Morning View Water Company

Jefferson County, Idaho

Environmental Information Document

Final Revision

October 2012

IDEQ FACILITY PLANNING GRANT
PROJECT NO. DWG-112-2011-5

ASPEN ENGINEERING, INC.
10727 N. Yellowstone Hwy
Idaho Falls, ID 83401
208-542-1911
Project No. 2010.021

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Environmental Information Document

Revision 1

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Applicant Information:

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Project Abstract:

Morning view water company (MVWC) owns and operates a public drinking water system that serves approximately 106 single family residences in rural Jefferson County approximately one mile southeast of the City of Rigby. Morning View entered into a Consent Order (See Appendix A) with the Idaho Department of Environmental Quality (IDEQ) in October 2007. The Consent Order was based on numerous complaints from system users citing lack of adequate pressure, sand and other compliance issues. The amended Consent Order requires MVWC to correct significant deficiencies including a plan to correct insufficient water pressure. MVWC hired Aspen Engineering to complete a facility plan, sampling plan, and cross-connection plan. The Final Facility Plan for Morning View Water Company was completed in August of 2010. The facility Plan revealed the current system cannot meet the maximum day demand. This Environmental Information Document (EID) includes findings from the Morning View facility plan, as well as providing additional information on how the selected alternative may affect the environment and cultural resources. The selected alternative number 5 - Drill new well and construct new pumphouse has been chosen as the preferred alternative. As funding is available, alternatives number 3 - install meters on all service connection lines, and Alternative number 4 - Install VFD's on the existing wells will also be completed.

Estimated Project Costs:

Alternative Number	Item	Capital cost
3	Install 106 Meters	$16,000
3	110 Meters (106 currently needed)	$12,500
Subtotal for alt 3:		**$28,500**
4	VFDs on Existing Wells	$9,800
4	Install VFD's	$ 7,000
Subtotal for alt 4:		**$16,800**
5	Install Generator	$ 8,000
5	Backup Power Generator	$30,000
5	300' 6" main line to connect new well	$12,000
5	New Well House Plumbing	$12,000
5	Well House	$7,200
5	Pump & Drive	$12,500
5	Pump Test	$8,000
5	Drill & Finish New Well	$65,000
Subtotal for alt 5:		**$154,700**
Subtotal for alt 3,4 & 5	Construction Costs	**$200,000**
	Contingencies 15%	$30,000
	Engineering Design	$15,500
	Environmental Information Document	$15,000
	Construction Management	$9,500
	Administration & Funding	$4,000
	Legal	$10,000
TOTAL		**$284,000**

FUNDING:

DEQ: Planning Grant (½ of EID) Priority List Loan	$ 7,500 $260,000
OTHER: Morning View	$16,500
PROJECT TOTAL:	$284,000

DEQ loan forgiveness: $78,533

Total Amount Financed (debt service charge to customers): $205,467

ESTIMATED USER COSTS:

The existing user charges range from $32.94 to $49.98 per month and the debt service charge is $0 per month. The existing rates are based on lot size. This project would increase the user charge by approximately $7 per month, all of which will be debt service charge. The total monthly cost per household after the project is in operation, will therefore range from $39.94 to $56.98 per month.

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1.0 INTRODUCTION

1.1 Purpose and Need for the Project:

Morning view water company (MVWC) owns and operates a public drinking water system that serves approximately 106 single family residences in rural Jefferson County approximately one mile southeast of the City of Rigby. Morning View entered into a Consent Order (See Appendix A) with the Idaho Department of Environmental Quality (IDEQ) in October 2007. The Consent Order was based on numerous complaints from system users citing lack of adequate pressure, sand and other compliance issues. . The Consent Order requires MVWC to correct significant deficiencies including a plan to correct insufficient water pressure.

Due to the conditions set forth in the Consent Order, MVWC hired Aspen Engineering to complete a facility plan, sampling plan, and cross-connection plan. The Final Facility Plan for Morning View Water Company was completed by Aspen Engineering, in August of 2010. The facility report reveals the current system cannot meet the maximum day demand.

An amended consent order was signed February 8, 2010; requiring Morning View to obtain grant or loan funds as soon as practical, complete pump testing of the current wells, continue to provide quarterly public notices to each residence, and complete lead and copper testing. A copy of the amended consent order is attached in Appendix A.

This Environmental Information Document (EID) includes findings from the Morning View facility plan, as well as providing additional information on how the selected alternative may affect the environment and cultural resources.

1.2 Description of Existing Facilities

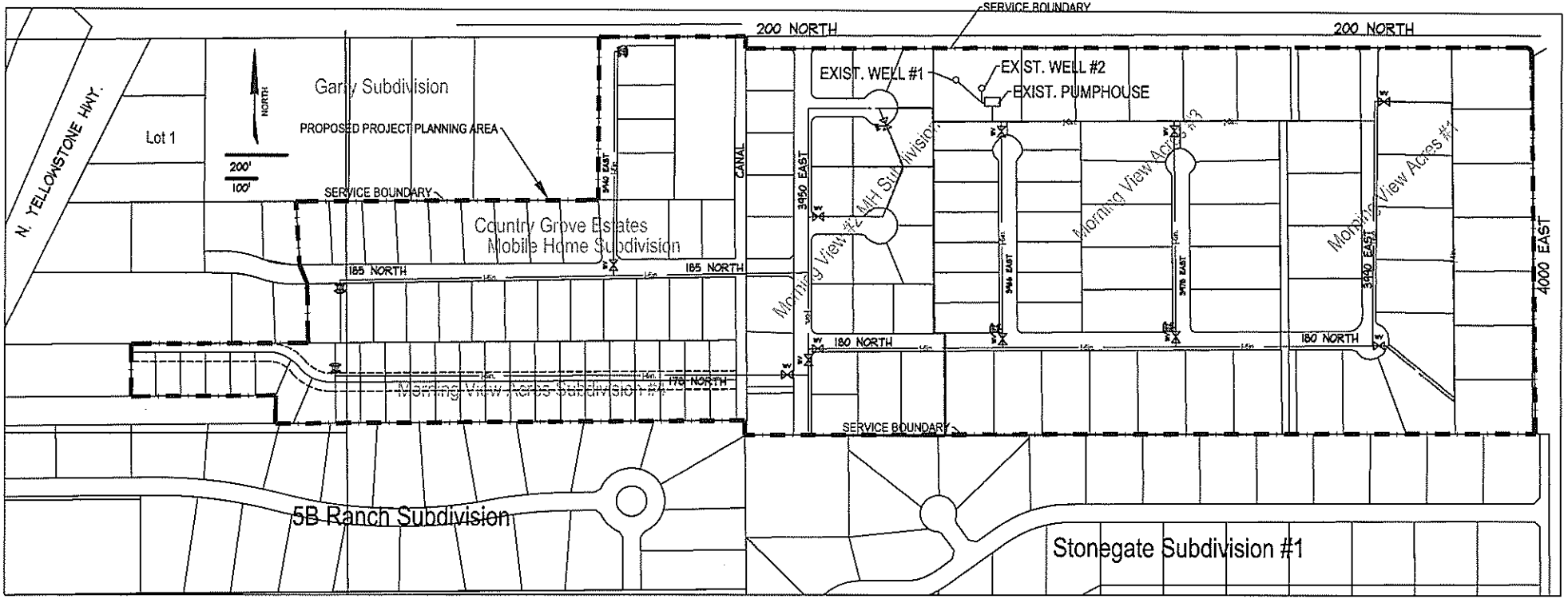
The existing MVWC water system includes two wells and approximately 11,000 feet of six inch diameter class 200 PVC water main. 2,300 feet of four inch diameter, class 200 PVC is also included on the system. Figure 1.1 shows a map of the system and its features.

The current service area for the MVWC includes 109 acres located in the Morning View Acres Divisions 1, 2, 3, and 4. Division No. 1 of Country Grove Estates Mobile Home Subdivision is also included on the system. There are currently 106 connections to single family residences. Residences include site constructed homes (stick built), mobile trailer homes, and manufactured homes on permanent foundations.

Lot sizes range from one quarter of an acre to just over one acre in area. The smaller lots are typically occupied by either mobile trailer houses or manufactured homes. Stick built single family residences generally occupy the larger lots.

Future growth within the existing service area boundary will include water service connections to 25 lots in the stick built divisions, as well as an additional 22 trailer lots in Division 4 of Morning View Acres. This will make a total of 149 individual connections to the system.
It is estimated that the system will be fully developed within the next three years.

FIGURE 1.1 MORNING VIEW WATER SYSTEM



1.2.1 Supply

Well 1 - The main well for the MVWC water system is 12 inch diameter well approximately 120' deep. The well is located on the "well lot" at the northwest corner of Division No. 3. The well lot comprises 1.64 acres. The well log for this well shows it was completed in July 1996 and is cased to a depth of 118 feet. This well has not been pump tested and the actual well capacity is unknown. Currently a 30 horsepower submersible pump is installed in the well.

Well 2 - The backup well is a six inch diameter well that is 120 feet deep. According to the well log, this well has a surface seal 18 feet deep and was constructed in June 1986. No pump test data is available and a 10 horsepower submersible pump services the well.

Both wells feed into a central pump house via separate pitless adapters and buried six inch diameter pipes. The pump building accommodates two 900 gallon, air over water, pressure tanks which then feed into the distribution system. Both well pumps are single speed pumps and are equipped with soft start motor controllers to prevent water hammer and extend the life of the pumps.

Water quantities are monitored using a totalizer/flow meter located in the pump house. The meter reads the instantaneous flow through the meter as well as providing the total quantity passing the meter (totalizer). No individual well meters are installed and it is not possible to determine individual well production, only total water production can be recorded. The water quality of these two wells currently meets drinking water regulations.

Two 900 gallon galvanized water tanks are installed in the pump house. The two tanks are maintained between half and two-thirds full of water with pressurized air occupying the top portion of the tanks. The tanks are about ten years old and are in good shape with no rust or leaks showing. The estimated useful life of the tanks is at least another ten years.

1.2.2 Treatment

The only treatment currently in operation for the company's water supply is to separate sand from the well production water. The sand separator consists of a centrifugal type separator with raw water being fed into the unit, centrifugal action then separates the heavier sand particles which fall to the bottom of the unit and treated water is returned to the top of the unit and put into the distribution system. The unit operates manually and the only maintenance required is to purge the solids from the bottom chamber of the unit on a periodic basis.

For emergency contamination circumstances, manual dosing of the individual wells would be required to treat a bacteriological outbreak, should one occur. The Company may want to purchase an emergency chlorination system to provide emergency disinfection capabilities.

1.2.3 Pressure Zone

The entire system is served by a single pressure zone. System pressures throughout the development are established by the pressure switch setting at the pump house building on the well

lot. The typical range for pressure settings is 43 to 67 psi. The pressure is measured at the pump building and customer pressures at the point of use will vary due to friction losses and the variation in demand especially during peak demand hours. The minimum operating pressure requirements of IDAPA 50.01.08.552 apply at the service connection of customer property.

Based on the information obtained from pressure monitoring measured at service connection, the system usually operates above the minimum pressure of 40 psi except during the irrigation season. It appears that the system undergoes abrupt pressure changes each day as irrigation systems begin operation.

1.2.4 Standby Power

Currently there is no standby power or emergency power generation equipment ate the MVWC system. In the event of an area wide power failure, no water production is realized and the system pressures will drop to zero as users draw a limited amount (less than 500 gallons) of water supplied by the two pressure tanks.

1.2.5 Storage

The only storage in MVWC's water system provided in the two air over water pressure tanks at the pump building and has no practical/useable quantity

1.2.6 Telemetry System

There is no telemetry system installed at the MVWC water system. The two wells are operated by an automatic pressure switch located in the pump house and both wells respond simultaneously.

1.2.7 Distribution System

Water distribution for the Morning View system includes approximately 11,000 feet of six inch pipe and 2,300 feet of 4" pipe. All of the pipe consists of class 200 polyvinyl chloride (PVC). There are no fire hydrants on the system.

Service connections are exclusively one inch and are typically polyethylene. There are twelve control valves within the distribution system, four of which are four inch valves controlling flow to the two four inch diameter loops - one at the east end of the system and the other from the two cul-de-sacs on 3950 East. The maximum number of residents on one continuous, isolatable loop is at 178 North where there are 32 trailers on one loop. Generally there are adequate valves to isolate ten to twelve homes without interrupting water service to others.

Cross-connection contamination of the distribution system is controlled by the use of backflow prevention devices, generally consisting of a double-check valve. Check devices are required to

be inspected and tested after the initial installation with written verification given to the either the owner/operator or the office manager.

1.3 Water Demand

The population serviced by MVWC is approximately 225 people via approximately 106 active individual connections. Morning View Water Company's historical average daily demand (ADD) for the years 2006 through 2007 was 167,000 gallons.

As an un-metered community, MVWC's ADD consumptive values are very high (2.9 to 3.4 times) in comparison with metered communities. The ADD water use for the current year (2008) is estimated at 165,000 gallons, with an MDD of 412,500 gallons and a peak hour demand (PHD) of 495,000 gallons. Water demand projections for the end of the 3-year study period (2011) when full build out is realized are 217,800 gallons for ADD, 544,500 gallons for MDD, and 653,400 for PHD. Comparing Morning View's ADD with the metered communities of Rexburg, Caldwell and Meridian shows the per connection water demand is quite high. In the referenced communities the average per connection ADD is 580 gallons compared with 1,668 gallons for MVWC. These projected flows do not reflect any potential reduction due to installation of meters.

Per capita ADD consumption for these communities ranges from 170 to 200 gpdpc. Assuming 225 people per connection as in Morning View, this equates to 742 gpd per connection. The state-wide ADD as reported by USGS for public water systems in Idaho for the year 2000 was 260 gpdpc or using 2.9 people per connection, 754 gpd per connection. Morning View's average demand rate is 1668 gpd per connection.

2.0 IMPROVEMENT ALTERNATIVES

2.1 Capital Improvement Plan

Chapter 8 of the Facility Plan discusses several areas of capital improvement that are needed at the MVWC. It should be noted that the distribution main lines are of sound construction and adequate size, and are suitable to meet both current and future projected demands.

2.2 Water System Improvement Alternatives

The following alternatives have been considered and each are mentioned in the Facilities Plan completed in August 2010.

2.2.1 Alternative No. 1: No Action Alternative

Under this alternative, Morning View Water Company would not make any improvements to the water system. This option is not recommended because:

- IDEQ has issued an Notice of Violation to MVWC for non-compliance with current drinking water rules.

- MVWC has entered into a Consent Order with IDEQ which requires the water company to make improvements to the system. Non-compliance with the significant deficiencies noted in the Consent Corder may result in civil action against the company. Fines have already been levied against the Company and will likely continue to accrue.

- Human health and safety may be at risk due to low pressures and the likelihood of resulting contamination in the drinking water.

- Future growth cannot be realized until the terms of the Consent Order are fulfilled.

2.2.2 Alterntaive No. 2: Modify Operating Pressure Range and eliminate all individual booster pumps.

The following excerpt is taken from the Facility Plan completed in August 2010:

- Providing and maintaining adequate system pressure is the first priority for the MVWC water system. System operating pressures were adjusted in late July of 2008 to 50 psi min and 75 psi max. Pressure monitoring data collected November 13-20, 2008 indicates adequate pressures are being maintained in system indicating the low pressures are due to the increased demand during the irrigation season.

Only one individual booster pump could be verified and the owner indicated that it had not been used in the past two seasons (2007 or 2008). Since that time, it is Aspen Engineering's understanding that the booster pump has been isolated from the system, either through removal or through the use of check valves.

Based on the information gained during the Summer and Fall of 2008 and the Summer of 2009, this alternative alone cannot provide an effective solution to the deficiencies of the Morning View water system. Without additional well and/or pump capacity, the system cannot meet the current peak demand or firm pumping capacity requirements.

2.2.3 Alternative No 3: Installation of meters on individual service lines

For this alternative, individual water meters would be installed at each service line connection to allow for measurement, and ultimately rate structuring, of water use. Clearly, the water system is most vulnerable during the irrigation season. Lot size for the system ranges from one-quarter of an acre to one full acre. Many lots include large areas of turf grass and/or landscaped areas requiring irrigation of plants, shrubs and trees. Currently there is no incentive to conserve water. The combination of the water company being a "for profit" entity, past operating history, and current patron sentiment has led to higher than expected water-use.

The facility plan notes, "As an un-metered community, MVWC's ADD consumptive values are

very high (2.9 to 3.4 times) in comparison with metered communities." Metering of water combined with a tiered rate structure that will promote conservation

2.2.4 Alternative No 4: Install Variable Frequency Drives (VFD) on the two current wells

This option would include the elimination of the two 900 gallon air-over-water pressure tanks in the well house and would replace the existing "Soft Start" controllers. The advantage VFDs over the soft start units is the close range of pressures available by controlling the motor speeds. Currently, the system operates between 50 and 75 psi, a range of 25 psi. Using the VFD the pressure would be regulated to a set point and a range of 2-3 psi on either side. This close range of pressure will keep the system pressures at the point of use higher. This alternative does not address the additional pumping capacity required during the irrigation season.

2.2.5 Alternative No. 5: Construct new well and pumping station

The components of this Alternative would include drilling a new water production well and pumping station. Also included in this option are looping the west end of the distribution lines to allow for two way flow in the currently dead-ended lines. Purchase and installation of a natural gas or propane generator to provide emergency power is also included in this alternative. The facility plan notes, "Ultimately, the system cannot meet the firm pumping capacity requirements and an additional water source, including water rights, is needed to provide adequate capacity. The two existing wells are to remain. The new well installed would be additional supply and not replacement. The new well will be seized to satisfy the long term demand, including growth projections presented in section 1.3. Installation of backup power generation is also recommended in order to maintain system usefulness during outages from the primary power source"

2.3 Cost Summary of Alternatives

The follow opinion of probable capital costs for the improvement alternatives 3, 4 and 5 is given:

Alternate No 3 - Installation of meters	$28,500
Alternate No 4 - VFDs on current wells	$16,800
Alternate No 5 - new well, pumping station, & back up generator	$154,700

Administrative, engineering, and construction management costs have not been included in the above costs.

3.0 SELECTED ALTERNATIVE(S)

As previously discussed, MVWC entered into a Consent Order with IDEQ in October 2007 due to

the lack of adequate pressure and other complaints. In accordance with the Consent Order, a draft facility plan was submitted to IDEQ in April 2009 that recommended the following improvements, in order of their priority.

