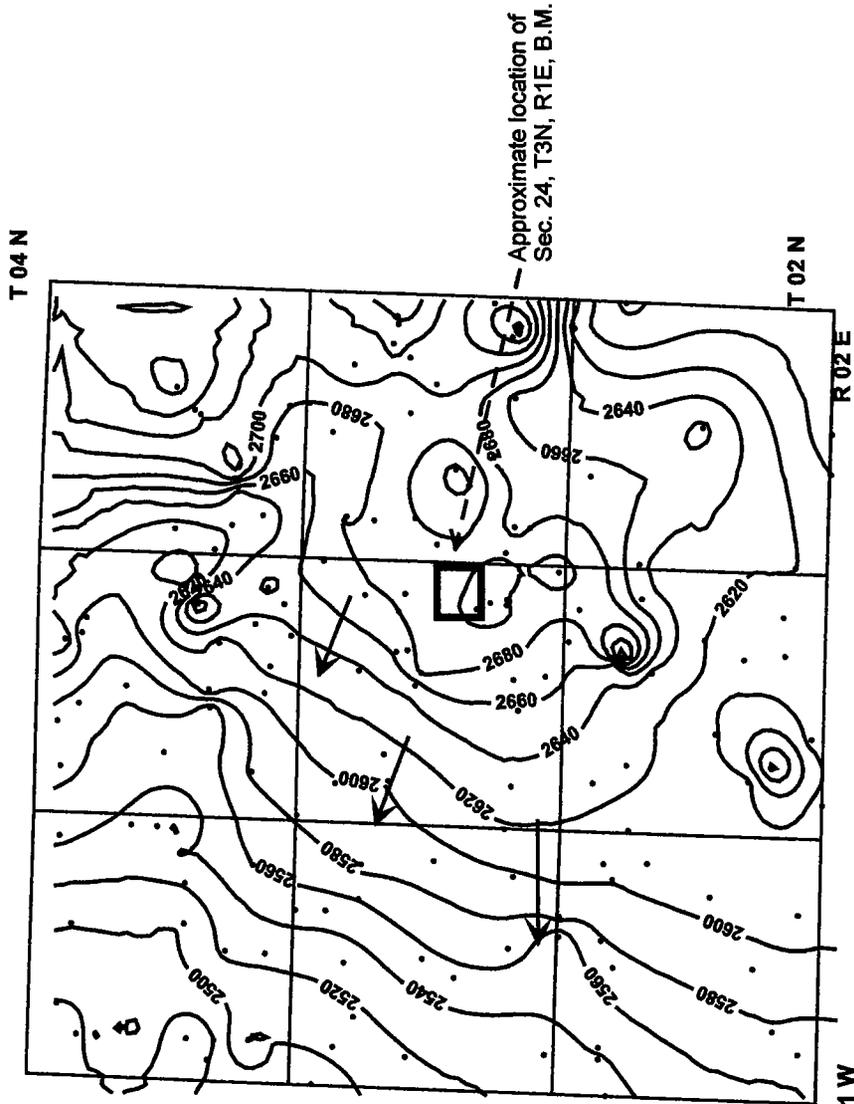
Legend

- Data Point (172 points for selected time period)
- Approximate direction of ground water flow

Contours drawn from unfiltered/unsorted data in Townships 2N, 3N, 4N, Ranges 1W, 1E, 2E Ground water levels between 3/1/1988 and 8/30/1988
 Contours are generalized and regional; localized changes may not be reflected due to lack of data or due to status of well when measured



General Ground Water Flow Direction



— Approximate location of Sec. 24, T3N, R1E, B.M.

Legend

- Data Point (172 points for selected time period)
- ↓ Approximate direction of ground water flow

Contours drawn from unfiltered/unsorted data in Townships 2N, 3N, 4N, Ranges 1W, 1E, 2E and 6/30/1988
 Contours are generalized and regional; localized changes may not be reflected due to lack of data or due to status of well when measured



8109 Lemhi

Jan 2, 2006

additional
Info
Just Recd

Hi Mrs Keller,

I am Secretary, Treasurer of
Pioneer Neighborhood association.

Tim Storey, is President and is trying
to obtain any information related to
Terra Grande, Barbara Child, miss handling
of accounts, the well etc, to use against
her - for the protection ^{benefit} of the whole neighborhood
I thought that your belated husband, Mr Keller
had numerous amounts of information related
to Terra Grande.

