

✓ Ben. Ark  
sent 10/13/05

✓ To H.U. ✓ To Commos  
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Idaho Public Utilities Commission  
Case No. EAG-W-05-02  
Order No. 39870

According to a memo/letter to *Contact Gene Fadness* dated September 30<sup>th</sup>, 2005 re: the above referenced situation, it states that "the company" responded to an Aug. 3 emergency order from the commission to correct low-pressure problems in the Eagle Springs Estates subdivision.... And goes on to say that the company believes it has addressed immediate problems, it is concerned about "occasional drops in water pressure" especially in light of the continued wasting of water that has been observed in Eagle Springs" subdivision, according to the company's application.

Well, the "occasional drop in water pressure" have been happening since at least 1997.

Taken from September 25, 1997 Eagles Springs Homeowner's Association Minutes:

*Status Report on Eagle Water Pressure and Volume* Drew Seargent provided an update on the Eagle Water situation. At this time, the water pressure is about 55 pounds per square inch (psi) which is well within the legal requirements. Engineering studies and plans have been completed which include the addition of two more wells and a "loop" line to help increase water pressure and volume. The state of Idaho's Division of Environmental Quality has been contacted to help assure compliance with standards and resolve problems. Eagle Water Co. has posted a cash bond for the planned additions to the system. Drew noted that rates will inevitably increase but must be approved by the Idaho Public Utilities Commission.

Taken from Autumn, 1997 Eagle Springs News

**Water System Studies Completed**  
With input from the state Division of Environmental Quality and our developer, Brenson Corporation, the Eagle Water Company has completed studies related to expansion and improvement of the water system in our area. The studies indicate the need for a loop line to be installed adjacent to the new highway 55 to provide additional volume of water to Eagle Springs. Based on the studies, our water pressure should improve considerably. As the studies and plans for improvement of the system are implemented, the board of directors and others will be following events closely. Progress will be reported as it occurs this fall and into next spring.

According to the May 4, 1999 Minutes:

Water Pressure -- This continues to be a problem but seems to be improving somewhat over time. Peter Harris has been told repeatedly that the pressure should improve as more homes come on line and demand increases.

January 2000 Eagle Springs News:

**From the Developer, Peter Harris**

Construction of the additional pump station to improve our water pressure is still underway. An easement allowing Eagle Water Co. to cross Horseshoe Bend Highway has temporarily delayed construction progress, but we still expect the pump station to be operational this spring. I continue to work closely with Eagle Water to see that this project is completed before our landscape maintenance season begins.

May 3, 2000 Minutes:

*Water System* Peter announced that some progress was made on improving the domestic water system. Eagle Water Co. has completed connection with a second 12-inch main line to provide more water to Eagle Springs and adjacent Bonita Hills subdivision. The long promised booster pump is scheduled for installation by June 1, 2000. Peter is continuing his pressure on Eagle Water to meet that date.

July 2000 Eagle Springs News:

**Eagle Water Installs New Pump**

For most of us, the installation of a new booster water pump will greatly improve our domestic water and irrigation pressure is long overdue. Our subdivision's developer Peter Harris has been monitoring the progress for months with Eagle Water. The latest conversation is that the pump should be fully functional by the first of August, if not sooner. Hurrah!

July 28, 2000 Eagle Springs Special Edition:

**Special Homeowner's Meeting Held**

At the Boards' request a special homeowners meeting was held on Tuesday, July 18<sup>th</sup>. The Idaho Public Utilities Commission (P.U.C.) attended for the purpose of disclosing the current status of domestic water services and the investigation process by the P.U.C. involving Eagle Water Company. A turn out of 33 homeowners were present to listen to P.U.C. investigative process and expected time frame for a preliminary report to be presented to the P.U.C's. Commissioners. P.U.C. guest speakers, Nancy Harman and Scott Woodbury answered many questions from the homeowners.