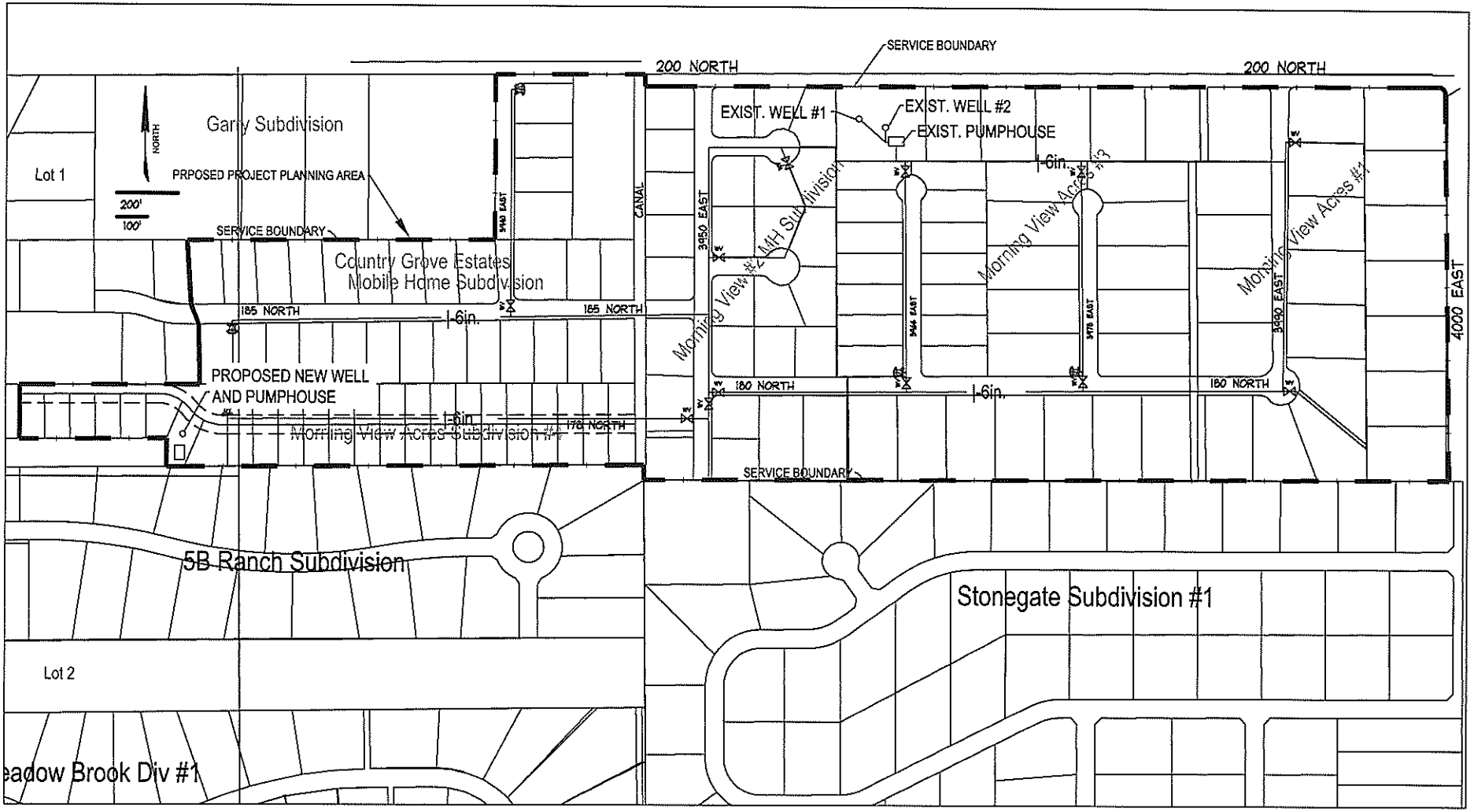
- Purchase and installation of individual meters for each residence is based on a 3/4" meter, meter base and meter box
- Construct a new water production well to provide adequate water during peak day demand and meet firm pumping requirements.
- Install VFDs on current wells

Which makes constructing a new well and pump station the preferred alternative In anticipation of constructing a new well, additional water rights were secured through the Idaho Department of Water Resources (IDWR), a copy of the new water right is attached in Appendix B. If funding is available it would be very beneficial to complete all three of the alternatives.(Alternates 3, 4, & 5)

Table 3.1 shows a cost opinion to complete all three of the preferred alternatives, and Figure 3.1 indicates the location of the selected alternatives.

Table 3.1 - Opinion of Probable Capital Costs

Alternative Number	Item	Capital cost
3	Install 106 Meters	$16,000
3	110 Meters (106 currently needed)	$12,500
Subtotal for alt 3:		**$28,500**
4	VFDs on Existing Wells	$9,800
4	Install VFD's	$ 7,000
Subtotal for alt 4:		**$16,800**
5	Install Generator	$ 8,000
5	Backup Power Generator	$30,000
5	300' 6" main line to connect new well	$12,000
5	New Well House Plumbing	$12,000
5	Well House	$7,200
5	Pump & Drive	$12,500
5	Pump Test	$8,000
5	Drill & Finish New Well	$65,000
Subtotal for alt 5:		**$154,700**
Subtotal	Construction Costs	**$200,000**
	Contingencies 15%	$30,000
	Engineering Design	$15,500
	Environmental Information Document	$15,000
	Construction Management	$9,500
	Administration & Funding	$4,000
	Legal	$10,000
TOTAL		**$284,000**



PROPOSED IMPROVEMENTS:

- METERS FOR ALL SERVICE CONNECTIONS WITHIN SERVICE BOUNDARY
- NEW WELL AND PUMPHOUSE
- BACKUP POWER GENERATOR ON NEW WELL
- VARIABLE FREQUENCY DRIVES (VFD) ON EXISTING WELLS

PROJECT LOCATED IN: NORTH 1/2 OF SECTION 30, T 4 N, R 39 E. BM.
JEFFERSON COUNTY IDAHO. SOUTH OF 200 NORTH, BETWEEN
4000 EAST AND NORTH YELLOWSTONE HIGHWAY.
NEW WELL TO BE LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 30.
NEW WELL LAT/LONG: 43°39'8.69" N 111°55'8.74"W

Figure 3.1 Proposed Improvements Map

4.0 AFFECTED ENVIRONMENT

This section discusses the affected environment, and if the proposed improvements will impact the affected environment.

4.1 General Land Use

The land use within the boundaries of Morning View Water Company is exclusively residential. The majority of roadways and lots are fully developed. Approximately 25% of the total lots and 15% of the roadways have not been developed or constructed.

The area surrounding the vicinity is a combination of residential and agricultural. The area directly south is exclusively residential, the area to the east is agricultural, and north is both agricultural and residential. The area west of the planning area is residential and commercial.

- The planned improvements to the water system are in accordance with the general land use plans for Jefferson County, Idaho The improvements will be constructed on land owned and controlled by MVWC Therefore, there will be minimal impacts to land not already used for water facilities, and as such, no mitigation is necessary.

Trenching will occur to install site piping between the 178 North and 185 North. Care will be taken to avoid damage to utility lines, sewer lines, or other underground utilities. Coordination with utility companies will likely be required.

It is anticipated that impacts on agricultural lands, cultural resources, wetlands, plants or wildlife from the improvements will be minimal. If properly designed, operated and maintained, the selected improvements should have minimal impacts on the soil, groundwater, and surface water.

4.1.1 Proposed Project Planning Area

The Morning View Water Company (MVWC) is located one mile southeast of the City of Rigby, Idaho in Jefferson County. The entire system is located in the north half of Section 30, Township 4 North, Range 39 East, and is located east of U.S. Highway 20. See Figure 4.1

The Facility Plan for Morning View Water Company and this Environmental Information Document (EID) are based on a proposed project planning area which represents the area and population that the system can reasonably be expected to serve within a 20 year planning period from 2010 to 2030. Sufficient land is included in the vicinity to accommodate the forecasted residential growth and to allow some flexibility for future development of the subdivisions. Figure 4.2 shows the overall planning area for Morning View Water Company.

4.1.2 Area of Potential Affects

Improvements to the MVWC water system will be constructed mainly on a lot owned by Nolan Gneiting, the owner of the MVWC. The installation of water meters will be completed throughout the distribution area and is designated as the Project Planning Area (PPPA) as shown on Figure 4.2. The project will have a direct effect on the PPPA by providing adequate water to service the currently underdeveloped lots. An indirect effect on the local area outside of the PPPA will be a slight increase in traffic. This is not expected to be an adverse effect.

Figure 4.1 Vicinity Map

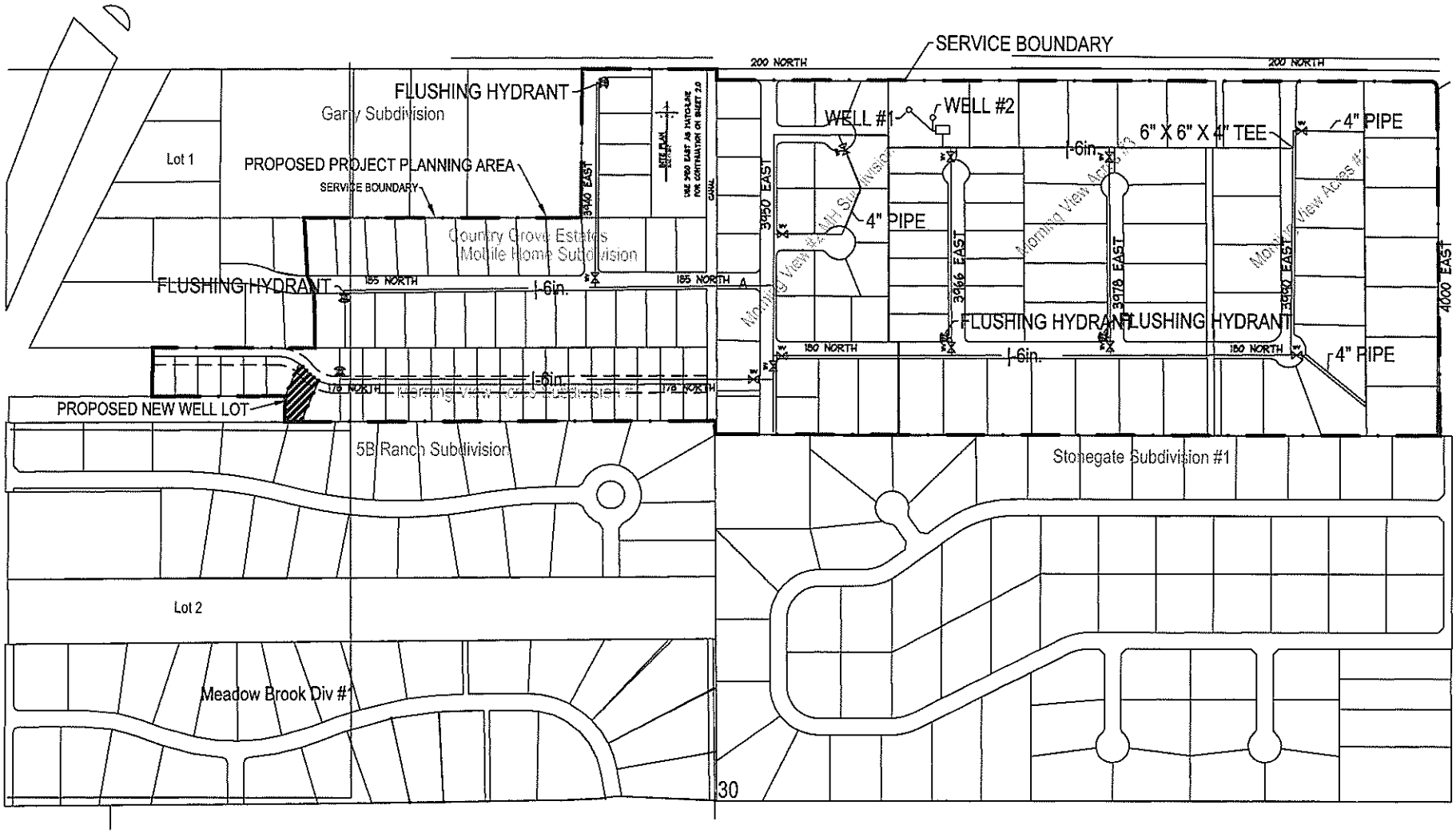


FIGURE 4.2 PROPOSED PROJECT PLANNING AREA AND NEW WELL LOT LOCATION

Proposed Project Planning Area - shaded
Proposed new well lot - hatched

4.2 Prime Farmland

As defined by the 1978 EPA Policy to Protect Environmentally Significant Agricultural Lands, prime farmland has the "best combination of physical and chemical characteristics fro production food, feed, forage, fiber, and oilseed crops and is available for these uses." Both the Planning Area and the Project Area have been set aside through subdividing and zoning processes for residential use and are no longer available for the production of food or feed. The areas of site soils; Bannock Sandy Loam (6), Bannock Loam (7), and Bannock Gravelly Loam(8) are shown in Figure 4.3. The Idaho Department of Agriculture was consulted as part of the investigations into potential impacts to farmland.

- None of the proposed construction area is designated as "Prime Farmland". The soils across the entire site were disturbed and utilized during construction of the existing subdivion. Therefore, the selected improvements will not result in any further impacts to "Prime Farmland," and would not require mitigation. Furthermore, the Idaho State Department of Agriculture (ISDA) was consulted and had no comment on this project.

Figure 4.3 NRCS Soils Map

4.3 Flood Plains

A Federal Emergency Management Agency (FEMA) map. (Community Panel Number 16051C1650C) was reviewed to evaluate whether the project planning area is located within any flood plains. After consulting Mary McGown of the Federal Emergency Management Agency there are no FEMA flood hazard zones within the PPPA, as shown in Figure 4.4. The planning area is located within Zone X, which is an area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods. Are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile, as defined by FEMA.

- There are no known flood plains within the project planning area, as shown on the FEMA flood zone map (see Figure 4.4). Flooding could possibly occur if a nearby canal dike were to breach. However, the FEMA map does not show a flood hazard zone for the South Rigby Cana and the likelihood of this occurring is relatively minor. The County reports that flooding has not historically been an issue in the area.

  Therefore, the selected improvements would not result in any impacts to flood plains and flooding is not anticipated to be an issue during construction. No mitigation measures are required.

4.4 Wetlands

The U.S. Fish and Wildlife Service (USFWS) provides wetland mapping as part of their National Wetlands Inventory Program. Figure 4.5 shows the USFWS wetland map for the Planning area. No wetlands listed in the entire planning area. The only wetlands shown on the area map include the bottom of an excavated gravel pit approximately one mile west of the planning area.

The U.S. Army Corp of Engineers and the Idaho Department of Water Resources were also consulted regarding the potential for wetlands in the project planning area.

- No wetlands have been identified in the either the planning area or the project area. A request to the Army Corp of Engineer has yielded only the response that the project would be put "in the queue". It is anticipated that no wetlands will be affected and therefor No mitigation measures are required.

4.5 Cultural Resources: Historical and Native Resources

The State Historical Preservation Office (SHPO) of the Idaho State Historical Society was consulted in regard to the cultural resources in the area of the Morning View water system. There are no listed historic places in the Project Planning Area. Suzi Pengilly of the Idaho State Historical Society was consulted January 21, 2012 with a request letter, as well as August 22, 2012 via telephone. Her response was received August 30, 2012 stating that the project can proceed as planned with no historic properties being affected. A copy of her response is included in Appendix D. The Shoshone-Bannock and Shoshone-Paiute Tribes were consulted by letter on January 21, and September 4, 2012. Response was received from the Shoshone-Paiute Tribe stating that they do not have any comments regarding this project. There was no response received from the Shoshone-Bannock Tribe. Delivery confirmation of the certified mailing dated September 6, 2012 is included in Appendix D.

Figure 4.4 FEMA Firmette

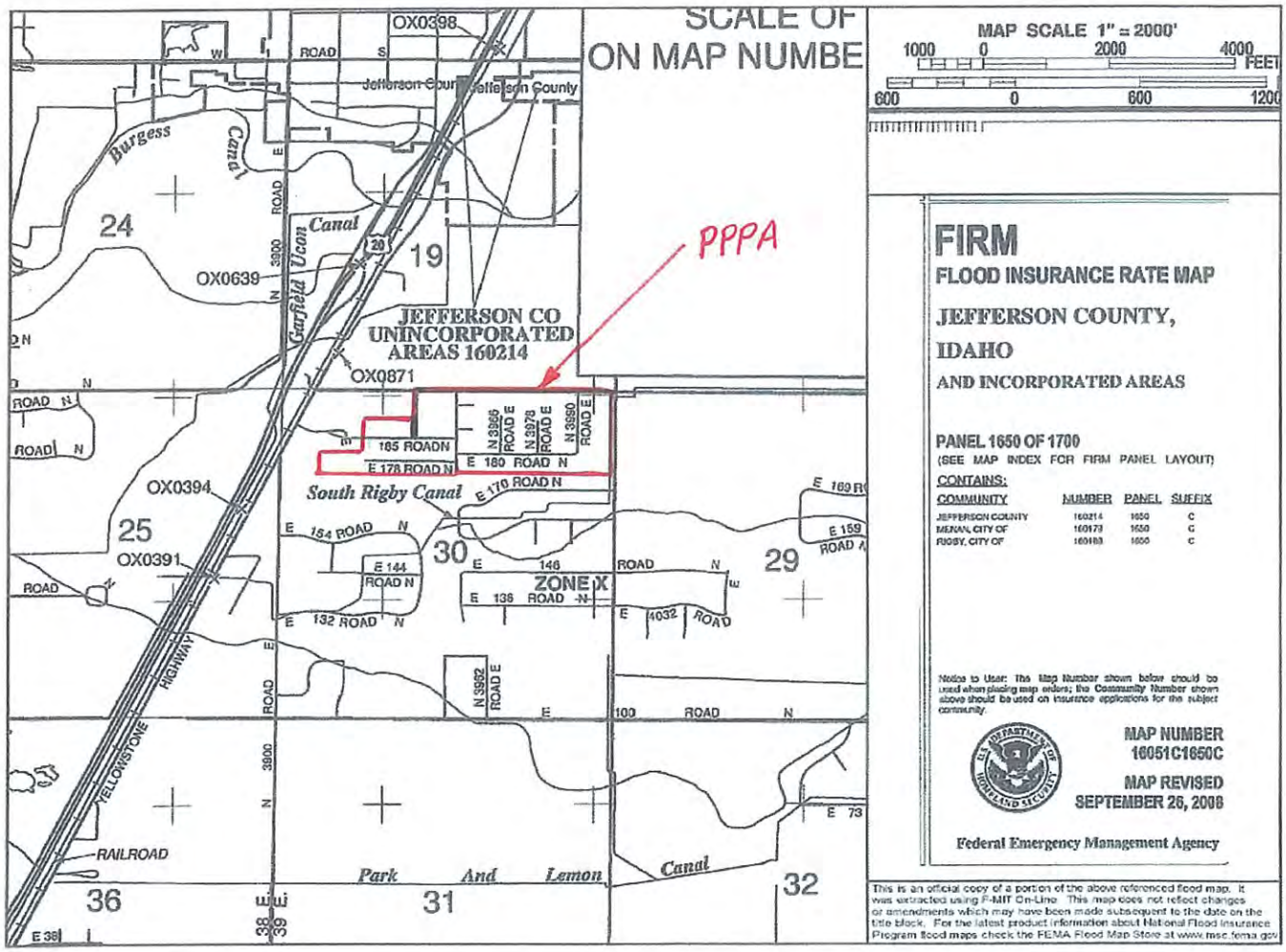


Figure 4.5 U.S. Fish and Wildlife Service National Wetlands Inventory Map

- There are no known direct or indirect impacts to the cultural resources or historic properties in the project planning area during construction of the proposed improvements. There are no historical buildings identified in the planning area or the project ares. The Shoshone-Bannock American tribes consulted about the proposed project, did not comment.

4.6 Biological Resources

Plants and animals in the Planning area are typical of those found in southeast Idaho. Vegetation consists of a variety of trees, shrubs, grasses and weeds. Trees common to the area include evergreen, Poplar, and Russian olive. The dominant vegetation in the area is fescue and wheatgrass. Common upland game birds in the area include pheasants, quail, and sage grouse. Waterfowl such as geese and ducks are often found concentrated along the Snake River and other waterways. Raptors such as hawks, eagles, and owls are also found in the area. Animals include squirrels, fox, skunk, and coyote. Big game habitat generally does not exist because of the significant human population and soil cultivation. Fish common to the area include trout. This biological resource description applies to the general vicinity of east Idaho, not specifically to the PPA.

Both the Idaho Department of Fish and Game and the USFWS were consulted regarding biological resources, there were no comments from either.

- Some disturbance to flora (vegetation) may occur. Flora impacts may be associated with the construction of the well and piping. Disturbances to vegetation will be mitigated by re-vegetating affected areas. Efforts will be undertaken to reconstruct, replant, and landscape disturbed areas to their former condition.

  During consultation with the U.S. Fish and Wildlife Service, they noted that the Snake River physa snail (endangered) is the only listed endangered, threatened, proposed, and/or candidate species and/or designated critical habitat. However the relevant Species Profile does not show that it is known or expected to occur upstream of Cassia County, which is over 100 miles downstream of the PPPA. As mentioned previously, the improvements are to be made within the existing subdivision and should not impact endangered species.