If you would be willing to help us with
any information or research you might have
Tim Storey would like to talk to you.
his phone number 376-0044.

Thank-you 861-0996 cat⁺
Mary Haskins
(neighbor - across street
log cabin!)

1607 Ash Pa
376 0044

Attach # 2

Schedule For Fixing Water Leak at 2109 Penninger Drive, Boise, Idaho

We arrived home from out of town at 10:30 a.m., Friday, July 22, 2005. Connie Bean noticed standing water in front yard by main water valve. She told Don Bean (husband) about seeing water. Don tried to shut off water but couldn't. He called Barbara Childs (owner of Terra Grande Water - water system for neighborhood) to have her send someone out to shut it off at 11:30 a.m. He also called United Water (and left message) and Idaho Public Utilities Commission (also left message).

After about 3 to 3-1/2 hours after Don called again and left messages to Barbara Childs and United Water telling them the water was really leaking and where were they. Don dug a hole beside the leak deep enough to put a sump pump in to try to divert some of the water.

Dave (Barbara Childs' representative) came at approximately 4:00 p.m. Don had gone to Lowes to get some irrigation pipe so we could divert some of the water because it was going under the house. Connie was there when Dave came. He tried to shut off the water, but couldn't. There was so much water, he couldn't see down the pipe to see where to shut it off. He made a phone call and set up to have someone come and dig it up the following Monday. He told Connie that he couldn't shut off the water and nothing would be done until Monday.

Don returned and set up a pump in the hole and began pumping into a 100' irrigation pipe. While setting up this pump (which was borrowed from a neighbor) and pipe, the President of the neighborhood association came by with his wife. She took pictures of the all the water, etc.

Don and Connie moved pipe all throughout Friday night, Saturday and night, Sunday and night until they showed up at 10:30 a.m. on Monday morning (July 25). The water was diverted all around the property as well as next door (2101 Penninger) which is owned by Don and Connie Bean. The water was ankle deep everywhere on both properties (2101 on front lawn only). The electric sump pump ran continuously from Friday afternoon to Monday morning.

Note: Monday morning at 8:40 a.m. Nancy from the Idaho Public Utilities Commission called (334-2226) and talked to Don. Don told her the story. Nancy said she was calling Barbara immediately.

Timeline on July 25, 2005, Monday

A fellow showed up (don't know his name) at 9:30 a.m. Don went out and talked to him. He was a locator to find the power and telephone lines. He said we were listed as a priority for work to be done at 10:00 a.m. He marked on the street and left at 10:30 before anyone else showed up.

Three guys arrived at 10:45 a.m. One guy was Dave (Barbara Childs' representative), one was Mike Rice (Excavation Owner--Backhoe operator), and one was Joe (Mike Rice's helper). They had to wait for a representative from the Gas Company to locate gas lines.

The representative from the Gas Company and Barbara Childs (owner of Terra Grande) showed up at 11:15. The representative left shortly and Barbara Childs left at 11:35 after talking to Dave, Mike, Joe, and Don.

They shut off the water from the neighborhood (all of Penninger Drive and half of Ash Park). Mike started digging with Backhoe at 11:30. Joe and Dave helped chop out tree roots. They had quite time getting tree roots (they were wrapped around pipes).

At 12:50 they found the leak. It was from a fitting on our side of the pipe. They asked if we wanted them to continue and fix the problem or push dirt back in without fixing since it was our problem. Don told them to go ahead and fix the problem. They got it fixed and turned water on with no apparent problems.

They broke for lunch at 1:15 p.m. They went back to work at 2:00 p.m.

At 2:10 p.m., Don went out and found their valve was leaking. They pounded on it and got it stopped. They used a shut off rod on it and hit it with a "Dead Blow" hammer and stopped the leak. Don asked Dave to turn water off and back on again to see if it would leak again. Dave said No. Don said to him "You don't trust it." Dave said he did trust it but "don't want to take the chance." Don said "in that case, you don't trust it and it's your call." Dave replied, "It's our valve and I can do whatever I want with it."

Mike, with Joe's help, filled the hold back in with the dirt they removed and finished at 2:40 p.m. They put the fence back up and left things in good order. Dave, Joe, and Mike left in Dave's truck at 2:45 p.m. They said they were finished. They left leaving the backhoe and truck.