In September of 2000 the PUC had a Case No. EAG-W-00-1 re: Eagle Water and its ability to provide adequate water service to the Eagle Springs area. In the Summary, it stated that during the outage, Eagle Water and the subdivision developer provided bottled water to residents, etc. That did not happen here on N. Blacktail Pl.

It also stated that Eagle Water has plans to drill a new well, has obtained water rights permit, and expects to have it operational by the summer of 2001. It also was in the preliminary planning stages for a new storage reservoir.

## Low Water Pressure

Our management company AMI has received several phone calls over the past several weeks from members experiencing low water pressure in the mornings. The association has no control over the delivery of domestic water and your concerns about the water pressure should be directed to Eagle Water Company 939-0242.

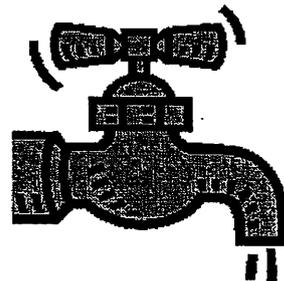


## MESSAGE FROM THE PRESIDENT

Water pressure for Eagle Springs residents continues to be a vital concern but it appears that there is hope for improvement. Here is a recap of what has been done and what is on the horizon.

This is the PUC Report by PUC representative Dave Schunke at the September board meeting:

- Dave last appeared at the July board meeting and much has happened since then.
- Eagle Water was issued a violation letter by the PUC on August 1.
- The commissioners gave Eagle Water seven days to correct the pressure issue.
- An 8" main line was replaced by a 12" line and the pressure went up significantly.
- The commissioners required Eagle Water to conduct an engineering study relating to short term and long term issues.
- The commissioners required Eagle Water to file an application for a surcharge within twenty-one days. There are three options for surcharge: (1) an inline booster pump to help residents at the rim of Eagle Springs; (2) replace the main booster pump by the gravel pit; and (3) create a new well.
- On October 12 at 7:00pm, there will be a hearing at the Eagle Senior Center. Prior to the meeting at 6:00pm, there will be a workshop. Guests are welcome. Questions or comments will be accepted by the commissioners at the hearing. Questions or comments may also be sent to the PUC website.



*Gary Adams*— President

I am confused to the water usage issue re: Eagle Springs. It seems to me that no one has been told "not" to use water; and I was under the impression that when someone "uses" water, Eagle Water would be making money... and I thought that is why they were in business.

The Eagle Spring News, Autumn 1997 article references "completed studies related to expansion and improvement of the water system...."

You can find in the 9/25/97 minutes that engineering studies and plans have been completed.... Why do we need to pay for these again?

You can find in the 9/25/97 minutes that a cash bond was in place for planned additions and, I'm assuming, also for 2 wells. To my knowledge this has not happened.

Eagle Water was to conduct an engineering study relation to short and long term issues. That was done in 1997. Again, why do we need to pay for these?

In the Eagle Springs Fall 2005 article... (2) replace the main booster pump by the gravel pit... why should we pay a surcharge on something that "was undermined by a local gravel pit operator". (Referenced in the September 10<sup>th</sup>, 2005 letter from Eagle Water). It's my understanding that businesses need to carry liability insurance for such things as this.

I understand that there is a "sort of moratorium" on connections to Eagle Water until an additional source or sources are provided that are large enough to meet minimum state requirements stated in a letter written by Michael R. McGown, to Eagle Water, dated September 7, 2005. Well, I am not certain how or why, but it appears that the letter was disregarded. There is new building across the street from Eagle Springs where a lot of water pressure problems exist.

According to the Item/Cost section of Case No. EAG-W-05-2:

To replace the line... that is a liability issue – not a surcharge item

Prepare engineering report... that was done in 1997 – the company needs to take responsibility for that

Legal & Accounting Expenses... they need to take responsibility for that also

We paid for hookups, water rates, etc. and a surcharge shouldn't be on us.

In 2004 when I called Eagle Water re: water pressure and bad smelling water... I was told to run our outside water full blast for 10 minutes (along with everyone else on our street at the same time) because of water smell. The problem, according to Eagle Water, was our hot water tank, our water softener, and our outside water backing into our house.