  In general, the proposed improvement will have no known direct or indirect impacts to the threatened or endangered species, critical habitats, or other wildlife listed for Jefferson County Therefore, no mitigation is required. There is a list of threatened, endangered, and candidate species, along with copies of all relevant correspondence included in Appendix D, obtained on August 22, 2012.

4.7 Water Quality

IDWR and IDEQ were consulted regarding water quality issues associated with the proposed project at Morning View.

- No surface water impacts are anticipated.

  The proposed improvements are not expected to impact the aquifer. Design of the proposed improvements will be in accordance with IDAPA 58.01.17, 58.01.16, and 58.01.11. Coordination with IDEQ regarding these regulations and the proposed approach to ensure aquifer quality is maintained will be part of the project's design effort.

  Currently, a response from the EPA is anticipated. The sole source aquifer checklist provide by the EPA was completed and returned to Ms. Susan Eastman via email. As stated previously, IDEQ noted, "that the proposed project will have no significant impact on surface water or ground water of the State". The completed sole source aquifer checklist was emailed a second time to Ms. Eastman on August 20, 2012. A response was received via email on September 6, 2012, stating that the project will not have any significant adverse impacts on the Eastern Snake River Plain Sole Source Aquifer. There is a copy of this response included in Appendix D.

  In general, the proposed improvement will have no known direct or indirect impacts to the surface or groundwater quality and, therefore, no mitigation is required.

4.7.1 Surface and Groundwater Hydrology

Surface waters in and near the Morning View areas include the South Rigby Canal. See Figure 4.4.

Groundwater for the entire region is supplied from the Eastern Snake River Plain Aquifer. Groundwater in this aquifer is typically considered to unconfined, although there may be localized confined areas. Groundwater recharge to the aquifer occurs from precipitation, leakage from surface waters, irrigation practices, and septic systems. Groundwater flow direction is generally south to southwest and the average depth to groundwater in the planning area is about 25 to 50 feet below the ground surface. (Based on Morning View Well Logs information).

4.7.2 Aquifer Designation

The aquifer underlying the Morning View water system is considered a "General Resource" aquifer by the State of Idaho (IDAPA 58.01.11.150.02) and a sole source aquifer by EPA Region X.

State of Idaho Beneficial Use: The State of Idaho seeks to maintain and protect the existing high quality of the state's groundwater and to prevent contamination for groundwater from regulated and non-regulated sources (IDAPA 58.01.11) IDAPA 58.01.11 states General Resource aquifers

will be protected by best management practices and best practical methods. The numerical standard for protection of the general resource aquifer is the EPA primary and secondary drinking water standards.

Sole Source Aquifer: The Sole Source Aquifer program was established under Section 1424(e) of the Safe Drinking Water Act of 1974. The program allows individual and organizations to petition the EPA to designate aquifers as the Sole or Principal source of drinking water for an area. To meet the sole source criteria, an aquifer must supply at least 50% of the drinking water consumed in the area overlying the aquifer. The EPA guidelines also stipulate that these areas can have no alternative drinking water sources that could physically, legally, and economically supply all those who depend upon the aquifer for drinking water. Region X of EPA has designated the Eastern Snake River Plain Aquifer as a sole source aquifer. This aquifer currently supplies all of the drinking water for the City of Rigby, Jefferson County, and the Morning View Water Company. The Sole Source Aquifer coordinator at Region X EPA was consulted regarding this project.

Mr. William Teuscher, Water Quality Manager for IDEQ provided a written response that the proposed project will have no significant impact on surface water or ground water of the State

4.8 Socio -Economics and Environmental Justice

The area's economy is based primarily on the agricultural and service industries. The entire proposed project planning area (PPPA) consists of residential homes which are dependent upon the community drinking water system.

- Approximately fifteen residences are comprised of Spanish speaking population. Benefits and costs will accrue to all customers.

- It appears that no disadvantaged group will be adversely affected by the selected improvements for the water system facilities. In addition, it is not expected that any specific population segment will benefit from an improvement project. However, the community in general will reap some benefits by improvements to the water system. As such, no mitigation measures are required.

- The median household income for Jefferson County, Idaho is $51,579, based on information from the 2010 Census.

- MVWC anticipates petitioning the Idaho Public Utilities Commission for a rate increase to cover the cost of the loan. MVWC does not have the resources to repay the loan without an increase in user costs.

4.9 Air Quality and Noise

The U.S. Environmental Protection Agency (EPA) has developed standards for monitoring and protecting air quality. IDEQ is responsible for implementing, monitoring and enforcing the air quality standards within Idaho. An area that exceeds air quality standards may be considered a "non-attainment area" (NAA) for a particular component, or total air quality. There are currently four NAAs in Idaho, the closest being the Portneuf Valley NAA. As such, the project planning area is currently not located within a NAA. Included in Appendix D is a copy of the Idaho air quality planning areas map.

Residents in Jefferson County generally feel that air quality is excellent and cite this amenity as one of the area's quality of life factors. The planning area is well removed from any major urbanized areas and there are very few sources of pollution in the immediate vicinity. Local automobile emissions, agricultural activities, and light agricultural and commercial processing are the primary contributors to air quality degradation. Additionally, high levels of particulate matter may be experienced during certain weather events, or during certain times of the agricultural season due to farming practices.
Noise in the area is generally limited to normal traffic and commercial activities. Noise from U.S. State highway 20 and the Eastern Idaho Railroad may result in slightly higher noise levels during certain periods.

The Idaho Department of Environmental Quality was consulted with regards to potential impacts to the air quality and noise levels as a result of the proposed project.

- Air quality may be impacted by the improvements due to dust and exhaust emissions from construction equipment, which may produce minor increases in air pollution. Dust control will be minimized, when possible, by dampening roads with water or by other methods. The impacts of construction dust can be mitigated by ceasing activity during exceptionally windy conditions and by using watering equipment. Debris created by construction should not be burned, but transported to a disposal area to avoid further air pollution.
  The project will not create exceedances of any federal or state emission standards in the area and should not cause a violation of National Ambient Air Quality Standards (NAAQS).

  Noise in area is generally limited to normal traffic and commercial activities. Construction of the improvements will likely temporarily increase the noise levels at the site. Heavy equipment and machinery will be used during construction, resulting in increased noise levels. However, construction activity will be limited to normal working hours to reduce the noise impacts on local residents in the area. In addition, construction noise should be temporary and can be minimized by the use of well maintained equipment and mufflers.

4.10 Transportation: Traffic Changes, Airport Clearance, Accident Zones

There is no public transportation in Jefferson County or the Morning View Subdivision. The Rigby airport is located approximately 2500 feet southwest of the west edge of the planning area. The planning area is not in-line with the runway and is beyond clearance and accident zones.

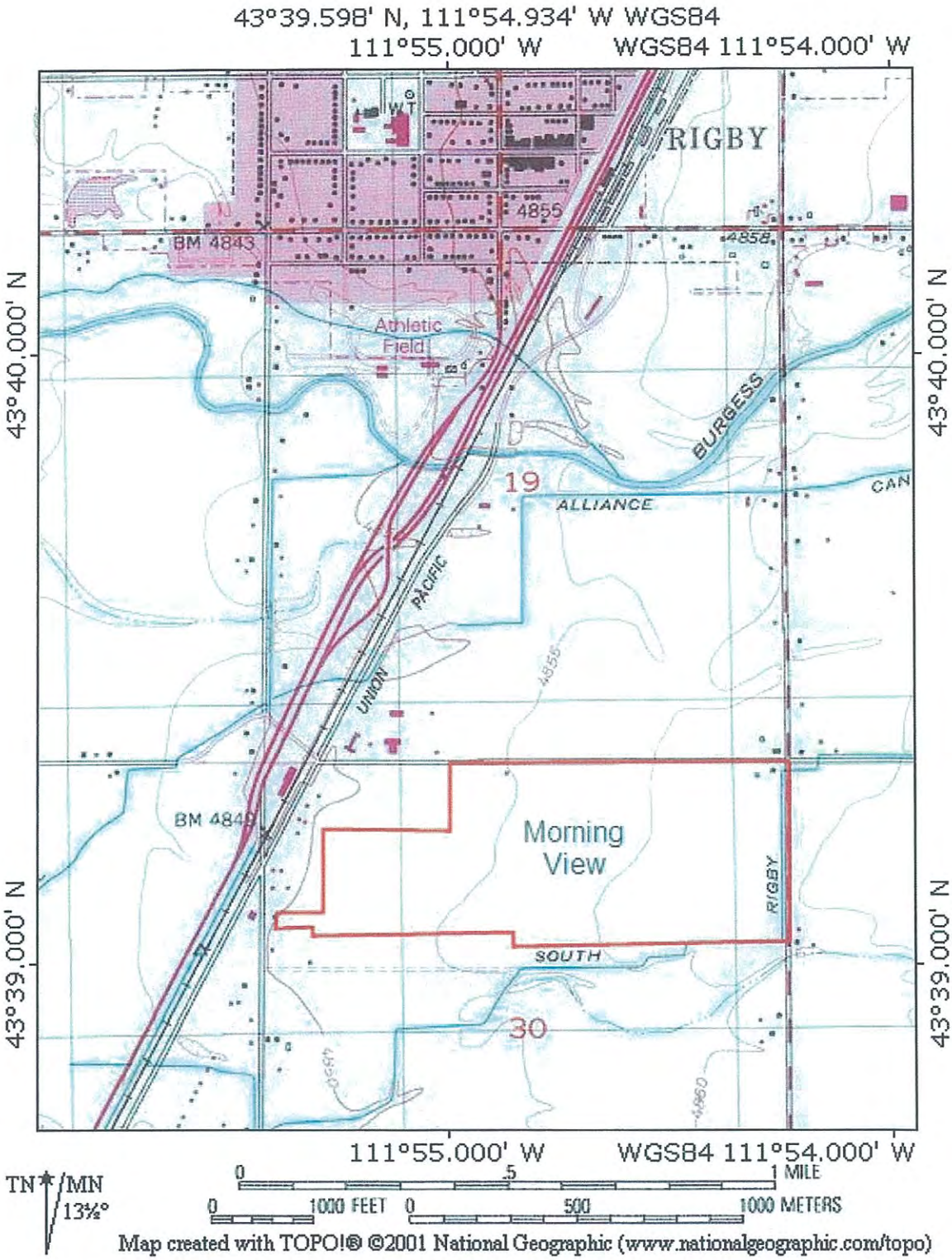
- There is no public transportation in the Rigby or Jefferson County area; therefore, there will be no impacts or mitigation measures required.

  Traffic patterns could be impacted on the access road to the new drinking water well, or on existing county roads during installation of service meters. These impacts will be minimized, as necessary, by implementing a traffic control plan during construction. Traffic control may also result in a safety hazard, as traffic patterns are altered for construction purposes.

4.11 Physical Aspects: Topography, Geology, Soils

The topography of the planning area is depicted on the U.S. Geologic Survey (USGS) topographic map shown in Figure 4.6. As shown on the map, the planning area generally consists of relatively flat land with a gradual slope of south to southwest. The ground surface elevation across the planning area ranges from approximately 4,850 to 4,860 feet above mean sea level. The planning area is bordered on the north by the County Road 200 North, on the east by County Road 4000 East, on the south by the subdivision boundary (more residential subdivisions to the south), and on the west by the Old Yellowstone Hwy.

Figure 4.6 - 7.5 Min Quadrangle Map



The Rigby regional area is generally underlain alluvial sand and gravel typified as Snake River Gravels for the top 100 to 150 feet. This gravel is underlain by rhyolite or basalt flows. The An NRCS soil survey map of the planning area is shown in Figure 4.3. These soil types are primarily suitable for irrigated cropland and rangeland.

- The selected improvements do not affect any of the physical aspects of the project area or the community. Therefore, no mitigation measures are required. The improvements to the existing well facility will be done at the site of the current facilities. The selected improvements will be configured and designed to accommodate the physical aspects of the site.

4.12 Climate

Rigby has a semi-arid climate typical of southeast Idaho. Table 4.3 summarizes historical temperature, precipitation, snowfall, and evaporation data for the Planning Area. Winter weather is characterized by alternating high and low pressure systems that bring associated inclement or clear conditions. January is historically the coldest month with an average temperature of approximately 19.2°F. Most of the annual precipitation falls as snow during the winter months. Summer weather is normally dry with warm to hot temperatures. July is historically the warmest month with an average temperature of approximately 67.3°F. The prevailing wind direction in the area is from the south to southwest and the average wind speed is approximately 10 to 12 mph. Tornadoes, funnel clouds and destructive force winds are rare.

- Climate conditions are not expected to result in a concentration of air pollutants leading to an identified air quality problem or violation of any NAAQS as a result of construction. There are no identified meteorological constraints that would affect the feasibility of the selected improvements. Therefore, no mitigation measures are planned.

Table 4.3 - Monthly Climatic Data

Month	Mean Temperature[4]	Mean Predpitation[4]	Mean SnowfaU[4]
	DegreesF)	(in)	(in)
January	19.3	0.94	8.85
February	24.1	0.88	7.20
March	34.3	0.91	3.90
April	44.0	1.01	2.15
May	52.6	1.64	0.50
June	60.3	1.32	0.00
July	67.3	0.72	0.00
August	66.3	0.71	0.00
September	56.7	0.77	0.03
October	45.4	0.91	0.85

November	31.5	0.96	6.05
December	21.1	0.93	11.95
Annual	43.6	11.70	

Since there is no data for Rigby, the values in the table are the average from two independent weather monitoring stations near the Planning Area: Rexburg and Idaho Falls Airport. The data was obtained from the Western Regional Climatic Center (www.wrcc.dri.edu/summary/climsmid.html).

4.13 Population Growth

The population growth of the planning area will affected by "fill-in" of existing lots that are currently undeveloped. Currently, the MVWC system accommodates 225 people via 106 connections. Ultimately it is conceived that the state average of 2.9 people per connection will be served via the same 106 connections plus the addition 16 lots in Divisions 1-3 and 16 more lots in Division 4 making a total of 132 connections and 383 people. It is anticipated that the 32 additional lots will be built out by the end of the year in 2020, with no growth past 2020. The anticipated population increase is 70% growth over 20 years, which exceeds the projected statewide growth of the 50% for the 20-year period ending in 2030. Because the increase is well below 500 additional residential units, the population growth is not excessive according to State Revolving Fund criteria.

- The project planning area typically has a stable year-round population and experiences little, if any, seasonal population fluctuations. The selected improvements will have no known negative impacts to population growth in Subdivision and no mitigation measures are planned.

  If the selected improvements do not occur, population growth is limited since adequate water pressure cannot be maintained. Public health could be negatively impacted if the improvements do not occur.

4.14 Wild and Scenic Rivers

There are no Wild and Scenic Rivers within the planning or project areas. The South Fork of the Snake River is located approximately 8.5 miles west of the project area. The proposed new well and distribution changes are not expected to affect this river.

- No surface water sources within the Planning area are classified as Wild and Scenic rivers. Therefore, there will be no impacts and no mitigation measures are planned.

4.15 Recreation and Open Spaces

There are no Municipal, State or Federal recreational open spaces, parks, or areas of recognized scenic or recreational value with the planning or project areas.

- There is no recreational open space, parks, or areas of recognized scenic or recreational value within the project planning area. Therefore, the selected improvements will not eliminate or modify any designated recreational open space, park, or area of recognized scenic or recreational value, and as such there are no planned mitigation measures.

4.16 Energy and Energy Efficient Designs

A majority of the population in the Planning Area consumes energy in the form of electricity, natural gas, propane, and/or fuel oil. A few residents may also use wood or pellet stoves for heating purposes. There are no known energy producing facilities within the Planning Area. At this time, power providers have not been consulted regarding the incorporation of energy efficiency into the design.

Nearly all of the State of Idaho's power demand is supplied by hydroelectric power, which is a renewable energy source. There are no additional alternative energy sources that could be used for this project. There are however opportunities for energy conservation through such things as energy efficient pumps, variable frequency drives, or water conservation practices. Installation of meters will reduce the overall usage.

- The primary energy-consuming component of the proposed water improvements is the electrically powered submersible pump/motor for the new well. There are no energy recovery elements included in the selected improvements.

4.17 Regionalization

There are no jurisdictional disputes or controversies over the project or within the Project Area. Inter-municipal agreements have not been signed relating to this project.

- There are no jurisdictional disputes or controversies over the project or within the project planning area. Inter-municipal agreements have not been signed relating to this project. The improvements should not impact agreements or create jurisdictional disputes.

- The nearest community drinking water system is the city of Rigby with the closest distribution piping approximately 3300 feet northwest of the Morning View Water Company. The city of Rigby indicated that because Morning View Water Company's service area is not contiguous with the city boundaries, drinking water services are not available.

4.18 Hazardous Materials

The existing and proposed new water facilities are intended to serve residential, customers within the MVWC boundaries. There are no explosives, flammable fuels or chemical containers within the area of the three well lots, and all are in conformance with the wellhead protection requirements of IDAPA 58.01.08.

- The selected improvements are intended to serve residential customers within the

MVWC boundaries. No explosives, flammable fuels, or chemical containers are expected to be used during construction.

4.19 Coastal Resources

There are no Coastal resources within the state of Idaho

- There are no Coastal resources within the state of Idaho. Therefore, there will be no impacts from the improvements.

4.20 Public Health

In general, the MVWC has minimal public health issues related to the water system. However, as discussed in the Facilities Plan report, the potential for contamination in the drinking water is increased due to the low pressure situation. The residences are served by individual septic systems.

- Open trenches, electrical utilities and heavy equipment may present health and safety hazards during construction. These hazards may be mitigated by educating project personnel about the applicable health and safety regulations, and establishing safe operating procedures.

5.0 ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

There are a number of potential temporary or short-term environmental impacts associated with construction activities during the construction of the proposed project improvements. These potential impacts may include the following.

1. Air quality and noise impacts during construction due to construction equipment emissions, noise, and fugitive emissions during earthwork activities.
2. Minimal impact to land not already used for water facilities.
3. Disturbance to flora (vegetation) due to the construction of the well and piping.
4. Open trenches, electrical utilities and heavy equipment may present health and safety hazards during construction.
5. Disturbances to and interruption of water services to residences in the proposed project planning area (water system service area).

6.0 MEANS TO MITIGATE ADVERSE ENVIRONMENTAL IMPACTS

The selected alternatives require no construction activity outside of MVWC-Owned property or Countyrights-of-way or easements. There are no known direct, indirect, or short-term adverse environmental impacts associated with the proposed project. Standard short-term environmental impacts associated with construction of this type of water system project are anticipated to require:

1. Temporary air quality controls to minimize construction equipment emissions, noise, and fugitive emissions during earthwork activities. Plans and specifications will be in accordance with Idaho Standards for Public Works Construction(ISPWC).
2. Care will be taken to avoid damage to utility lines, sewer lines, or other underground utilities.
3. Re-vegetating affected areas. Efforts will be undertaken to reconstruct, replant, and landscape disturbed areas to their former condition.
4. Educating project personnel about the applicable health and safety regulations, and establishing safe operating procedures.
5. Work schedule controls to limit construction activity to daylight hours and periods when there is minimal disturbance or interruption of water services to residences.

No apparent long-term adverse environmental impacts are foreseen to water quality, air quality, public lands, wetlands, floodplains, cultural resources, and threatened/endangered species. In the event that archaeological or cultural resources are unexpectedly exposed during earthwork, all construction would be temporarily halted in the immediate vicinity of activity and Idaho State Historic Preservation Office (SHPO0; Boise, Idaho would be notified. Construction activity would not resume until the City, SHPO, and, if required, a professional archaeologist has been consulted.

7.0 PUBLIC PARTICIPATION

7.1 Public

A public meeting was held June 9th, 2009 at the Rigby City Library. Notice was sent to all system users in their June bills mailed June 3, 2009. Concerns from both the public and state/federal agencies have been included in the final facility plan as well as this EID.