The three guys returned at 3:40 and loaded up the backhoe. Mike Rice gave us a bill for \$150.00 at 3:50 p.m. and left.

DONALD L BEAN

Donald L Bean

Terra Grande Water
PO Box 7112
Boise, ID 83707
Phone 208 322-2509

Attachment
~~XXXXXX~~
one

This is a summary of the rules for termination of service for all Terra Grande Water customers as determined by the Idaho Public Utilities Commission (IPUC). These rules cover the rights and responsibilities of the Customer and the Utility. An explanation of our rate schedule has also been included.

If you have any questions concerning this information please contact us or you can directly contact the IPUC, P.O. Box 83720, Boise, ID 83720-0074 or phone 334-0369

RULES FOR TERMINATION OF SERVICE

TERMINATION WITH PRIOR NOTICE

With proper customer notice Terra Grande Water may deny or termination water service for on of the following reasons:

1. Non-payment of a past due bill or payment of a past due bill with a NSF check.
2. Failure to honor the terms of a payment arrangement.
3. Obtaining service by false identity.
4. Refusing to allow access to the water meter or shut off valve.
5. Willfully wasting service through improper equipment or otherwise.

TERMINATION WITHOUT PRIOR NOTICE

Terra Grande Water may deny or terminate water service without notice for one of the following reasons:

1. A situation exists that is immediately dangerous to life, physical safety or property.
2. To prevent a violation of federal, state, or local safety or health codes.
3. Service is obtained, diverted or used without the authorization of Terra Grande Water.
4. Terra Grande Water has diligently attempted to notify you of termination and has been unable to contact you.
5. If ordered by any court, the Commission or any other duly authorized public authority.

NOTIFICATION AND BILLING

1. Bills will be sent out on the 1st of the month with payment due by the 15th day after the billing date.
2. A billing may be considered past due (15) twenty-five days after the billing date. A written notice of termination must be mailed at least (7) seven days before the proposed termination date.
3. At least (24) twenty-four hours before the service is terminated, a notice will be left at the property advising you of the steps needed to have services restores.
4. Only a (24) twenty-four hour notice is required if you do not keep payment arrangements or pay with a dishonored check.

PAYMENT ARRANGEMENTS AND SPECIAL CIRCUMSTANCES

If you cannot pay your billing in full or you receive a notice of termination, please call our office. **Payment arrangements can be made to avoid termination of services.**

If you cannot pay your bill and a member of your household is seriously ill or there is a medical emergency, Terra Grande Water will postpone termination of service for (30) thirty days. A written certification is required from a licensed physician or public health official stating the name of the person who is ill, the relationship to the customer, title, and signature of the person certifying the serious illness or medical emergency.

COMPLAINT PROCEDURES

If at any time you have a complaint concerning the termination of service, policies and practices or any other matter regarding our service please contact Terra Grande Water in person or by telephone or in writing. Your complaint will be investigated promptly and thoroughly. You will be notified orally or in writing. Your service will not be disconnected while the complaint is being investigated by the utility or the IPUC.

Permitting Co.
1804 #40
Box 83 x Army

RESTRICTION OF TERMINATION OF SERVICE

Service cannot be disconnected on Friday after 2:00 or on a Saturday, Sunday, Legal Holidays recognized by the State of Idaho, or after 2:00 on any day immediately before any legal holiday. Service may only be terminated between the hours of 8:00 AM and 4:00 PM. The employee sent to the premises to terminate service will identify himself-herself to you and state the purpose of the visit. This person is authorized to accept payment in full.

HOOKUP

Terra Grande Water reserves the right to deny hookups during the winter months due to adverse weather conditions. New hookups will be scheduled as soon as weather conditions permit.

HOOK-UP CHARGES & MONTHLY FEES

The cost for a new service connection on an empty lot or for additional structures on a property will be agreed to in advance and put into writing by the customer and Terra Grande Water. **One residence per hookup is allowed.**

Customer charge is \$13.00 per month. Commodity Charge is: The volume charge is \$.9825 per CCF in the Winter and \$1.228 per CCF in the Summer for all water consumed. The monthly meter charge is \$41.24 for a 3" meter. The total of the meter charge and volume charge will be divided equally between the number of customers connected to the system. The customer shall pay the total of the customer charge plus its proportionate share of the overall commodity charge. The summer rate will apply to water consumed Meter between May 1 and September 30. Meter readings straddling these dates will be prorated.