I do not believe that the following Idaho Statute has been in compliance:

**TITLE 61**

**PUBLIC UTILITY REGULATION**

**CHAPTER 3**

**DUTIES OF PUBLIC UTILITIES**

61-302. MAINTENANCE OF ADEQUATE SERVICE. Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable.

As you have read from the above minutes, etc. our water service has not been maintained as in the above referenced statute. On one occasion we were not notified until a month later that there were problems with our water quality.

We not only pay for our lack of water service and quality... we are paying for bottled drinking water as we do not have confidence in the water company supplying our water.

Due to the history of Eagle Water... I believe they should take responsibility for running their business correctly. Surcharging customers for their lack of business sense, or whatever should not be passed on. They need to accept responsibility and act accordingly.

Any of the excerpts on newsletters or minutes referenced above can and will be sent in their entirety if requested.

Teenie Kline  
Marjorie Hopewell  
10986 N Blacktail Pl  
Boise ID 83714

✓ Ben Ack  
sent 10/13/05

✓ To A.U.

✓ To Comms ; It

9754 W. Big Springs Blvd.  
Boise, ID 83714  
October 12, 2005

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720,  
Boise, ID 83720-0074

I wish to submit comments on Case No. EAG-W-05-2.

I am a resident of Eagle Springs subdivision and experienced severe reduction in water pressure during the summer. Although the situation has improved since the replacement of the 8-inch mainline with the larger 12-inch mainline, I am concerned that the improvement will only be temporary. I believe that when the large numbers of customers in the Shadow Ridge subdivision are added to the water system, we will again experience pressure reduction, due to the difference in elevation. It is also quite likely that future developments along Hill Road and Horseshoe Bend Road will exacerbate this problem.

I am also very concerned about the proposal for Option 2. I believe the additional booster pump for Big Springs Boulevard is essential to ensure adequate water pressure, EVEN IF Option 1 or 3 is approved. However, it is not appropriate to assess that cost to just the 51 customers in Eagle Springs. When Eagle Water committed to providing water service to Eagle Springs, the Engineering staff knew the number and type of homes that were planned in this area. They also knew of the elevation difference. It is obvious that the project was improperly engineered and planned. The engineers/planners further contributed to the potential for pressure problems by installing only one branch from the main line to be shared by two homes. I understand that Eagle Water installed all water service in the subdivision in this manner. It is inappropriate and unfair to penalize the 51 homeowners for the failure of Eagle Water to properly plan and engineer this project. The cost of corrective action (additional booster pump) should be paid by the entity that caused the problem—Eagle Water.

I will appreciate your careful consideration of my concerns in these matters.

  
Susan Menhorn

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sent 10/13/05

✓ To A.U.

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October 5, 2005

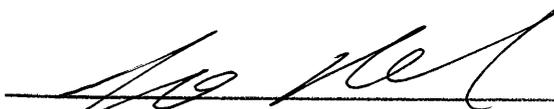
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Signature  
Sean Reber  
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Name (Printed)  
9610 W Big Springs  
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Address

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Angela McIntier  
Signature  
Angela McIntier  
Name (Printed)  
10667 N. Halter Wy  
Address

October 5, 2005

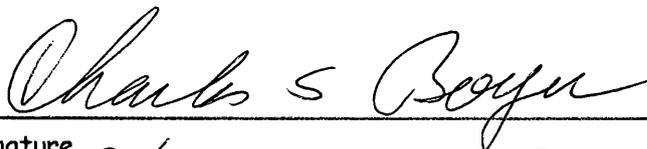
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Signature

CHARLES S BOYER

Name (Printed)

Address

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✓ To Commos  
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October 5 2005

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IDAHO PUBLIC  
UTILITIES COMMISSION

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Idaho Public Utilities Commission  
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Boise, ID 83720-0074

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Janet Bullock  
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