A second public meeting was held May 9, 2012 at the Rigby City Library. Notice was sent to all system users in their April bills mailed April 24, 2012. Concerns from both the public and state/federal agencies have been included in the final facility plan as well as this EID. There were no written comments received from the public.

Other public information documents are shown in Appendix C.

7.2 Agency Consultation

Multiple public agencies were sent a letter on January 20, 2012 requesting that they review the proposed project and provide a response regarding potential environmental impacts. The letter included a project description and a drawing of the proposed improvement locations. Copies of the letters sent to the agencies and their response comments can be found in Appendix D. Table 6.1 provides a summary of the list of agencies consulted and their comments.

8.0 REFERENCES

Final Facility Plan, Aspen Engineering, October 2010

Federal Emergency Management Agency (FEMA), Map Service Center, Flood maps, <http://www.fema.gov/hazard/map/firm.shtm>, accessed February 2012, August 2012.

U.S. Fish and Wildlife Service, National Wetlands Inventory, Wetlands Mapper <http://www.fws.gov/wetlands/Data/Mapper.html>, accessed February 2012, August 2012.

Natural Resources Conservation Service, Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx,>, accessed February 2012. August 2012.

Idaho air quality planning map, <http://www.deq.idaho.gov/media/662796-nonattainment_map.pdf,> accessed October 2012.

Snake River Physa snail Species Profile, < http://www.ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=G01L> , accessed October 2012.

Table 8.1 Agency Contact List and Comments

Agency	Date and Method of Contact	Comments
US Army Corps of Engineers	email 01/20/12 email 02/27/12	Letter dated June 26, 2012. "... will not involve work in areas subject to our jurisdiction. "
US Fish and Wildlife	letter 01/20/12	No endangered or threatened species in project area.
IDEQ - Water Quality	email 01/20/12	Letter dated January 27, 2012. "Will have no significant impact on State ground water or surface water"
IDEQ - Air Quality	email 01/20/12 email 01/30/12	Letter dated, August 23,2012 Control of fugitive dust/ good house-keeping
Environmental Protection Agency, Region 10	email 01/20/12	No Response - Project does not discharge to waters of the U.S.
Environmental Protection Agency, Region 10, office of Environmental Assessment	email 01/20/12 email 02/28/12 email 08/20/12	Email September 6, 2012. " Project will not have a significant adverse impact on the Eastern Snake River Plain Sole Source Aquifer, and therefore the funding may proceed.
US, EPA, Idaho Operations office	email 01/20/12	No Response
Idaho Department of Water Resources, State NFIP Coord.	email 01/20/12	"None of the project area is in a flood hazard zone mapped by FEMA"
Idaho Department of Water Resources, Eastern Region	email 01/20/12 phone call 01/20/12	"We have no comments or problems with this project, the water right for the new well is already in place."
Idaho Dept. of Fish and Game, SE Region	letter 01/20/12 phone call 02/28/12	IDFG has reviewed and has no comments.
Idaho Department of Agriculture	email 01/20/12 email 01/30/12	"No Comments or questions related to this project"
Eastern Idaho Public Health District	letter 01/20/12 email 2/23/12 email 2/27/12	Email from Raymond Keiting
Idaho Department of Lands	email 01/20/12	"Does not appear to fall under any of the department's responsibilities. No Comments"
Idaho State Historical Society	email 01/20/12 email 01/30/12	Suzi Pengilly of the Idaho State Historical Society commented " No historic properties will be affected within the project area."

Shoshone-Bannock Tribes	letter 01/20/12 letter 01/31/12 letter 09/04/12	No Response- Certified mail receipt included in App. D
Shoshone-Paiute Tribes	email 01/20/12 email 01/30/12 email 09/04/12	Email September 4, 2012. "The Shoshone-Paiute Tribes do not have any comments regarding this project."

Appendix A

Consent Order

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
DEQ-IDAHO FALLS

1410 North Hilton • Boise, ID 83706-1255• (208) 373-0502

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

October 31, 2007

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED

Mr. Nolan Gneiting
Morning View Water Company
P.O. Box 598
Rigby, ID 83442

RE: Consent Order for Morning View Water Company public water system, PWS ID7260063

Dear Mr. Gneiting:

Enclosed is a fully executed copy of the Consent Order (CO) signed by Idaho Department of Environmental Quality's Director, Toni Hardesty. The staff at the Idaho Falls regional office will be tracking compliance with the deadlines set forth in the CO. Please send required communications to:

Greg Eager, Engineering Manager
Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402

Thank you for working with the Department to resolve these issues.

Sincerely,

Barry N. Burnell

Barry N. Burnell
Water Quality Division Administrator

BNB:jt

Enclosure

c: Courtney E. BeeBe, Deputy Attorney General
Jim Johnston, Idaho Falls Regional Administrator
Greg Eager, Idaho Falls Regional Drinking Water Manager
Rochelle Mason, Idaho Falls Regional Office
File
COF

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

In the matter of:	)	CONSENT ORDER
	)	Idaho Code § 39-108
Morning View Water Company	)	
	)	

1. Pursuant to the Idaho Environmental Protection and Health Act, Idaho Code §§ 39-101 through 39-130, the Idaho Department of Environmental Quality (Department) enters into this Consent Order with Morning View Water Company, (Morning View). Morning View owns and/or operates a community public water system (System), PWS ID7260063, which serves 97 connections and approximately 200 persons on a daily basis in Rigby, Jefferson County, Idaho.

2. By letter dated October 21, 2003, the Department notified Morning View that an enhanced sanitary survey conducted on October 9, 2003 resulted in the discovery of several significant deficiencies. Morning View was required to submit a plan to correct the significant deficiencies within 45 days of notification in accordance with IDAPA 58.01.08.302.03. Morning View did not submit a plan to correct the significant deficiencies.

3. On July 5, 2007, the Department investigated and verified complaints regarding inadequate pressure within the System. A 24-hour pressure wheel indicated that pressure fell below 20 pounds per square inch (psi). By letter dated July 6, 2007, the Department notified Morning View of the Department's investigation and required Morning View to remedy pressure problems within ten (10) days through the process outlined in Idaho Rules for Public Water Systems, IDAPA 58.01.08.552.01.b.ii.

4. By letter dated July 25, 2007, the Department notified Morning View of the results of additional pressure testing conducted at five (5) connections during a July 23, 2007 inspection. The average water pressure in the System during this inspection was 22 psi. The letter also notified Morning View of the requirement to provide public notification and to properly disinfect the distribution system at times that pressure drops below 20 psi, as was recorded by the 24-hr. pressure wheel on July 5, 2007, and required by IDAPA 58.01.08.552.01.b.v. The Department required Morning View to diagnose and correct the quantity and pressure problems in the System and notify the Department by August 6, 2007.

5. By letter dated August 8, 2007, the Department notified Morning View of the failure to notify the Department of the diagnostic and corrective actions taken to resolve the pressure problems.

6. By letter dated August 15, 2007, the Department notified Morning View that the System was disapproved due to failure to maintain adequate pressure.

7. By letter dated September 24, 2007 and addressed to Mr. Nolan Gneiting, the Idaho Bureau of Occupational Licenses indicated the operator is not currently a licensed drinking water operator, as required by IDAPA 58.01.08.554.01.a.

8. By Notice of Violation (NOV) dated September 12, 2007, the Department notified Morning View of violations of the Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08. The NOV is incorporated by reference into this Consent Order. The NOV provided Morning View an opportunity for a compliance conference to discuss the violations and enter into a consent order. A compliance conference was held on September 26, 2007.

9. Morning View hereby agrees to perform the following actions in the time periods set forth in order to achieve compliance with Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08:

a. Significant Deficiencies. Within thirty (30) days of the effective date of this Consent Order, Morning View will respond in writing to the Department indicating what actions will be taken to address the significant deficiencies noted on the October 9, 2003 sanitary survey and a timeline for corrective measures, in accordance with IDAPA 58.01.08.302. All actions and timelines will be subject to the Department Submittal Review Process as described in Paragraph 10.

i. No later than 30 days from the effective date of this Consent Order, Morning View shall schedule a sanitary survey with the Department to confirm all deficiencies and any other system components that the Department determines to cause, or have potential to cause, risk to health or safety, or that could affect the reliable delivery of safe drinking water have been properly addressed and/or corrected in accordance with IDAPA 58.01.08.

b. Public Notice. Effective immediately, Morning View shall provide quarterly public notices to each residence on the System by mail or hand delivery. The public notices shall inform the residents of the Department's disapproval of the System, and shall identify the violations in the NOV dated September 12, 2007, in accordance with IDAPA 58.01.08.150.

i. Morning View shall continue to provide quarterly public notices until such time as the Department notifies Morning View in writing that quarterly notices are no longer required.

ii. Morning View shall provide the Department with proof of each quarterly notification via the Department's supplied notification form and a copy of each quarterly notification within ten (10) days of completion in accordance with IDAPA 58.01.08.150.

c. Pressure Maintenance. No later than ninety (90) days from the effective date of this Consent Order, Morning View shall submit to the Department a written plan detailing how Morning View will ensure that the System shall be made capable of maintaining a minimum pressure of forty (40) psi throughout the distribution system, during peak hourly demand conditions, excluding fire flow, measured at the service connection or along the property line adjacent to the consumer's premises, in accordance with IDAPA 58.01.08.552.01.b.ii. The plan shall include, but is not limited to;

i. The results of a local pressure monitoring study, conducted in accordance with IDAPA 58.01.08.552.01.b, to diagnose and correct pressure problems within the System.

ii. Assurance that the individual booster pump installed at 200 N. 3987 will cause no adverse effects on System operation, including acknowledgement that any future installations of individual booster pumps will be subject to Department approval per IDAPA 58.01.08.552.b.iv.

The Department shall review, comment and/or approve the plan as specified in Paragraph 10 of this Consent Order.

d. Facility Plans. No later than ninety (90) days from the effective date of this Consent Order, Morning View shall submit to the Department a detailed facility plan in accordance with IDAPA 58.01.08.502. The Department shall review, comment and/or approve the facility plan as specified in Paragraph 10 of this Consent Order.

e. Licensed Operator. Within thirty (30) days of the effective date of this Consent Order, Morning View shall submit documentation to the Department for a licensed Responsible Charge Operator in accordance with IDAPA 58.01.08.554.02.

i. Morning View agrees to contract with a licensed operator until such a time that Morning View can license their own operator. Morning View agrees to provide the Department with a copy of a signed contract with a licensed operator and an invoice for services within thirty (30) days of the effective date of this Consent Order.

f. Sampling Plan. Within thirty (30) days of the effective date of this Consent Order, Morning View shall submit for Department approval a sampling plan that addresses bacteria monitoring in accordance IDAPA 58.01.08.100.01.a., which adopts by reference 40 CFR 141.21. The bacteria sampling plan shall identify monitoring locations of routine

monitoring and how the system will address repeat and routine monitoring following coliform and/or fecal coliform presence results. Upon the Department's written approval of the sampling plan, the plan shall be incorporated by reference into this Consent Order and shall be enforceable as provided by applicable law.

g. Sand Separator. Morning View shall collect a water sample from each well. The sand concentration from each well shall be determined and added together. The resulting average shall be utilized to determine sand production from the water supply. A total of four (4) sampling events shall be required. The first sample is due by October 31, 2007 with subsequent sampling conducted in the months of March, April, and May. The Department shall be contacted prior to all sampling events. All sampling shall be conducted as follows:

i. Water shall be drawn from a sampling tap installed prior to the pressure tank(s) and collected into a clean 5-gallon container. Water should be collected in a manner which permits the water to flow into the container in a circular pattern, creating a centrifugal force that shall force suspended solids to the center of the container. The duration of time taken to fill the container shall be recorded and flow rate determined.

ii. Solids shall be decanted from the water and measured in a graduated cylinder to determine the concentration of suspended solids present in the 5-gallon solution. The concentration shall be recorded in parts per million (ppm).

iii. Should any sample described in Paragraph 9.g.i result in a concentration of five (5) ppm or greater, Morning View shall submit, for Department approval, a monitoring plan to evaluate sand production from the water supply wells utilizing a Rossum Sand Tester, which shall include the actions to be taken to reduce sand concentration in the water to five (5) ppm or less, and the timelines to achieve compliance, in accordance with IDAPA 58.01.08.510.06.b.

iv. Morning View shall submit a statistical analysis of the sampling results to the Department by no later than June 30, 2008 before a determination of the need for sand removal by the Department is made. Samples collected as described in Paragraph 9.g.i resulting in a concentration of less than five (5) ppm shall require no further action as a result of this Consent Order.

V. In lieu of conducting sand sampling, Morning View can choose the following options:

a. installing a Department approved sand separator.
b. installing a Department approved well screen in each well.

h. Dead End Mains. No later than thirty (30) days from the effective date of this Consent Order, Morning View shall ensure that all dead end mains within the System are equipped with a means of flushing, and that all such dead ends are properly flushed in accordance with IDAPA 58.01.08.542.09.

10. Department Submittal Review Process. Unless otherwise set forth specifically herein, the following document submittal and review process (Submittal Review Process) shall be followed regarding submittals required by this Consent Order. This process shall be followed until the Department approves the document or the document review time frame has expired.

a. Within thirty (30) calendar days of receipt of Morning View's submittal, the Department shall 1) notify Morning View in writing the document is approved; 2) notify Morning View in writing of any deficiencies in the document; or, 3) notify Morning View of the Department's extension of the Department's review and comment period. If the Department notifies Morning View of deficiencies in the document, Morning View shall submit a revised document to resolve those deficiencies within thirty (30) calendar days of receipt of the Department's notice.

b. The Submittal Review Process shall be repeated until the Department notifies Morning View the document is approved. However, the submittal must meet the Department's approval within sixty (60) days from the due date for the first submittal of the document, unless the Department provides Morning View with a written extension of the sixty (60) day time frame. Morning View's failure to obtain Department approval of a submittal within such time frames shall constitute a violation of this Consent Order.

c. Once the Department approves these documents, they shall be incorporated herein and enforceable as a part of this Consent Order.

11. Civil penalties of FOUR HUNDRED FIFTY DOLLARS ($450) were assessed in the NOV and will be resolved as follows:

a. Beginning the quarter of October 1, 2007 through December 31, 2007, and for three (3) consecutive quarters thereafter, Morning View shall submit to the Department a payment of $112.50, for a total of four hundred fifty dollars ($450) in total assessed penalties.

b. Payment(s) shall be made payable to the Idaho Department of Environmental Quality and shall be submitted to:

Idaho Department of Environmental Quality
Financial Management
Attn: Drinking Water Penalty Payment
1410 N. Hilton
Boise, Idaho 83706

12. All communications required of Morning View by this Consent Order shall be addressed to:

Greg Eager, Engineering Manager
Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402

13. All notices, reports and submittals required of the Department by this Consent Order shall be addressed to:

Mr. Nolan Gneiting
Morning View Water Company
P.O. Box 598
Rigby, ID 83442

14. This Consent Order shall not in any way relieve Morning View from any obligation to comply with any provision of the Idaho Rules for Public Drinking Water Systems, or any applicable local, state, or federal laws.

15. Morning View recognizes that failure to comply with the terms in this Consent Order may result in district court action seeking specific performance of this Consent Order; assessment of costs and expenses; available penalties under Idaho Code §39-108; restraining orders; injunctions; attorney fees; and other relief available by statute or rule as the court considers to be just and reasonable under the circumstances.

16. This Consent Order shall remain in full force and effect until the Department acknowledges in writing that the Consent Order is terminated and that Morning View has fulfilled all requirements of this Consent Order.

17. This Consent Order shall bind Morning View, its successors and assigns, until terminated in writing by the Department.

18. Each undersigned representative to this Consent Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order, and to execute and legally bind such party to this document.

19. The effective date of this Consent Order shall be the date of signature by the Director of the Idaho Department of Environmental Quality.

DATED this 18th day of October, 2007.

By: _____
Nolan Gneiting
Morning View Water Company

DATED this 25th day of October, 2007.

By: _____
Toni Hardesty, Director
Department of Environmental Quality

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

FEB 0 8 2010

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED

Mr. Nolan Gneiting
Morning View Water Company
PO Box 598
Rigby, ID 83442

RE: Amended Consent Order for Morning View Water Company public water system, PWS ID7260063

Dear Mr. Gneiting:

Enclosed is a fully executed copy of the Amended Consent Order (ACO) signed by Idaho Department of Environmental Quality's Director, Toni Hardesty. The staff at the Idaho Falls regional office will be tracking compliance with the deadlines set forth in the ACO. Please send required communications to:

Greg Eager, Engineering Manager
Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402

Thank you for working with the Department to resolve these issues.

Sincerely,

Barry N. Burnell

Barry N. Burnell
Water Quality Division Administrator

BNB:jt

Enclosure

c: Robert L. Harris 1000 Riverwalk Drive, Suite 200. PO Box 50130, Idaho Falls, Idaho 83405
Lisa Kronberg, Deputy Attorney General
Jerri Henry, Rules and Enforcement Lead
Erick Neher, Idaho Falls Regional Administrator
Greg Eager, Idaho Falls Regional Drinking Water Manager
Rochelle Mason, Idaho Falls Regional Office
File

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

In the matter of:	)	
	)	AMENDED CONSENT ORDER
Morning View Water Company	)	Idaho Code § 39-108
	)	

---

1. The owner(s) of the Morning View Water Company, (hereinafter referred to as "Morning View"), PWS# ID7260063, and the Idaho Department of Environmental Quality ("Department") (collectively, the "Parties") entered into a Consent Order effective October 25, 2007 in accordance with the Idaho Code and the Idaho Department of Environmental Quality Rules and Regulations, IDAPA 58, Title 1, Chapter 8, Idaho Rules for Public Drinking Water Systems. The purpose of the Consent Order was to establish a timeline in which Morning View would complete actions required to bring the Morning View's public drinking water system (the "System") into compliance with IDAPA 58.01.08.

2. This Amended Consent Order updates and replaces the October 25, 2007 Consent Order. The following describes 1) the terms and conditions of the Consent Order that have been met; 2) the terms and conditions of the Consent Order that have not been met, and; 3) an agreed upon revised schedule to bring the System into compliance with IDAPA 58.01.08.

3. Morning View successfully completed Subsections 9.a, 9.a.i., 9.b.i and ii, 9.e., 9.f., 9.g.v., and 9.h. of the October 25, 2007 Consent Order. The Department conducted a sanitary survey on September 9, 2008 and confirmed that corrective actions had been taken for the significant deficiencies identified on October 9, 2003. Morning View is currently in compliance with the public notification requirements and is currently in compliance with the licensed operator requirements. Morning View submitted an approved sampling plan to the Department and installed an approved sand separator as confirmed by the Department on September 9, 2008. The Department confirmed that all dead end mains have been fitted with flushing hydrants on September 9, 2008 and October 17, 2008.

4. Morning View failed to complete Subsections 9.c. and 9.d. of the Consent Order. Subsection 9.c. addressed compliance with the minimum pressure maintenance requirements in accordance with IDAPA 58.01.08.522.01.b.ii and iv. During an October 17, 2008 conference between the Department and representatives of Morning View, it was agreed that a pressure correction action plan would be incorporated into a finalized Facility Planning Study. This agreement was confirmed in a letter dated October 28, 2008 from Mr. Ryan Loftus, engineer representing the Morning View System, which served to summarize the understanding and agreements of the October 17, 2008 conference. Subsection 9.d. required Morning View to submit to the Department a detailed facility plan in accordance with IDAPA 58.01.08.502. A Final Facility Plan (the "Plan"), which incorporates corrective measures for water pressure maintenance, was submitted on April 13, 2009. The Capital Improvement program in the plan includes the installation of individual water meters, variable frequency drives for both wells, back-up power generator, and an

additional water supply well. The report did not include a timeline or a schedule for these System improvements. In a letter dated April 29, 2009, the Department notified Mr. Robert Harris, attorney representing Morning View, that the Plan was not approved due to a failure to include an appropriate timeline or schedule for completion.