RECONNECTION FEE

If water service is terminated, the balance in full, plus a reconnect fee will be charged.

NO ONE EXCEPT AN AUTHORIZED AGENT OF TERRA GRANDE WATER SHALL TAMPER WITH, INTERFERE WITH, MAKE REPAIRS, CONNECTIONS OR REPLACEMENTS TO ANY OF THE COMPANY'S PROPERTY, EXCEPT IN THE CASE OF EXTREME EMERGENCY.

TERRA GRANDE WATER

Po Box 7112

Boise, Id 83707

(208) 322-2509

Emerg (208) 407-5857

FAX: 322-2509

DOROTHY WARRELL

po Box 190294

BOISE, ID 83719

RJ 13
Pebhinger

Account #630

Account Balance \$135.71

Final Date December 1, 2005

FINAL WATER SHUT-OFF NOTICE

You were recently notified that you are delinquent in the payment of charges for Water Service provided by Terra Grande Water. The balance of your account, according to our records is indicated above.

In accordance with the rules and regulations of the IPUC, if this balance is not paid or payment arrangements not made by 5:00 pm of the final date, then **YOUR WATER WILL BE DISCONNECTED THE DAY AFTER THE FINAL DATE INDICATED ABOVE.**

Termination may be delayed by:

1. Providing a physicians certificate to the existence of a Medical Emergency.
2. Filing a complaint regarding the proposed termination with the IPUC, PO Box 83720, Boise, ID 83720-0074 (Phone 334-0369)
3. Service will not be terminated prior to resolution of a filed complaint.

Termination of service in no way relieves you of your obligation to pay for all services prior to termination.

Should services be terminated, a charge for restoration of service must be paid plus the account balance prior to restoration of services.

Terra Grande Water will, one time, assist you by making payment arrangements not requiring immediate payment in full, if you contact us prior to the final date to arrange such a payment plan.

Remember, your water will be turned off the day after the final date unless you act before 5:00 pm on the final date.

Dec. 13, 2005

To: Terra Grande Water

Barbara Child

FAX: 322-2509

From: Mary Huskins

re: Dorothy Wurrell
water service

Letter of Medical Necessity

You can contact me regarding
acceptable payment plan,
on account - o

Mary Huskins
861-0996

TRANSMISSION VERIFICATION REPORT

TIME : 12/13/2005 15:35
NAME :
FAX : 2083448355
TEL :
SER.# : BROG4J767239

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

12/13 15:33
3222509
00:01:57
02
OK
STANDARD

IDAHO NEPHROLOGY ASSOCIATES, P.L.L.C.

NEPHROLOGY AND INTERNAL MEDICINE

5610 W. GAGE, SUITE A, BOISE, IDAHO 83706

TELEPHONE (208) 367-5370

JON E. WAGNILD, M.D., P.A.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

MICHAEL C. MALLEA, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

DONALD R. MORRIS, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

NAGRAJ NARASIMHAN, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

ROBERT L. DAVIDSON, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

MICHAEL J. ADCOX, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

NICHOLAS C. HUNT, M.D.
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Nephrology

JEAN U. BENDER, M.D., MPH
Diplomate of the American Board of Internal Medicine
Diplomate of the American Board of Pediatrics
Diplomate of the American Board of Nephrology
Board Eligible Pediatric Nephrology

December 13, 2005

Terra Grande Water
P.O. Box 7112
Boise, Idaho 83707

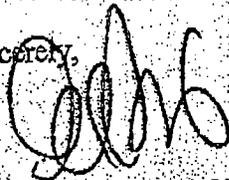
Re: **WARRELL, Dee**
2113 Pennington
Boise, Idaho 83709

To Whom It May Concern:

Dee Warrell is followed by Saint Alphonsus Nephrology Center for end stage renal disease secondary to diabetes mellitus. Mr. Warrell dialyzes three times weekly for four hour intervals. Due to this patient's compromised health and multiple medical problems, I would like to request your leniency with regard to payment of this family's past due water bill. Consideration of a mutually acceptable payment plan for them would be very much appreciated.