5. Morning View failed to monitor for lead and copper during the compliance period of 2007 through 2009. Lead and copper samples are to be collected during the monitoring period of June 1 through September 30. According to records submitted to and maintained by the Department, samples were collected on October 7, 2009. Morning View failed to collect samples during the correct monitoring period.

6. Morning View hereby agrees to perform the following actions in the time periods set forth in this Amended Consent Order to achieve compliance with Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08:

a. Morning View shall utilize its best efforts to secure grant or loan funds as soon as is practicable. No later than June 1, 2010, Morning View shall submit to the Department an amended Facility Plan that incorporates a detailed schedule for all projects listed in the Capital Improvement Program on Page 22 of the Plan and the items listed in Subsections 6.b., 6.c., and 6.d. below. This submittal will be reviewed in accordance with Paragraph 8 of this Amended Consent Order. Once approved, the Facility Plan shall be incorporated by reference into this Amended Consent Order, and shall be enforceable as such.

b. No later than May 14, 2010 Morning View will submit to the Department the results of pump tests on the two wells currently in use to determine the actual capacity of these wells, and thus, determine whether a third source of drinking water is required per IDAPA 58.01.08.513. The tests shall be conducted under the supervision of an engineer licensed in the State of Idaho.

c. As a result of the tests, the Department or Morning View may determine that a third source of drinking water is required. If the Department determines a third source is required, it will notify Morning View in writing. If Morning View then seeks to utilize the existing third well described on page 10 of the Plan, the amended Facility Plan shall include a time frame upon which Morning View must submit to the Department the results of a study conducted on the existing inactive and capped agricultural well by an engineer licensed in the State of Idaho. The study shall indicate the capability of the well to provide a viable source of potable drinking water. (See page 10 of the Plan) The Department shall review the results of the study in accordance with Paragraph 8 of this Amended Consent Order.

The Department or Morning View may determine that a third source of drinking water is required and Morning View may choose not to use the existing third well, or the Department may determine that the existing third well does not provide a viable source of drinking water. Thus, the Amended Facility Plan shall provide a detailed schedule and time frame to drill and construct the water supply well.

additional water supply well. The report did not include a timeline or a schedule for these System improvements. In a letter dated April 29, 2009, the Department notified Mr. Robert Harris, attorney representing Morning View, that the Plan was not approved due to a failure to include an appropriate timeline or schedule for completion.

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The Department or Morning View may determine that a third source of drinking water is required and Morning View may choose not to use the existing third well, or the Department may determine that the existing third well does not provide a viable source of drinking water. Thus, the Amended Facility Plan shall provide a detailed schedule and time frame to drill and construct the water supply well.

with a written extension of the sixty (60) day time frame. Morning View's failure to obtain Department approval of a submittal within such time frames shall constitute a violation of this Amended Consent Order.

c. Once the Department approves these documents, they shall be incorporated herein and enforceable as a part of this Amended Consent Order.

9. All communications required of Morning View by this Amended Consent Order shall be addressed to:

Greg Eager, Engineering Manager
Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402

10. All notices, reports and submittals required of the Department by this Amended Consent Order shall be addressed to:

Mr. Nolan Gneiting
Morning View Water Company
P.O. Box 598
Rigby, ID 83442

With copies mailed to:

Mr. Robert Harris
Holden, Kidwell, Hahn, & Crapo, LLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130

11. This Amended Consent Order shall not in any way relieve Morning View from any obligation to comply with any provision of the Idaho Rules for Public Drinking Water Systems, or any applicable local, state, or federal laws.

12. Morning View recognizes that failure to comply with the terms in this Consent Order may result in district court action seeking specific performance of this Amended Consent Order; assessment of costs and expenses; available penalties under Idaho Code §39-108; restraining orders; injunctions; attorney fees; and other relief available by statute or rule as the court considers to be just and reasonable under the circumstances.

13. This Amended Consent Order shall remain in full force and effect until the Department acknowledges in writing that Morning View has fulfilled all requirements of this Amended Consent Order and that the Amended Consent Order is terminated.

14. This Amended Consent Order shall bind Morning View, its successors and assigns, until terminated in writing by the Department.

15. Each undersigned representative to this Amended Consent Order certifies that he or she is fully authorized to enter into the terms and conditions of this Amended Consent Order, and to execute and legally bind such party to this document.

16. The effective date of this Amended Consent Order shall be the date of signature by the Director of the Idaho Department of Environmental Quality.

DATED this 29th day of January, 2010.

By: _____
Nolan Gneiting
Morning View Water Company

DATED this 8th day of February, 2010.

By: _____
Toni Hardesty, Director
Department of Environmental Quality

Table 3.7.1 – WWTP Upgrades Cursory Environmental Screening

Environmental Criteria	Alternative No. 1 No Action	Alternative No. 2 Summer Storage	Alternative No. 3 Reuse/Land Application	Alternative No. 4 Filtration	Secondary Treatment Upgrades[a]
Climate and Physical Aspects (Topography, Geology, and Soils)	No Impact	Requires Excavation for Storage Lagoon, Long Term Impacts Minimal	Requires Excavation for Storage Lagoon and Soil Monitoring at Reuse Site, Minimal Long Term Impacts	Shallow excavation on WWTP Premises, No Long Term Impacts.	No Long Term Adverse Impact
Population, Economic, and Social Profile	May limit the ability to provide for future connections.	Increased User Rates	Increased User Rates	Increased User Rates	Increased User Rates
Land Use	No Impact	May Effect Agricultural Land, Long Term Impact Possible	May Effect Agricultural Land, Long Term Impact Possible	No Long Term Impact	No Long Term Adverse Impact
Floodplain Development	No Impact	No Long Term Adverse Impact	No Long Term Adverse Impact	Existing WWTP Near 100 Year Flood Plain, Design Consideration Would Be Required	Existing WWTP Near 100 Year Flood Plain, Design Consideration Would Be Required
Wetlands and Water Quality	Long Term Adverse Impacts Due to Phosphorous Loading, Likely	Positive Long Term Impact	Positive Long Term Impact	Positive Long Term Impact	Positive Long Term Impact
Wild and Scenic Rivers	No Impact	No Wild and Scenic Rivers Within Project Vicinity	No Wild and Scenic Rivers Within Project Vicinity	No Wild and Scenic Rivers Within Project Vicinity	No Wild and Scenic Rivers Within Project Vicinity
Cultural Resources	No Impact	Potential for Short Term Impacts	Potential for Short Term Impacts	No Adverse Impact	No Adverse Impact
Flora and Fauna	Long Term Adverse Impacts Due to Aquatic Life, Likely	Positive Long Term Impact for Aquatic Life	Positive Long Term Impact for Aquatic Life	Positive Long Term Impact for Aquatic Life	Positive Long Term Impact for Aquatic Life
Recreation and Open Space	No Impact	Possible Long Term Adverse Impact	No Adverse Impact	No Adverse Impact	No Adverse Impact
Agricultural Lands	No Impact	Possible Long Term Adverse Impact	No Adverse Impact	No Adverse Impact	No Adverse Impact
Air Quality	No Impact	No Adverse Impact	No Adverse Impact	No Adverse Impact	No Adverse Impact
Energy	No Increase in Energy Consumption	Increase in Consumptive Energy for Pump Stations.	Increase in Consumptive Energy for Pump Stations	Increase in Energy Consumption for Filtration System	Increased Energy Consumption Due to Solids Dewatering Equipment and Utility Water Pumps
Public Health	No Impact	Potential Public Health Risk, Requires Barrier at Storage Lagoon	Potential Public Health Risk, Requires Compliance with Reuse Regulations	No Adverse Impact	No Adverse Impact

[a] *Secondary treatment upgrades to be incorporated with each alternative No. 1 – No. 4.*

Appendix B

Water Right for Proposed New Well

State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Interim Director

January 31, 2012

MORNINGVIEW WATER CO INC
PO BOX 598
RIGBY ID 83442

RE: License No. 25-7593
Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

If you have any questions, please contact me at 208-525-7161.

Sincerely,

James Cefalo
Water Resources Program Manager

Enclosure

JC:sc

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 25-7593

MORNINGVIEW WATER CO INC
PO BOX 598
RIGBY ID 83442

WATER DISTRICT 120
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

Sharla Cox
Administrative Assistant

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 25-07593

Priority: October 10, 1995

Maximum Diversion Rate: 0.79 CFS
Maximum Diversion Volume: 120.8 AF

It is hereby certified that MORNINGVIEW WATER CO INC
PO BOX 598
RIGBY ID 83442 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 14, 1991; and has submitted Proof of Beneficial Use on October 10, 1995; and a water right has been established as follows:

SOURCE
GROUND WATER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
DOMESTIC	01/01 to 12/31	0.33 CFS	28.8 AF
IRRIGATION	04/01 to 10/31	0.46 CFS	92.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼NE¼	Sec. 30	Twp 04N	Rge 39E, B.M.	JEFFERSON County
GROUND WATER	NW¼NE¼	Sec. 30	Twp 04N	Rge 39E, B.M.	JEFFERSON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 39E 30	X	X															

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 39E 30	9.0	14.0															23.0

Total Acres: 23

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

2. Rights 25-14199 and 25-7593 when combined shall not exceed a total diversion rate of 0.83 cfs for in-house non-consumptive purposes and 0.46 cfs and 92 afa for the irrigation of 152 lots.

3. Domestic use is for 48 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.

4. Place of use is located within Morningview Subdivision.

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 25-07593

CONDITIONS OF APPROVAL

5. The issuance of this right does not grant any right-of-way or easement across the land of another.

6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 31st day of January, 2012.

for GARY SPACKMAN
Interim Director

Appendix C

Public Involvement

Morning View Water Co., Inc.
An Idaho PUC Regulated Company
3996 East 200 North
PO Box 598
Rigby, Idaho 83442

Office: 208-745-0029 Fax: 208-745-0041

morningviewhomes@qwestoffice.net

June 4, 2009

Morning View Water Customers,

This letter is to inform you of an informational meeting to be held by Morning View Water Company on Tuesday, June 9th 2009 @ 6:30PM in the meeting room of the Rigby City Library located at 110 North State Street. The following people will be in attendance to share information about the company and answer any questions you may have regarding company proceedings.

Rob Harris
Holden, Kidwell, Crapo & Hahn

Greg Eager
Department of Environmental Quality

Ryan Loftus
Aspen Engineering

We look forward to your attendance and encourage your participation. Thank you for your attention to this matter.

Sincerely,

Nolan Gneiting
Morning View Water Company

Morning View Water Company Customer Meeting

MINUTES 6:30 PM JUNE 6th 9th 2009 RIGBY LIBRARY

MEETING CALLED BY	Morning View Water Company
TYPE OF MEETING	Informative meeting regarding the Morning View Water System and it's customers
FACILITATOR	Nolan Gneiting, Owner/Operator Rob Harris, Attorney, Ryan Loftus, Engineer
NOTE TAKER	Denise Kynoch, Morning View Water Company Office Manager
TIMEKEEPER	Denise Kynoch
ATTENDEES	(54) of Morning View Water Companies Current Customers

Agenda topics: (1.) How Morning View Water Company plans on dealing with its (PSI), "water pressure problems". (2) Issues regarding IDEQ and the current legal ramifications. (3.) Safety of the system and the drinking water. (4.) And to encourage good public relations with the Morning View Water Company's customers so that they may be updated, informed and secure regarding their water. (5.) Future plans for Morning View Water Company.

1 HOUR IDEQ/MORNING VIEW WATER CO ROB HARRIS, RYAN LOFTUS

PURPOSE OF THE MEETING	Rob Harris, the Attorney for Morning View Water Company introduced himself along with Ryan Loftus, Morning View Water Company's Engineer. The water company has been having water pressure problems during the summer months due to the large volume of water used for irrigation along with regular household use. The existing well does not have the capacity to produce enough water for the amount of services throughout the system, especially during the summer months when there is an increase of water needed for irrigation of customer's lawns and gardens. The Company has been trying to have its customers help in various ways by trying to schedule volunteer watering days to minimize water volume and alleviate several booster pumps that have been found to be used on the system illegally by some customers. Several customers have complained directly to IDEQ, and so IDEQ is now involved and has ordered MVW company to become compliant with some legal ramifications resulting. The water company wants to keep its customers informed, and they also want to hear from their customers directly regarding any possible input they may have to offer. Ryan Loftus then took the floor. He spoke of the PSI problems we had been having and that he recommended for Morning View Water to have a new well drilled on an extra lot of Nolan Gneiting's, along with a variable speed drive unit of which he believed would alleviate the pressure and volume problem we were having with the stressed water system. Ryan then answered questions from the group. Several people brought up accusations against Nolan Gneiting, saying that he had his own well and so didn't care about the customers. Ryan assured them that was not so. Several questions were made regarding if the rate would go up and were meters going to be put in. Ryan told them that meters would be a good idea and that we were seriously considering that option. The customer's would be charged according to their own water usage. Ryan urged everyone to work together and to please contact Morning View Water Company with any of their questions or concerns, and that we would be happy to listen and help anyway we can.
CONCLUSIONS	All in all, the meeting had gone well, and we all learned from each other. We all aired out some grievances and at least brought them up to the table so we could all take a look, and hopefully work together to fix the problems.

Morning View Water Mtg June 9th 2009

Attendee Sign up Sheets

Name: (Printed)	Address	Signature
Craig + Vida Curnutt	178 N 3950 E	Craig Curnutt Vida Curnutt
Don + Florence Curnutt	18H N 3950 E	Florence Curnutt Don Curnutt
Ladene & Dick Campbell	186 N 3950E	Ladene Campbell
Rebecca Wilson + Mac Wilson	3944 E 185 N	
Melissa + Brent Taylor	3933E. 185N	Melissa Taylor
Florence Walters	190N 394D E	Florence Walters
Bruce Walters	190N-3940E	Bruce B Walters jr.
	194N 3940E	Steven Thompson
	196 N 3940E	David P. Johnson
Carol L. Wilson	3938 E. 185 N.	Carol L. Wilson
Gary Hobbs	3938 E. 185 N.	Gary Hobbs

Name: (Printed)	Address	Signature
Carol Hasselstrom	188 N 3950 E Rigby ID 83442	Carol Hasselstrom
Danielle Taylor & Daniel	190 N. 3950 E. Rigby, ID 83442	Danielle Taylor
John & Trudy Carrillo	3963 E 180 N Rigby, ID 83442	Trudy & Carrillo
Darrel & Tyla	192 N 3950 E Rigby ID 83442	Darrel & Tyla Howell
Val & Katie Lamb	182 N. 3950 E Rigby Id 83442	Val & Katie Lamb
Shirley Piquet	180 N. 3950 E Rigby ID 83442	Shirley Piquet
Cheryl Sipes	176 N 3950 E Rigby, ID 83442	Cheryl Sipes
Todd & Shirley	174 N-3950 E	Todd & Shirley
Lawrence Carlson	181 N 3952 E	Lawrence J Carlson
Diana Gleason	3956 E 180 N	Diana Gleason
Judy CAPP	3958 E 180 N	Judy L. Capp

Name: (Printed)	Address	Signature
Serena Rolfe.	185 N. 3966 E. Rigby, Idaho	
Adam Jacobsen	187 N. 3966 E. Rigby ID	
Mike Wilding	193 N 3950 E Rigby ID	
LeOla Niederer	192 N 3950 E Rigby, Id	
N F BAXTER	198 N. 3950 E Rigby IdA	
CHAD EGBERT PATRICIA EGBERT	196 N 3950 E RIGBY ID	

Morning View Water Company
P.O. Box 598
Rigby, ID 83442
(208) 745-0029

morningviewwaterco@gmail.com

April 24, 2012 *RE: Facility Plan*

Dear Customer,

The purpose of this letter is to invite you to an "Open House" meeting regarding Morning View Water Company, our plans, and progress thus far relating to a new additional well (planed to be constructed), along with our now existing water system.

Regarding: The progress of Morning View Water's future new well, It's status as to date, and for our customers to be able to review the "Facility Plan" along with the (EID) Educational Information Document. ***This meeting will be open, and we welcome your questions and comments.*** *Ryan Loftus, our Engineer will be attending, and answering any questions you may have. He will also have documentation (regarding the facility plan) for you to examine for yourselves.*

Where: Rigby, Library, 110 North State Street, Rigby, Id

When: May 9th 2012, from 7:00 pm – 9:00 pm

We believe this meeting will be very informative to all our valued water customers. In addition, will let you know what to expect in the near future regarding your drinking water.

Sincerely,
Nolan Gneiting
Morning View Water Company

Cc; Ryan Loftus/Aspen Engineering, Rob Harris/Holden, Hahn, & Crapo
Rochelle Masson/IDEQ, Greg Eager/IDEQ

Ryan Loftus

From: Morning View [morningviewhomes@qwestoffice.net]
Sent: Thursday, August 23, 2012 1:34 PM
To: Ryan Loftus
Subject: Morning View Water Company.doc

Morning View Water Company

P.O. Box 598

Rigby, Id 83442

208-745-0029

-Meeting Minutes-

Place: Rigby City Library

Date: May 9, 2012, 7:00pm – 900 pm

Agenda: Open House for M.V.W customers to review Facility Plan engineered by Ryan Loftus/Aspen Engineering, regarding new well project.

Rob Harris/Attorney welcomes everyone, while introducing himself as representing Morning View Water Company. Also introducing, Nolan Gneiting/Owner M.V.W. Company, Greg Eager/IDEQ, Ryan Loftus/Aspen Engineering, and Dee Hoopes M.V.W. /Office Manager.

Rob Harris explained what concerns to be discussed tonight. 1.) Obtain permit for water right. 2.) Funding of new well. 3.) Revolving Drinking Plan, Letter of Interest. 4.) Some of the money funded is through the Federal Government; therefore, an E.I.D. is required for system. 5.) Intent is to let customers know what the contents of the Facility Plan for the Morning View Water Company new well. 6.) Legal issues regarding Morning View Water Company. 7.) It is Mandatory that M.V. W. Company come into compliance by obtaining the new well to resolve inevitable violations from IDEQ due to (PSI) issues. The meeting was then held over to Ryan Lofus to go in-depth to any issues or concerns from the Morning View Water customers regarding the new well project.

Ryan Loftus opened for questions and comments from several Morning View Water customers as follows: Cost of new pipes, new meters, looping of 185 ft of pipe, generator for new well, Veritable speed drive for existing and new well. Ryan then explained cost of the loan to customers while using a "Tear Formation" rate when using new meters on each service. Their winter rates will go down, and their summer rates will go according to how much they irrigate their yards in the summer season. Using meters will help regulate the over all usage throughout the community, thereby insuring the water pressure for its users. (If they over use their water, they will indeed have a higher bill.) Having (2) wells will make sure everyone has enough water, and pressure regardless. There will also be enough water for any new homes in the development to have built.

Ryan then explains the E.I.D. required and submitted by March 1, 2012, as well as some of the many agencies, i.e. Idaho Fish & Game, and EPA / Environmental Protection Act. Ryan projects the job to be finished approximately by spring of 2013.

Meeting adjured, and "Morning View Customers" invited to stay to view actual Facility Plan, and speak with Ryan Loftus, Rob Harris, and Dee Hoopes/Office Manager, regarding any other concerns or questions anyone may have.

Recorded by: Dee Hoopes / M.V.W. Company Office Manager

Morning View OPEN House
May 9, 2012

NAME	ADDRESS	PHONE #
William Teuscher	900N skyline IF IDEQ	528-2650
Bilnap, Glenda		208 529 8483
Nelson Glenn		208 525 4736
Tim & Karen Kuck	185 N. 4800 E	208-745-0038
Roy & Diana Gibson	3956 E. 180 N.	208 745 9465
John Carrillo	3952 E 180 N	208 745 9593
Zane Jen Wilcox	184 N 3990 E	208-745-1414
Dawn Gretty	3990 E 180 N	208-745-8780
Nelson Gretting	3996 E 200.N	(208) 745.0029
Tom Glon [illegible]	182 N 3990 E	745 5261
[illegible] Hoop	633 N 3900 E	520 4798
Greg Eafer	900 N skyline IFDEQ	528-2650

Morning View Water Company
P.O. Box 598
Rigby, Id 83442

Office: 208-745-0029
Fax: 208-745-0041

Re: Public Hearing for Morning View Water Company on May 9th 2012

August 23, 2012

To Whom It May Concern:

On May 9th, 2012, Morning View Water Company held a "Public Hearing Meeting" at the Rigby City Library, located in Rigby Id. The meeting went from 7:00 pm - 9:00 pm.. regarding issues to resolve water pressure problems. (PSI) the water customers of Morning View Water Company have continued to experience for a very long time during summer months.

After the meeting with its customers. Morning View Water Company decided to opt for Alternative # 5: Construction of a new well.

Sincerely,

Nolan Gneiting
Morning View Water Co. / Owner

Morning View Water Company
Customer Contact List - By Address

August 23, 2012

Customer	Bill to 2	Bill to 3	Ship to 2	Ship to 3	Bill to 5
Grant					
James Groth					
Nelsa Greiling					
Water Line to Office					
Maestas, Manuel	170 North 3950 East	Rigby, ID 83442			Division 2 Block 1 Lot 26
Shirley, Trina	174 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 24
Sipes, Thomas	176 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 25
Andrus, Karen	177 North 3950 East	Rigby, ID 83442			Division 2 Block 4 Lot 3
Cumutt, Craig	178 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 26
Nelson, Stephanie	179 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 1
Piquet, Shirley	180 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 27
Carlson, Larry	181 North 3950 East	Rigby, ID 83442			Division 2 Block 4 Lot 2
Lamb, Val	182 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 28
Glen, Thomas	182 North 3990 East	Rigby, ID 83442			Division 1 Block 1 Lot 14
Murillo, Lorena (Ibarra)	183 North 3950 East	Rigby, ID 83442			Division 2 Block 4 Lot 1
Allen, Benjamin	183 North 3978 East	Rigby, ID 83442	183 North 3978 East	Rigby, ID 83442	Division 3 Block 3 Lot 7
Gamble, Jeremy	183 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 2
Cumutt, Donald	184 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 29
Staley, Matt	184 North 3978 East	Rigby, ID 83442			Division 3 Block 3 Lot 4
Wilcox, Zane	184 North 3990 East	Rigby, ID 83442			Division 1 Block 1 Lot 13
Rolfe, Serena	185 North 3966 East	Rigby, ID 83442			Division 3 Block 2 Lot 5
Dansie, Todd	185 North 3990 East	Rigby, ID 83442			Division 1 Block 2 Lot 5
Kuck, James	185 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 3
Danny McDonald	188 N. 3990 E.	Rigby, ID 83442			Division 1 Bloc k 1 Lot 12
Campbell, Ladene	186 North 3950 East	Rigby, ID 83442			
Niederer, LeOla	187 North 3950 East	Rigby, ID 83442			Division 2 Block 3 Lot 5
Anderson, Jeff	187 North 3966 East	Rigby, ID 83442	COKESVILLE, WY 83114		Divison 3 Block 2 Lot 4
Brock, Darron	187 North 3990 East	Rigby, ID 83442	70 Colmes St.	Charles Town, WV 25414	Division 1 Block 2 Lot 4
Hasselstrom, Carol	188 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 31
Sanchez, Ernesto	189 North 3950 East	Rigby, ID 83442			Division 2 Block 3 Lot 4
Diamond, Vad	189 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 4
Peak, James & Joy	190 N. 3990 E.	Rigby, ID 83442			
Waters, Bruce A. Jr.	190 North 3940 East	Rigby, ID 83442			Country Grove Block 1 Lot 4
Mickelsen, Holly	191 North 3990 East	Rigby, ID 83442			Division 1 Block 2 Lot 3
Camp, Charles	191 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 5
Anderson, Chris	192 North 3940 East	Rigby, ID 83442			Country Grove Block 1 Lot 3
Howell, Darrel	192 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 33
Hatch, Glen	192 North 3990 East	Rigby, ID 83442			Division 1 Block 1 Lot 10
Wilding, Michael	193 North 3950 East	Rigby, ID 83442			Division 2 Block 3 Lot 3
Barrett, Ben & Carey	194 North 3940 East	Rigby, ID 83442	194 North 3940 East	Rigby, ID 83442	County Grove
Sensouvanh, Bounthong	194 North 3950 East	Rigby, ID 83442	4028 E 100 N	Rigby, ID 83442	Division 2 Block 2 Lot 34
Wright, Lee	194 North 3990 East	Rigby, ID 83442			Division 1 Block 1 Lot 9
Shelley, Michael Todd	195 North 3990 East	Rigby, ID 83442			Division 1 Block 2 Lot 2
Wise, Gene	195 North 4000 East	Rigby, ID 83442			Division 1 Block 1 Lot 6
Johnson, David	196 North 3940 East	Rigby, ID 83442			Country Grove Block 1 Lot 1
Egbert, Chad	196 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 35
Baxter, Hyrum	198 North 3950 East	Rigby, ID 83442			Division 2 Block 2 Lot 36
Hager, David	198 North 3990 East	Rigby, ID 83442			Division 1 Block 1 Lot 8
Bailey, William L	199 North 3950 East	Rigby, ID 83442			Division 2 Block 3 Lot 1
Kuzmich, Barbara	199 North 3990 East	Rigby, ID 83442			Division 1 Block 2 Lot 1
Camacho, Rafael	3922 East 185 North	Rigby, ID 83442	3922 East 185 North	Rigby, ID 83442	Country Grove Block 3 Lot 3
Centeles, Anna	3924 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 12
Sierra, Aurelio	3924 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 4
Boyer, Christine	3925 East 185 North	Rigby, ID 83442			Country Grove Block 2 Lot 4
Rosa Castro Cardenas	3926 E. 178 N.	Rigby, ID 83442			
Barbosa, Santiago	3926 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 5
Paulsen, Elizabeth	3927 E. 185 N	Rigby, ID 83442	3927 E. 185 N	Rigby, ID 83442	Country Grove, Block 2, Lot 5
Cardenas, Angelica M.(Diaz)	3927 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 6
Castro, Juan	3928 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 14
Gutierrez, Juan	3928 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 6
Erivas, Maria	3929 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 7
Cardenas, Jose & Monica	3929 East 185 North	Rigby, ID 83442	3929 East 185 North	Rigby, ID 83442	Country Grove Block 2 Lot 6
Galvan, Ramon	3930 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 15
Mansfield, Jeanne	3930 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 7
Galvan, Joel & Maria	3931 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 8
Cardenas, Abel	3931 East 185 North	Rigby, ID 83442			Country Grove Block 2 Lot 7
Murillo, Isabel	3932 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 16
Taylor, Brent	3933 East 185 North	Rigby, ID 83442			Country Grove Block 2 Lot 8
Carranza, Elena	3934 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 17
Peterson, Katie	3934 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 9
Hardy, Teri	3935 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 10
Gehrig, Lisa	3935 East 185 North	Rigby, ID 83442			Country Grove Block 2 Lot 9
McLaughlin,Mary	3937 East 185 North	Rigby, ID 83442			Country Grove Block 2 Lot 10
Brown, Daniel	3938 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 19
Hobbs, Gary	3938 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 11
Murillo, Rocio	3939 E 178 N	Rigby, ID 83442			
Adolfo Rodriguez	3940 E. 178 N.	Rigby, ID 83442			Division 4 Block 1 Lot 20
Hall,Jodi	3942 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 21
Virginia Naverez	3943 E 185 N	Rigby, Id 83442			
Barboza, Sandra	3943 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 13
Gentle, Martin	3943 East 185 North	Rigby, ID 83442			Country Grove Block 1 Lot 5
Rogel, Osman	3944 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 22
Wilson, Rebecca	3944 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 13
Rojas, Ana	3945 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 14
Hoffman, Gary	3946 East 178 North	Rigby, ID 83442			Division 4 Block 1 Lot 23
Quintero, Efrain	3946 East 185 North	Rigby, ID 83442			Country Grove Block 3 Lot 14
Maravilla, Leonor	3947 East 178 North	Rigby, ID 83442			Division 4 Block 2 Lot 15
Brighton, Allan	3952 East 180 North	Rigby, ID 83442			Division 2 Block 1 Lot 27
Walker, Bree & Justin	3955 E. 180 N.	Rigby, ID 83442			Division 2, Block 2, Lot 23
Gibson, Roy	3956 East 180 North	Rigby, ID 83442			Division 2 Block 1 Lot 25
Navarro, Shiloh	3957 East 180 North	Rigby, ID 83442	174 S. 1st W.	Rigby, ID 83442	Division 2 Block 2 Lot 22
Capp, Terry A.	3958 East 180 North	Rigby, ID 83442			Division 2 Block 1 Lot 24
Thomas, Donald	3962 East 180 North	Rigby, ID 83442			Division 3 Block 1 Lot 1
Carrillo, John	3963 East 180 North	Rigby, ID 83442			Division 3 Block 2 Lot 7
Robinson, Jason	3972 East 200 North	Rigby, ID 83442			Division 3 Block 4 Lot 2
Watson, Cory & Rachel	3975 E. 180 N.	Rigby, Id 83442			
Rees, Toni	3976 East 200 North	Rigby, ID 83442			Division 3 Block 4 Lot 3
Bivins, Allen	3980 East 200 North	Rigby, ID 83442			Division 3 Block 4 Lot 4
Pettingill, Robin	3986 East 180 North	Rigby, ID 83442			Division 1 Block 1 Lot 18
Clements, Bill	3988 East 180 North	Rigby, ID 83442			Division 1 Block 1 Lot 15
Farfas, M Jose	3996 E 178 N	Rigby, ID 83442	3996 E 178 N	Rigby, ID 83442	Division 4 Block 1 Lot 16
Goldman, Brian	621 E. Parkway Ave	Salt Lake City, UT 8...	3942 East 185 North	Rigby, ID 83442	Country Grove Block 3 Lot 12
Schmitt, Sheila	P.O. Box 1751	Roosevelt, UT 84066	180 North 3990 East	Rigby, ID 83442	Division 1 Block 1 Lot 11
Young, Christlyn	P.O. Box 2354	Idaho Falls, ID 83403	197 North 3950 East	Rigby, ID 83442	Division 2 Block 3 Lot 2
Ibarra, Dominica 1	PO BOX 125	ROBERTS, ID 83444	PO BOX 125	ROBERTS, ID 834444	Country Grove, Block 3, Lot 8
Kaneko, David	PO Box 326	Rigby, ID 83442	187 North 3940 East	Rigby, ID 83442	Country Grove Block 2 Lot 11
Drake, Jeff	PO Box 342	Rigby, ID 83442	3923 East 185 North	Rigby, ID 83442	Country Grove Block 2 Lot 3

Morning View Water Company
Customer Contact List - By Address

August 23, 2012

Customer	Bill to 2	Bill to 3	Ship to 2	Ship to 3	Bill to 6
Lemus, Angelica	PO Box 354	Rigby, ID 83442	3926 East 178 North	Rigby, ID 83442	Division 4 Block 1 Lot 13
Ball, Judd	PO BOX 506	RIGBY, ID 83442	3936 East 185 North	Rigby, ID 83442	Country Grove Block 3 Lot 10
Melissa, Kathleen	PO Box 574	Rigby, ID 83442	3933 East 178 North	Rigby, ID 83442	Division 4 Block 2 Lot 9

Appendix D

Agency Consultation

All of the letters sent to consulted agencies, contained two attachments, one showing the location of Morning View Water Company, and the other showing the proposed project area, including a description of the proposed improvements.

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 30, 2012

Mr. James Joyner, US Army Corps of Engineers, Wetlands, Permits 404, Flood Plains
900 N. Skyline Dr., Suite A
Idaho Falls ID. 83402-1718

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Joyner:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

The proposed improvements include drilling a new drinking water well, construction of a new pump house (approx. 12'x12'), 300 lin feet of new water main. Installing meters in existing meter pits, and a new backup generator for new well. New Variable Frequency Drives (VFD) will be installed on existing wells.

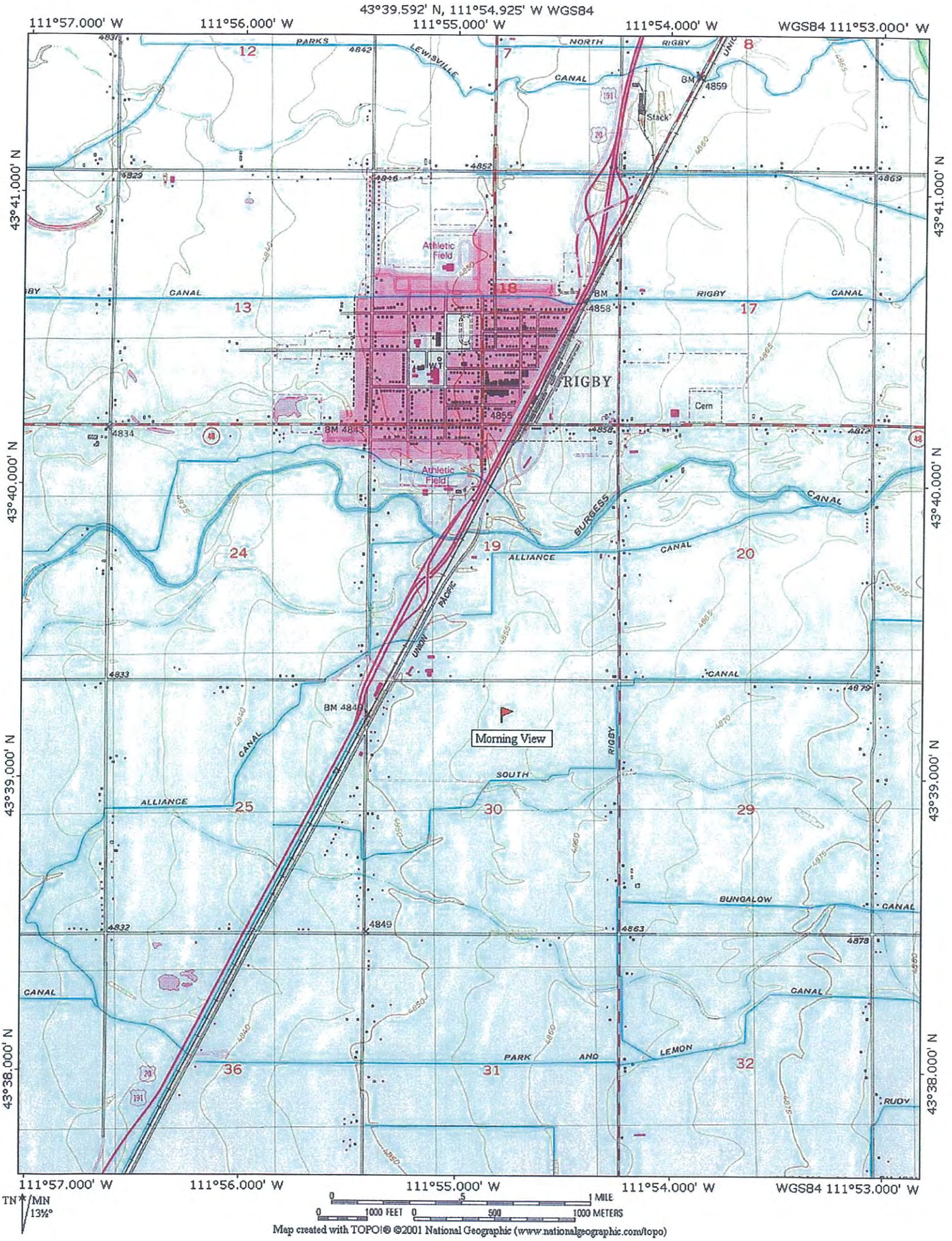
Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities.

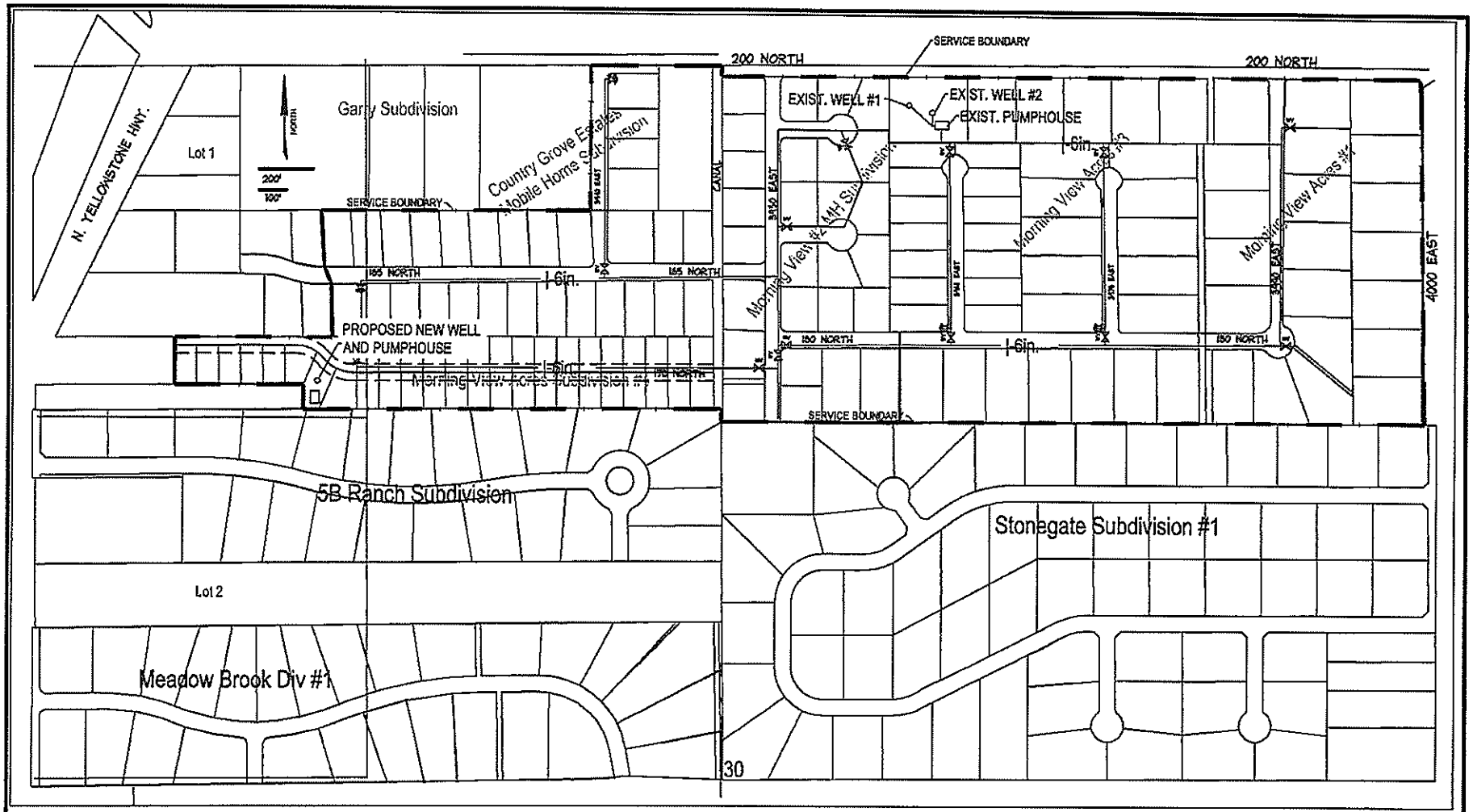
The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities


43°39.592' N, 111°54.925' W WGS84
111°57.000' W
111°56.000' W
111°55.000' W
111°54.000' W
WGS84 111°53.000' W
43°41.000' N
43°40.000' N
43°39.000' N
43°38.000' N
PARKS
LEWISVILLE
NORTH
RIGBY
CANAL
Stack
Athletic Field
RIGBY
Cem
BURGESS
ALLIANCE
UNION PACIFIC
Morning View
SOUTH
BUNGALOW
PARK AND LEMON
RUDY
TN
MN
13½°
0 .5 1 MILE
0 1000 FEET 0 500 1000 METERS
Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)



PROPOSED IMPROVEMENTS:

- METERS FOR ALL SERVICE CONNECTIONS WITHIN SERVICE BOUNDARY
- NEW WELL AND PUMPHOUSE
- BACKUP POWER GENERATOR ON NEW WELL
- VARIABLE FREQUENCY DRIVES (VFD) ON EXISTING WELLS

PROJECT LOCATED IN: NORTH 1/2 OF SECTION 30, T 4 N, R 39 E. BM.
JEFFERSON COUNTY IDAHO. SOUTH OF 200 NORTH, BETWEEN
4000 EAST AND NORTH YELLOWSTONE HIGHWAY.
NEW WELL TO BE LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 30.
NEW WELL LAT/LONG: 43°39'8.69" N 111°55'8.74"W

SHEET NO. 1.0 OF 1

JOB NO. 2010.021
DATE 1/11/12
DRAWN BY JRL
CHECKED BY JRL
REVISIONS
DATE

Nolan Gneiting
Morning View Water System
Jefferson County, Idaho

Proposed Project

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Aspen Engineering, Inc.
10727 N. Yellowstone Hwy.
Idaho Falls, Idaho 83401
Phone (208) 542-1911

Ryan Loftus

From: Joyner, James M NWW [James.M.Joyner@usace.army.mil]
Sent: Thursday, March 01, 2012 5:28 PM
To: Ryan Loftus
Subject: RE: Request Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ryan,

We still have the request, but have not responded yet. I'm unsure of an exact timeline.