Should you require additional information, please contact Marie Powell, RN, at Saint Alphonsus Nephrology Center 367-2218. Thank you for your assistance and cooperation in this matter. I feel it is imperative that this patient remain with his water supply intact and request the water reinstated immediately.

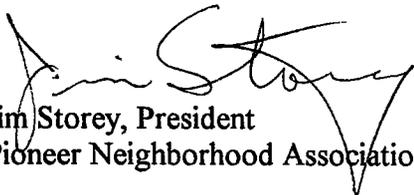
Sincerely,



Donald R. Morris, M.D.
DRM/drm

Sub: Petition for Water Meters.
Date: 07/16/2005
From: Owners and residents of Pioneer subdivision.
To: Idaho PUC. Commissioners

- Under PUC Case No. TGW-W-05-1, ORDER NO. 29735. IT IS FURTHER ORDERED that Terra Grand shall notify its customers that the cost of water system consumption will be shared by all customers and inform them of the need to control their water consumption.
- Some lots are larger, some families are larger, and some people care more about their landscaping than other, so utilization of water is not fair.
- The initial water line from United Water is a 4" and the further from their line to the end of the subdivision the lower the water pressure.
- The fair solution to this problem will be for Terra Grand Water to install water meters on each property.


Jim Storey, President
Pioneer Neighborhood Association.

Copy of original

Attached signatures of residents and property owners:

Subj: Petition for water meters.

July 16 2005

To: PUC Commissioners

From: Pioneer neighborhood residents and homeowners

Name (print)	Signature	Address	Property Owner /Renter
1. Jim Storey	Jim Storey	1607 S Ash Park	X
2. John ...	John ...	1815 S ...	X
3. Jeffrey Good	Jeffrey Good	2010 Pennington Dr	X
4. Frank Graham	Frank Graham	8031 WRMH	X
5. KATHRYN J. ALLEN	Kathryn Allen	2011 S. Pennington DR	X
6. Jay Good	Jay Good	2010 Pennington Dr.	X
7. Dave Emry	Dave Emry	1828 Pennington Dr.	X
8. Henry Haskins	Mary Haskins	2121 Pennington Dr.	X
9. Michael R. Williams	Michael R. Williams	2011 S. Pennington DR.	X
10. Reginald Patrick	Reginald Patrick	1923 S. Ash Park	X
11. Sharon VanSike	Sharon VanSike	8092 Fairway	X
12. Berna Bassett	Berna Bassett	1923 Pennington Dr	X
13. Daniel N. Bassett	Daniel N. Bassett	1923 Pennington Dr.	X
14. BRAD CARTER	Brad Carter	1630 Pennington	X
15. GREG CHAMBERS	Greg Chambers	1625 PENNINGTON DR	X
16. Jay Brown	Jay Brown	1735 S. Ash Park	X
17. Jana Brown	Jana Brown	1735 S. Ash Park	X
18. Jennie	J. Crowster	1737 S. Ash Park Ln	X

Subj: Petition for water meters.
 To: PUC Commissioners
 From: Pioneer neighborhood residents and homeowners

July 16 2005

Handwritten initials

Name (print) Signature Address Property Owner /Renter

19.	Wen-cheng Tsai	<i>Wen-cheng Tsai</i>	1922 Penninger Dr. Boise, ID. 83709	✓
20.	Devin Jolley	<i>D. Jolley</i>	1446 Penninger Boise ID 83709	✓
21.	PS Jones	<i>Paul Jones</i>	1914 Penninger Dr Boise ID 83709	✓
22.	Carolyn Espindula	<i>Carolyn Espindula</i>	1914 Penninger Dr. ^{Boise} 83709	✓
23.	James Trussell	<i>James Trussell</i>	1814 Penninger Dr	✓
24.	Randy	<i>Randy Whelan</i>	1824 Penninger Dr	✓
25.	Andrew	<i>Andy Baron</i>	1809 Penninger	✓
26.	Haylett, Janiece	<i>Janiece Haylett</i>	1805 Penninger	✓
27.	BRIAN STANER	<i>Bin Stater</i>	1801 Penninger Dr.	✓
28.	Tamara Williams	<i>T. Williams</i>	17215 Penninger Dr	✓
29.	Lynette Haber	<i>Lynette Haber</i>	1716 Penninger Dr.	✓
30.	Kim Sklarowky	<i>K. Sklarowky</i>	8017 DORIAN	✓
31.	Rita Cottin	<i>R. Cottin</i>	8009 Dorian	✓
32.	WALT HOOKE	<i>Walt Hooke</i>	1725 S ASH PARK	✓
33.	Janice Neeson	<i>Janice Neeson</i>	1815 S. ASH PARK	✓
34.	WM PRUITT	<i>Wm Pruitt</i>	1833 S ASH PARK	✓
35.	Patricia Patrick	<i>Patricia Patrick</i>	1973 Ash Park	✓
36.	Frank Heimer	<i>Frank Heimer</i>	1004 S Ash Park	✓
37.	WAYNE BOYLE	<i>Wayne B</i>	2017 S ASH PARK W	✓
38.	Katie Corn	<i>KATIE CORN</i>	2111 S Ash Park Dr	✓