James M. Joyner
Regulatory Project Manager

US Army Corps of Engineers
Walla Walla District
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402
Bus (208) 522-1676
Fax (208) 522-2994
james.m.joyner@usace.army.mil

-----Original Message-----
From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Thursday, March 01, 2012 2:12 PM
To: Joyner, James M NWW
Subject: RE: Request Letter (UNCLASSIFIED)

James,
This is for the Morning View Water Company in Jefferson County (about one mile southeast of Rigby) I've attached a copy of the request letter.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

-----Original Message-----
From: Joyner, James M NWW [mailto:James.M.Joyner@usace.army.mil]
Sent: Thursday, March 01, 2012 1:34 PM
To: Ryan Loftus
Subject: RE: Request Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ryan,

Sorry, but I need a little more context. I can't tell from below what the request was for?

James M. Joyner
Regulatory Project Manager

US Army Corps of Engineers
Walla Walla District
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402
Bus (208) 522-1676
Fax (208) 522-2994
james.m.joyner@usace.army.mil

-----Original Message-----
From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Monday, February 27, 2012 4:24 PM
To: Joyner, James M NWW
Subject: RE: Request Letter (UNCLASSIFIED)

James,
I haven't seen a reply to this request, Did I somehow miss it?

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

-----Original Message-----
From: Joyner, James M NWW [mailto:James.M.Joyner@usace.army.mil]
Sent: Monday, January 23, 2012 10:44 AM
To: Ryan Loftus
Subject: RE: Request Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ryan,

Thanks, we'll get it in the queue.

James M. Joyner
Regulatory Project Manager

US Army Corps of Engineers
Walla Walla District
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402
Bus (208) 522-1676
Fax (208) 522-2994
james.m.joyner@usace.army.mil

-----Original Message-----
From: Ryan Loftus [mailto:ryan@aspeneng.net]

Sent: Friday, January 20, 2012 3:49 PM
To: Joyner, James M NWW
Subject: Request Letter

Mr. Joyner,
Please find the attached request letter. Feel free to contact me with any questions you have.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 N SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402

June 26, 2012

Regulatory Division

SUBJECT: NWW-2012-048-I02

Mr. Ryan Loftus, P.E.
Aspen Engineering Inc.
10727 N. Yellowstone Hwy
Idaho Falls, ID 83401

Dear Mr. Loftus:

We have received your request dated January 20, 2012, for Department of the Army (DA) review and comments on Morning View Water Company's proposed Public Drinking Water Facility improvement project near Rigby, ID. The project would be located within Section 30 of Township 4 North, Range 39 East, near latitude 43.64826 and longitude -111.91385, in Jefferson County, Idaho. Your request has been assigned File Number NWW-2012-48-I02.

Pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), a DA permit must be obtained prior to discharging dredged or fill material into Waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands.

If the method or scope of work or project location changes, it is recommended you contact this office for a verification of this determination. Activities regulated under Section 404 would include excavation and land clearing operations involving vegetation removal with mechanized equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs; windrowing of vegetation; land leveling; or other soil disturbance in areas subject to Corps jurisdiction that result in a discharge of dredged or fill material into wetlands or Waters of the U.S.

Based on our review of the information provided, the proposed project is located in uplands and will not involve work in areas subject to our jurisdiction. No indicators of wetland hydrology, hydric soils, and hydrophytic vegetation, or the presence of an ordinary high water mark were found to exist within the review area; therefore a DA permit will not be required pursuant to Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899.

This determination is valid for a period of 5-years from the date of this letter, unless new information supporting a revision is provided to this office before the expiration date. Enclosed,

please find the Approved Jurisdictional Determination (JD) Form for the reviewed area, and a Notification of Administrative Appeals Options and Process and Request for Appeal Form (RFA) regarding this determination. Should you disagree with certain terms and/or conditions of this DA Approved JD, the Notification of Administrative Appeal Options form outlines the steps to take to file your objection. It is not necessary to submit an RFA form to the District or Division Offices if you do not object to the determination in this letter.

This determination applies only to DA permits administered by the Corps of Engineers, identifying the limits of the Corps' Clean Water Act jurisdiction for the particular site referenced in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U. S. Department of Agriculture (USDA) program participants, or anticipate participation in the USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

The statements contained herein do not convey any property rights or exclusive privileges, and do not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect the proposed work. Your project may require permits from other Federal, state, and local agencies including the Idaho Department of Water Resources or your local city or county zoning office if they have adopted a local floodplain management ordinance under the National Flood Insurance Program. You should contact these agencies to obtain any necessary permits prior to starting construction.

Please contact Mr. James Joyner by telephone at 208-522-1676, by mail at the address in the above letterhead, or via e-mail at James.M.Joyner@usace.army.mil if you have any questions regarding the information contained in this letter.

Sincerely,

Michael Burgan
Environmental Resource Specialist
Coeur d'Alene Regulatory Office

Enclosures

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): June 26, 2012

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Walla Walla District, Morning View Water Company Water Facility, NWW-2012-48-I02

C. PROJECT LOCATION AND BACKGROUND INFORMATION: Uplands.
State: Idaho County/parish/borough: Jefferson City: N/A
Center coordinates of site (lat/long in degree decimal format): lat: 43.64826 Long.: -111.91385

Name of nearest waterbody: South Rigby Canal
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Snake River.
Name of watershed or Hydrologic Unit Code (HUC): 17040201
☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: June 25, 2012
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

No Section 10 waters occur in the project area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

1. Non-regulated waters/wetlands (check if applicable):[1]
   ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: **Project area entirely uplands.**

SECTION III: CWA ANALYSIS

A. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
   ☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
☒ Other: (explain, if not covered above): **Project located in uplands.**

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Submitted by Mr. Ryan Loftus, Aspen Engineering on January 20, 2012.
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
   ☐ Office concurs with data sheets/delineation report.
   ☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☐ Corps navigable waters' study:
☐ U.S. Geological Survey Hydrologic Atlas:
   ☐ USGS NHD data.
   ☐ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: 7.5 minute topographic map for the Rigby quadrangle.
☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
☒ National wetlands inventory map(s). Cite name: Rigby quadrangle.
☐ State/Local wetland inventory map(s):

[1] Supporting documentation is presented in Section III.F.

- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth image of the area dated September 25, 2011.
  or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD:

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Morning View Water Company	File Number: NWW-2012-48-I02	Date: June 26, 2012
Attached is:		See Section Below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.

OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit,

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMT

REASONS FOR APPEAL OR OBJECTIONS:

Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

District Engineer
ATTN: David B. Barrows
Regulatory Division Walla Walla District
201 North 3rd Avenue
Walla Walla, Washington 99362-1876
Telephone (509) 527-7150

If you only have questions regarding the appeal process you may also contact:

U.S. Army Corps of Engineers
Northwestern Division
Attn: Mary Hoffman, Appeal Review Officer
P.O. Box 2870
Portland, Oregon 97208-2870
Telephone (503) 808-3825

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent:	*Date:*	*Telephone:*

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Clay Fletcher, Supervisor, Snake River Fish and Wildlife Office, US Fish and Wildlife Service
Threatened, Endangered Species, other wildlife and flora,
1287 South Vinnell Way, Room 368
Boise, ID. 83709

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Fletcher:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

United States Department of the Interior

IDAHO FISH AND WILDLIFE OFFICE

1387 S. Vinnell Way, Room 368
Boise, Idaho 83709
Telephone (208) 378-5243
http://www.fws.gov/idaho

U.S. Fish and Wildlife Service - Idaho Fish and Wildlife Office
Endangered, Threatened, Proposed, and Candidate Species With Associated Proposed and Critical Habitats

(Updated August 17, 2011)

Federal Agency Assistance and Consultation

Section 7(c) of the Endangered Species Act directs the U.S. Fish and Wildlife Service to consult with federal agencies on any proposed actions (direct or indirect) on federal lands that may potentially affect listed, proposed or candidate species or their habitat.

It is the responsibility of federal "action agencies" (or their designated representatives) to obtain an official table ("Species List") of listed, proposed and candidate species that may be present where the proposed activity is to occur. If the project potentially affects the species or its habitat, the federal agency is required to consult with the Service.

To assist agencies with this task, the Service prepares and regularly updates Species Lists by county. The lists are valid for up to 180 days. Species List areas may be larger than the footprint of the proposed activity. Status changes, such as listings, delistings or critical habitat designations, will be updated immediately by the Service so the action agency will always have access to the most current information for project planning.

For comprehensive information specific to federal agency assistance and consultation, go to: http://www.fws.gov/idaho/agencies.htm

Obtaining Species Lists for Proposed Federal Actions

The Fish and Wildlife Service is developing a web-based system that will allow Action Agencies to generate project-specific Species Lists. We will provide instructions when the new web-based species list system is launched.

Until then, please obtain an official "T&E Species List" directly from the Service's Idaho FWS website, which is organized by county for your proposed activity consultation.

This list will ensure that your project records contain the most current species information. Please print and retain a copy of this list with your project records. Should your project plans expand or change to include additional counties, you will need to check the website for an updated list, and reprint a new species list for your files.

To obtain the most current County Species List (PDF file for download), click on the link under "Obtaining an Official T&E Species List for Proposed Federal Actions" - www.fws.gov/idaho/species/IdahoSpeciesList.pdf.

Before initiating an action, a federal action agency (or their designated representative) that is planning an activity must obtain a list of species that may be present in the proposed project area. (Please note that the area for which this list is being generated may encompass a larger area than the footprint of the construction.) The area includes any effects of the action (direct and indirect) that may potentially affect species or habitats.

This species/county table meets the Fish and Wildlife Services' regulatory obligation under Section 7(c) of the Endangered Species Act (Act) to provide federal agencies with a species list. Please print and retain a copy of this table and this information sheet with your project records.

Use this information to verify the habitats and/or species present in the area affected by the projects you are developing. Any project-specific species list generated from this table is valid for up to 180 days. Because the information in this table may change without notice, you are advised to visit our website frequently.

When you submit a request for Section 7 Consultation, please include a copy of your downloaded Species List marked with the date that it was downloaded. This will document your compliance with 50 CFR 402.12(c).

If the area affected by the proposed project extends beyond the boundary of the State of Idaho, please contact the appropriate U.S. Fish and Wildlife Service office listed below to obtain a Species List for their area of jurisdiction.

U.S. Fish and Wildlife Service Contacts
Idaho – Bob Kibler, bob_kibler@fws.gov (208) 378-5255
Montana – Montana Ecological Services Field Office (406) 449-5225
Nevada – Nevada Fish & Wildlife Office (775) 861-6300
Oregon – La Grande Field Office (541) 962-8584
Utah – Utah Ecological Service Field Office (801) 975-3330
Washington – Spokane Field Office (509) 891-6839
Wyoming – Wyoming Ecological Services Field Office (307) 772-2374

Candidate Species Conservation
Though candidate species have no protection under the Act, they are included in the table for early planning consideration. Candidate species could be proposed or listed during the project planning period. The Service advises you to evaluate potential effects to candidate species that may occur in the project area. Should the species be listed, this may expedite section 7 consultation under the Act.

NOAA Fisheries Species
Listed or proposed species that are under National Marine Fisheries Service's (NOAA Fisheries) jurisdiction do NOT appear on the Service's Species Lists. In Idaho, please contact NOAA Fisheries at (208) 378-5696 or visit NOAA Fisheries' webpage at http://www.nwr.noaa.gov/Species-Lists.cfm for consultation information.

Rev 5/10/11
IFWO

Grouping	Amphibian	Bird	
Common Name	**Columbia spotted frog - Great Basin population**	**Greater Sage-Grouse**	**Yellow-billed cuckoo**
Scientific Name	*Rana luteiventris*	*Centrocercus urophasiunus*	*Coccyzus americanus*
Status	[C]	[C]	[C]
Ada		x	x
Adams		x	
Bannock		x	x
Bear Lake		x	
Benewah			
Bingham		x	x
Blaine		x	x
Boise			x
Bonner			
Bonneville		x	x
Boundary			
Butte		x	
Camas		x	
Canyon			x
Caribou		x	
Cassia		x	x
Clark		x	x
Clearwater			
Custer		x	x
Elmore		x	x
Franklin		x	
Fremont		x	x
Gem		x	
Gooding		x	
Idaho			x
Jefferson		x	x
Jerome		x	
Kootenai			x
Latah			x
Lemhi		x	x
Lewis			x
Lincoln		x	
Madison		x	x
Minidoka		x	x
Nez Perce			
Oneida		x	
Owyhee	x	x	x
Payette		x	
Power		x	
Shoshone			
Teton			
Twin Falls	x	x	x
Valley			
Washington		x	

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Grouping	Mammal				
Common Name	Canada lynx		Grizzly bear	Northern Idaho ground squirrel	Selkirk Mountain caribou
Scientific Name	*Lynx canadensis*		*Ursus arctos horribilis*	*Spermophilus brunneus brunneus*	*Rangifer tarandus caribou*
Status	[T]	[CH]	[T]	[T]	[E]
Ada					
Adams	x			x	
Bannock					
Bear Lake	x				
Benewah	x				
Bingham					
Blaine	x				
Boise	x				
Bonner	x		x		x
Bonneville	x		x		
Boundary	x	x	x		x
Butte	x				
Camas	x				
Canyon					
Caribou	x				
Cassia					
Clark	x		x		
Clearwater	x				
Custer	x				
Elmore	x				
Franklin	x				
Fremont	x		x		
Gem					
Gooding					
Idaho	x				
Jefferson	x				
Jerome					
Kootenai	x				
Latah	x				
Lemhi	x				
Lewis					
Lincoln					
Madison	x				
Minidoka					
Nez Perce	x				
Oneida					
Owyhee					
Payette					
Power					
Shoshone	x				
Teton	x		x		
Twin Falls					
Valley	x			x	
Washington				x	

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Grouping	Mammal	
Common Name	Southern Idaho ground squirrel	Wolverine
Scientific Name	*Spermophilus brunneus enemicus*	*Gulo gulo*
Status	[C]	[C]
Ada		x
Adams	x	x
Bannock		x
Bear Lake		x
Benewah		x
Bingham		x
Blaine		x
Boise		x
Bonner		x
Bonneville		x
Boundary		x
Butte		x
Camas		x
Canyon		x
Caribou		x
Cassia		
Clark		x
Clearwater		x
Custer		x
Elmore		x
Franklin		x
Fremont		x
Gem	x	x
Gooding		x
Idaho		x
Jefferson		x
Jerome		
Kootenai		x
Latah		x
Lemhi		x
Lewis		x
Lincoln		x
Madison		x
Minidoka		
Nez Perce		x
Oneida		
Owyhee		
Payette	x	
Power		
Shoshone		x
Teton		x
Twin Falls		x
Valley		x
Washington	x	x

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Grouping	Fish				Mollusk			
Common Name	**Bull trout**		**Kootenai River white sturgeon**		**Banbury Springs lanx**	**Bliss Rapids snail**	**Bruneau hot springsnail**	**Snake River physa snail**
Scientific Name	*Salvelinus confluentus*		*Acipenser transmontanus*		*Lanx sp .*	*Taloroncha serpenticola*	*Pyrgolopsis bruneauensis*	*Haitia (Physa) natricinia*
Status	[T]	[CH]	[E]	[CH]	[E]	[T]	[E]	[E]
Ada	x							x
Adams	x	x						
Bannock								
Bear Lake								
Benewah	x	x						
Bingham								
Blaine	x	x						
Boise	x	x						
Bonner	x	x						
Bonneville								
Boundary	x	x	x	x				
Butte	x	x						
Camas	x	x						
Canyon								x
Caribou								
Cassia								x
Clark								
Clearwater	x	x						
Custer	x	x						
Elmore	x	x				x		x
Franklin								
Fremont								
Gem	x	x						
Gooding					x	x		x
Idaho	x	x						
Jefferson								
Jerome						x		x
Kootenai	x	x						
Latah								
Lemhi	x	x						
Lewis	x	x						
Lincoln								
Madison								
Minidoka								x
Nez Perce	x	x						
Oneida								
Owyhee	x	x					x	x
Payette	x							x
Power								
Shoshone	x	x						
Teton								
Twin Falls					x	x		x
Valley	x	- x						
Washington	x	x						x

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Grouping	Plant					
Common Name	Christ's paintbrush	Goose Creek milkvetch	Macfarlane's four-o'clock	Packard's Milkvetch	Slickspot peppergrass	
Scientific Name	*Castilleja christii*	*Astragalus anserrinus*	*Mirabilis macfarlanei*	*Astragalus cusickii var. parkardiae*	*Lepidium papilliferum*	
Status	[C]	[C]	[T]	[C]	[T]	[PCH]
Ada					x	x
Adams						
Bannock						
Bear Lake						
Benewah						
Bingham						
Blaine						
Boise						
Bonner						
Bonneville						
Boundary						
Butte						
Camas						
Canyon					x	x
Caribou						
Cassia	x	x				
Clark						
Clearwater						
Custer						
Elmore					x	x
Franklin						
Fremont						
Gem					x	x
Gooding						
Idaho			x			
Jefferson						
Jerome						
Kootenai						
Latah						
Lemhi						
Lewis						
Lincoln						
Madison						
Minidoka						
Nez Perce						
Oneida						
Owyhee					x	x
Payette				x	x	x
Power						
Shoshone						
Teton						
Twin Falls						
Valley						
Washington						

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Grouping	Plant			
Common Name	Spalding's catchfly	Ute ladies'-tresses	Water Howellia	Whitebark Pine
Scientific Name	*Silene spaldingii*	*Spiranthese diluvialis*	*Howellia aquatilis*	*Pinus albicaulis*
Status	[T]	[T]	[T]	[C]
Ada				
Adams				x
Bannock				
Bear Lake				x
Benewah	x		x	
Bingham		x		
Blaine				x
Boise				x
Bonner				x
Bonneville		x		x
Boundary				x
Butte				x
Camas				x
Canyon				
Caribou				x
Cassia				
Clark				x
Clearwater				x
Custer				x
Elmore				x
Franklin				
Fremont		x		x
Gem				x
Gooding				
Idaho	x			x
Jefferson		x		
Jerome				
Kootenai	x		x	
Latah	x		x	
Lemhi				
Lewis	x			
Lincoln				
Madison		x		
Minidoka				
Nez Perce	x			
Oneida				
Owyhee				
Payette				
Power				
Shoshone	x		x	x
Teton				x
Twin Falls				
Valley				x
Washington				x

[C] Candidate
[P] Proposed

[T] Threatened
[E] Endangered

[CH] Designated Critical Habitat
[PCH] Proposed Critica Habitat

Threatened and Endangered Species found in Jefferson County

Group	Name (common)	Name (Scientific)
Birds	Yellow-billed Cuckoo	Coccyzus americanus
Birds	Greater sage-grouse	Centrocercus urophasianus
Fishes	Bull Trout	Salvelinus confluentus
Fishes	Bull Trout	Salvelinus confluentus
Fishes	Bull Trout	Salvelinus confluentus
Flowering Plants	Ute ladies'-tresses	Spiranthes diluvialis
Mammals	Gray wolf	Canis lupus
Mammals	Canada Lynx	Lynx canadensis
Mammals	North American wolverine	Gulo gulo luscus

Species Profile

Environmental Conservation Online System

(http://www.fws.gov)

Snake River Physa snail (Physa natricina)

Kingdom: Animalia Class: Gastropoda Order: Basommatophora Family: Physidae

Listing Status: Endangered

Where Listed: WHEREVER FOUND

Quick links: Federal Register (#status) Recovery (#recovery) Critical Habitat (#crithab) Conservation Plans (#conservationPlans) Petitions (#petitions) Life History (#lifeHistory) Other Resources (#other)

General Information

The Snake River physa snail (Haitia (Physa) natricina) is a freshwater mollusk found in the middle Snake River of southern Idaho. It has an ovoid shell that is amber to brown in color, and has 3 to 3.5 whorls (curls or turns in the shell). The physa can reach a maximum length of about 6.5 millimeters. The Snake River physa is believed to have evolved in the Pliocene to Pleistocene lakes and rivers of northern Utah and southeastern Idaho. While much information exists on the family Physidae, very little is known about the biology or ecology of this species. It is believed to be confined to the Snake River, inhabiting areas of swift current on sand to boulder-sized substrate. In 1995, the Service reported the known modern range of the species to be from Grandview, Idaho (RM 487) to the Hagerman Reach of the Snake River (RM 573). More recent investigations have shown this species to occur outside of this historic range to as far downstream as Ontario, Oregon (RM 368), with another population known to occur downstream of Minidoka Dam (RM 675). While the species' current range is estimated to be over 300 river miles, the snail has been recorded in only 5% of over 1,000 samples collected within this area, and it has never been found in high densities. The species' status is uncertain within the current known range, but portions of the middle Snake River (e.g., Milner Reservoir, RM 663 to Lower Salmon Falls Reservoir, RM 572) are of questionable habitat value given current water quality and water use issues. In addition, the sampling in this reach has been limited. Very few live specimens have been recovered from reservoirs which have been extensively sampled. The recovery area for the species extends from Snake River mile 553 to Snake River mile 675. It is currently listed as an Endangered species.