Handwritten mark

Handwritten note: Randy change his mind again of saying yes & I installed this year

Subj: Petition for water meters.
 To: PUC Commissioners
 From: Pioneer neighborhood residents and homeowners

July 16 2005

	Name (print)	Signature	Address	Property Owner /Renter	
39	1. ANNE TAYLOR	Anne Taylor	2060 PENNINGER		X
40	2. Jean V. McLuik	Jean V. McLuik	2021 Penninger Dr.	X	
41	3. Kimberly Allen	Kimberly Allen	2016 Penninger Dr	X	
42	4. Sam Danish	Sam Danish	2086 Penninger Dr.	X	
43	5. [unclear]	[unclear]	[unclear]	X	
44	6. [unclear]	[unclear]	[unclear]	X	
45	7. [unclear]	[unclear]	[unclear]	X	
46	8. Irma Clark	Irma Clark	1887 Penning	X	
47	9. Camille Wasson	Camille Wasson	1825 S. Penninger	X	
48	10. [unclear]	[unclear]	[unclear]	X	
49	11. Connie Bean	Connie Bean	2109 Penninger	X	
50	12. Don Bean	Don Bean	2109 Penninger	X	
51	13. Jean Ann Polly	Jean Ann Polly	1946 Penninger Dr	X	
52	14. Kim Spence	Kim Edgerton	2020 Penninger Dr.	X	
53	15. ROSE MOORE	Rose Moore	1888 Penninger	X	
54	16. Cassandra Sugals	Cassandra Sugals	1724 S. PENNINGER	X	
55	17. Steve Hufus	Steve Hufus	2021 S. Astor Park	X	
56	18. Marty Zahn	Marty Zahn	18020 Dorian	X	
	MAT WASSON	MAT WASSON	1825 Penninger	X	

Subj: Petition for water meters.
 To: PUC Commissioners
 From: Pioneer neighborhood residents and homeowners

July 16 2005

	Name (print)	Signature	Address	Property Owner /Renter	
57	1. KAREN ADAMS	<i>Karen Adams</i>	1717 Pennington Dr	<input checked="" type="checkbox"/>	<input type="checkbox"/>
58	2. Brian Warrell	<i>Brian Warrell</i>	2163 Skillern	<input type="checkbox"/>	<input checked="" type="checkbox"/>
59	3. Chris Comstock	<i>Chris Comstock</i>	1821 Pennington Dr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
60	4. Chuck Porter	<i>Chuck Porter</i>	1906 S Pennington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
61	5. Eric Jong	<i>Eric Jong</i>	1708 Pennington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
62	6.				
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Received 7/20/05


Sub: Petition for Water Meters.
Date: 07/16/2005
From: Owners and residents of Pioneer subdivision.
To: Idaho PUC. Commissioners

- Under PUC Case No. TGW-W-05-1, ORDER NO. 29735. IT IS FURTHER ORDERED that Terra Grand shall notify its customers that the cost of water system consumption will be shared by all customers and inform them of the need to control their water consumption.
- Water bills are not fair. Some lots are larger, some families are larger, and some people care more for their landscaping than other, so utilization of water is not fair.
- The initial water line from United Water is a 4" and the further from the lines link to Terra Grand's Water system the lower the water pressure.
- The fair solution to this problem will be for Terra Grand Water to install water meters on each property.

Jim Storey, President
Pioneer Neighborhood Association.

Attached signatures of residents and property owners:


1617 Pennington Dr