This species is listed wherever it is found, but

States/US Territories in which the Snake River Physa snail is known to or is believed to occur:
Idaho (/speciesProfile/profile/countiesByState.action?entityId=399&state=Idaho)
US Counties in which the Snake River Physa snail is known to or is believed to occur: View All (/speciesProfile/profile/countiesBySpecies.action?entityId=399)

Current Listing Status Summary

Status	Date Listed	Lead Region	Where Listed
Endangered	12/14/1992	Pacific Region (Region 1) (http://www.fws.gov/pacific/)	

» Federal Register Documents

Most Recent Federal Register Documents (Showing 5 of 11: view all (/speciesProfile/profile/displayAllDocuments!fedreg.action?spcode=G01L))

Date	Citation Page	Title
03/06/2012	77 FR 13248 13251	5-Year Status Reviews of 46 Species in Idaho, Oregon, Washington, Nevada, Montana, Hawaii, Guam, and the Northern Mariana Islands:Notice of initiation of reviews; request for information. (http://www.gpo.gov/fdsys/pkg/FR-2012-03-06/pdf/2012-5335.pdf)
12/14/1992	57 FR 59244 59257	ETWP; Determination of Endangered or Threatened Status for Five Aquatic Snails in South Central Idaho; 57 FR 59244 59257 (http://ecos.fws.gov/docs/federal_register/fr2184.pdf)
11/21/1991	56 FR 58664 58666	ETWP; Annual Description of Progress on Listing Actions and Findings on Recycled Petitions; 56 FR 58664 58666 (http://ecos.fws.gov/docs/federal_register/fr1972.pdf)
12/18/1990	55 FR 51931 51936	ETWP; Proposed Endangered Status for Five Idaho Aquatic Snails; 55 FR 51931 51936 (http://ecos.fws.gov/docs/federal_register/fr1799.pdf)
04/25/1990	55 FR 17475 17476	ETWP; Annual Description of Progress on Listing Actions and Findings on Recycled Petitions; 55 FR 17475 17476 (http://ecos.fws.gov/docs/federal_register/fr1693.pdf)

» Recovery

Recovery Plan Information Search (/roar/pub/ConfigureRecActionReport.do?path=ROAR+Custom+Queries.Public+Actions+AdHoc)

- Information Search FAQs (http://www.fws.gov/endangered/recovery/ROAR_FAQs%2008-05-09_FINAL.pdf)

Current Recovery Plan(s)

Date	Title	Plan Action Status	Plan Statu
11/26/1995	Snake River Aquatic Species Recovery Plan (http://ecos.fws.gov/docs/recovery_plan/951126.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400268&entityId=399)	Final

Other Recovery Documents (Showing 1 of 1)

Date	Citation Page	Title	Document Type
03/06/2012	77 FR 13248 13251	5-Year Status Reviews of 46 Species in Idaho, Oregon, Washington, Nevada, Montana, Hawaii, Guam, and the Northern Mariana Islands:Notice of initiation of reviews; request for information. (http://www.gpo.gov/fdsys/pkg/FR-2012-03-06/pdf/2012-5335.pdf)	• Notice 5-year Review, Initiation

» Critical Habitat

No critical habitat rules have been published for the Snake River Physa snail.

» Conservation Plans

No conservation plans have been created for Snake River Physa snail

» Petitions

Most Recent Petition Findings (Showing 1 of 1)

Date	Citation Page	Title	Finding
01/20/1984	49 FR 2485 2488	Findings on Pending Petitions & Description of Progress on Listing Actions; 49 FR 2485-2488 (http://ecos.fws.gov/docs/federal_register/fr787.pdf)	• Notice 12 month petition finding, Warranted but precluded

» Life History

No Life History information has been entered into this system for this species.

» Other Resources

NatureServe Explorer Species Reports (javascript::) – NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communtities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

ITIS Reports (javascript::) – ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

Last updated: October 4, 2012

FWS Endangered Home (http://www.fws.gov/endangered/) | ECOS Home (/ecos/indexPublic.do) | Contact Us (/ecos/helpdesk.do?version=SPECIES_PROFILE-1_3_9)

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Willie Teuscher, Idaho Falls Department of Environmental Quality, Water Quality
900 N. Skyline Dr., Suite B
Idaho Falls ID. 83402

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Teuscher:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

January 27, 2012

Ryan Loftus PE
Aspen Engineering, Inc.
10727 N. Yellowstone Hwy
Idaho Falls, ID 83401

Re: Morning View Water Company Environmental Review for New Drinking Water Well, Pump and Pertinences DWG-112-2011-5

Dear Mr. Loftus

After review of the proposed project DEQ finds that the proposed drinking water well, pump and pertinences will have no significant impact on surface water or ground water of the State. To help protect water quality during construction the contractor will need to implement the Best Management Practices (BMPs) for storm water run off.

If you need additional information or have any questions please call.

Sincerely,

William Teuscher PE
Water Quality Engineer
DEQ-IFRO

EID COOR 01-27-12.DOC

2012ALN285

Ryan Loftus

From: William.Teuscher@deq.idaho.gov
Sent: Thursday, August 16, 2012 9:07 AM
To: ryan@aspeneng.net
Cc: Charlie.Parkins@deq.idaho.gov
Subject: Morning view 2013 Intended use plan

Ryan, here is the 2013 intended use plan or priority list for the Morning view loan, which shows a loan of $260,000 @ 1.25% for 30 years along with $78,533 of loan forgiveness that would than make the loan principle $ 181,467.

Here is the link to the 2013 Intended use plan with the priority list. Morning view is #1 on the list,
http://www.deq.idaho.gov/media/833389-dw-state-revolving-fund-intended-use-plan-fy-2013.pdf

If you have any more questions give me a call.

Willie

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Rensay Owen, Idaho Falls Department of Environmental Quality, Air Quality
900 N. Skyline Dr., Suite B
Idaho Falls ID., 83402

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Owen:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

900 North Skyline Drive, Suite B • Idaho Falls, ID 83402 • (208) 528-2650

C. L. "Butch" Otter, Governor
Curt Fransen, Director

August 23, 2012

Ryan Loftus PE
Aspen Engineering
10727 N. Yellowstone Hwy.
Idaho Falls, ID 83401

Subject: Air Quality Impact Review for Morning View Water System Public Drinking Water Facility Improvement Project

Dear Mr. Loftus,

The Idaho Department of Environmental Quality (DEQ) has reviewed the information submitted regarding a construction project for the Morning View Water System Public Drinking Water Facility improvement project near Rigby, Idaho with respect to potential *Air Quality* impacts in the region. DEQ appreciates your efforts to apprise our agency of the planned project activity.

Please be advised that the control of fugitive dust during all phases of the project is required under Idaho law. This can be accomplished by covering loads, excavations and piles of excavated material, or the application of dust suppressants, such as water, in quantities sufficient to prevent dirt and dust becoming airborne. Additionally, construction debris and other wastes are strictly prohibited from open burning and need to be properly accumulated and disposed in a licensed landfill. These aspects can present minor to significant problems within the region and are closely monitored and strictly enforced.

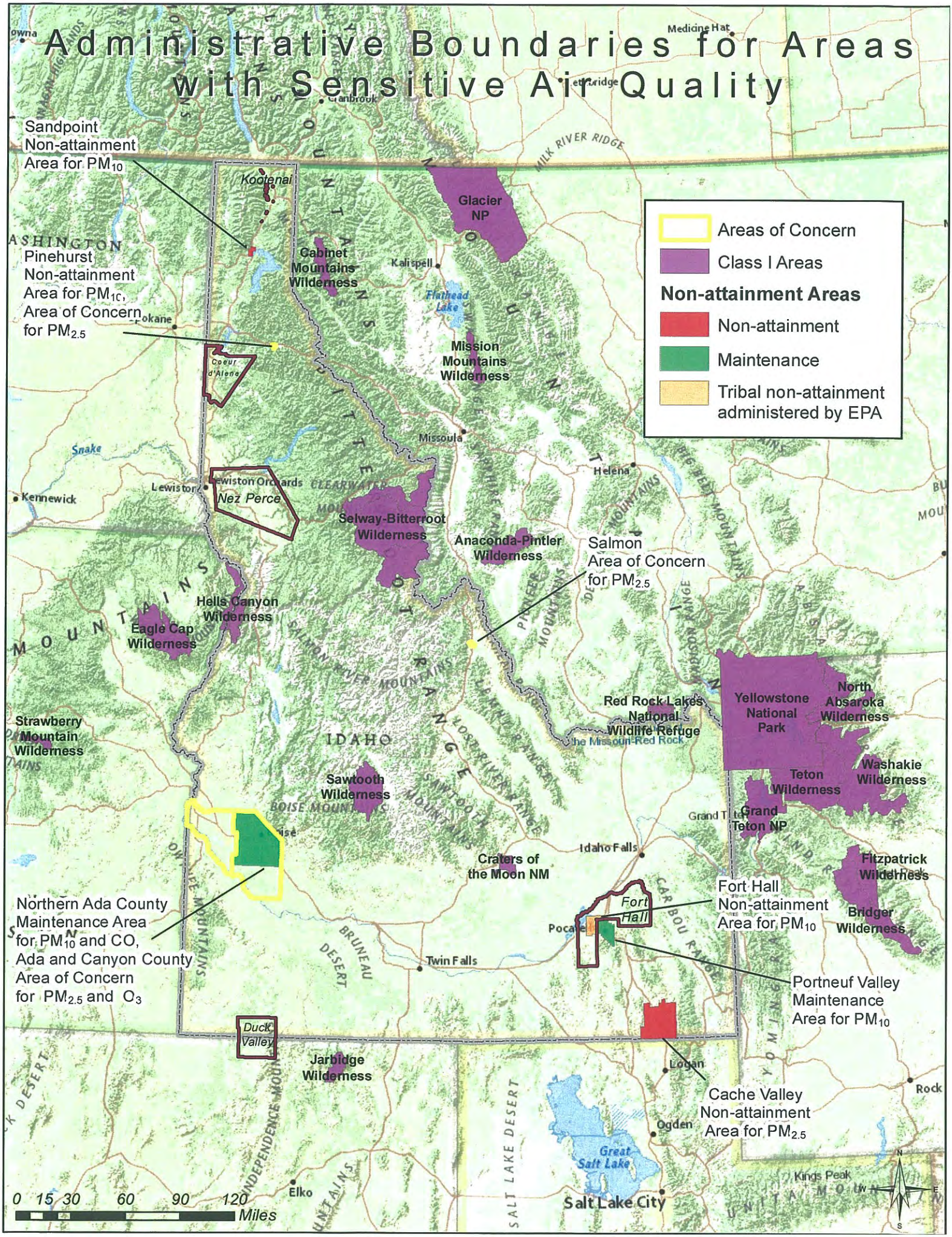
If you have further questions concerning this or other matters in our region, please call me at (208) 528-2650.

Respectfully,

Rensay Owen – Idaho Falls Regional Air, Waste and Remediation Manager
Idaho Falls Regional Office

RDO

Administrative Boundaries for Areas with Sensitive Air Quality



Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Sue Ennes, Hydrogeologist, EPA Region 10, Office of Environmental Assessment (OEA-095)
for any project located over a sole source Aquifer or Stream flow Source Area
1200 6th Avenue OWW 136
Seattle WA., 98101

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Ms. Ennes:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Ryan Loftus

From: Ryan Loftus [ryan@aspeneng.net]
Sent: Wednesday, February 29, 2012 4:09 PM
To: 'Susan Eastman'
Subject: RE: Morning View Request Letter
Attachments: R10 Sole Source Aquifer Checklist _2_COMPLETED.pdf

Ms. Eastman,
I have completed the checklist and attached it as a PDF.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

-----Original Message-----
From: Susan Eastman [mailto:Eastman.Susan@epamail.epa.gov]
Sent: Thursday, January 26, 2012 11:54 AM
To: Ryan Loftus
Subject: Re: Morning View Request Letter

I only address Sole Source Aquifer reviews so... IF your project is located within the review area of a federally designated SSA AND if that project is receiving federal funding (which apparently it is) please fill out and submit the attached check list for review and approval from my program. I've included a link to our website so you can check the location of your project if needed on the GIS maps.

FYI the review area includes the "source area" as well as the actual aquifer boundary... both delineated on the GIS maps on the link.

(See attached file: R10 Sole Source Aquifer Checklist.doc)

http://yosemite.epa.gov/r10/water.nsf/Sole+Source+Aquifers/SSA

Susan Eastman, Environmental Scientist
EPA Region 10
1200 Sixth Ave. Suite 900, OWW-136
Seattle, WA. 98101
SDWA Tribal & CWA Indian Set Aside Program, Sole Source Aquifer Program, Source Water Protection and ID 106

206-553-6249
EASTMAN.SUSAN@EPA.GOV

From: "Ryan Loftus" <ryan@aspeneng.net>
To: Susan Eastman/R10/USEPA/US@EPA
Date: 01/20/2012 03:16 PM
Subject: Morning View Request Letter

Ms. Eastman,

Please find the attached request letter and information. Feel free to contact me with any questions.

- Ryan Loftus, PE

Aspen

Engineering, Inc.

10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401

Tel. 208-542-1911 Fax. 208-542-1922

[attachment "MVWC Request Letter-6.pdf" deleted by Susan Eastman/R10/USEPA/US]

Sole Source Aquifer Checklist

1. Location of Project and name of Sole Source Aquifer.
   Jefferson County , Idaho – North half of section 30, T 4 North, Range 39 E. Specifically south of 200 North, West of 4000 East, and East of the Old Yellowstone Hwy.

   Sole Source Aquifer – Eastern Snake River Plain aquifer

2. Project description and federal funding source (e.g., Federal Highway Administration, Housing and Urban Development etc)
   New drinking water well and pumping station. Installation of 106 Meters in existing meter pits. Backup Power generator. And VFD's on existing wells. Funding through Idaho Department of Environmental Quality (EPA – Ultimately)

3. Is there any increase of impervious surface? If so, what is the area?
   Yes, approximately 150 square feet for the new pumphouse/wellhouse.

4. Describe how storm water is currently treated on the site?
   Stormwater from impervious areas gathers in roadside swales (turf grass or native grasses) and percolates into the ground.

5. How will storm water be treated on this site during construction and after the project is complete? The same as described above in #5

6. Are there any underground storage tanks present or to be installed? Include details of such tanks. No.

7. Will there be any liquid or solid waste generated? If so how will it be disposed of?
No waste generated after construction. During construction, construction waste will be hauled off and disposed of at the Jefferson County Landfill

8. What is the depth of excavation? Typically 5-6 feet. New drinking water well will be drilled to approx. 200' below surface.

9. Are there any wells in the area that may provide direct routes for contaminates to access the aquifer and how close are they to the project? Existing Drinking water wells are the only ones in the area. They are currently used for drinking water production. Location is approximately 2260' northeast of proposed new well location.

10. Are there any hazardous waste sites in the project area....especially if the waste site has an underground plume with monitoring wells that may be disturbed? Include details. None

11. Are there any deep pilings that may provide access to the aquifer? None

12. Are Best Management Practices planned to address any possible risks or concerns? Yes. Idaho department of Environmental Quality will review design, and approve prior to construction.

13. Is there any other information that could be helpful in determining if this project may have an affect on the aquifer? None

14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan? None

The EPA Sole Source Aquifer Program may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

Ryan Loftus

From: Ryan Loftus [ryan@aspeneng.net]
Sent: Monday, August 20, 2012 4:03 PM
To: 'Susan Eastman'
Subject: FW: Sole Source Aquifer consultation - Morning View DWG

Susan,
Can you review the checklist I sent earlier?

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

From: Michael.May@deq.idaho.gov [mailto:Michael.May@deq.idaho.gov]
Sent: Monday, August 20, 2012 3:57 PM
To: ryan@aspeneng.net
Subject: RE: Sole Source Aquifer consultation - Morning View DWG

Technically, it isn't federally funded yet, but for EID purposes we assume it will be, even though Morning View will have other hurdles to jump first. If we don't make that assumption, we would have to re-open the EID and the environmental determination (FONSI, CatEx, or whatever) if/when the loan offer is extended, so Susan could do her review. It's kind of a chicken and egg problem.

From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Monday, August 20, 2012 15:46
To: Mike May
Subject: RE: Sole Source Aquifer consultation - Morning View DWG

So, the bottom line is ... this is a federally funded project, and we need Susan to review the SSA for the Morning view project?

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

From: Michael.May@deq.idaho.gov [mailto:Michael.May@deq.idaho.gov]
Sent: Monday, August 20, 2012 3:41 PM
To: ryan@aspeneng.net
Subject: Sole Source Aquifer consultation - Morning View DWG

Thanks, Ryan. In retrospect, I should have explicitly written in my comment letter that you should put the reference to the Drinking Water State Revolving Fund in item #2 of the checklist. I expect that your statement in the submittal letter should be adequate. It may sound like a fussy point, but she only has authority to review the SSA checklist if there is federal funding involved.

From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Monday, August 20, 2012 15:18
To: 'Susan Eastman'
Cc: Mike May
Subject: Morning View

Ms. Eastman,
Michael May at the IDEQ asked me to resubmit this checklist to you. Please note that this project is a candidate for funding from the State Revolving Fund, which is itself a federally funded program. Your timely response will be greatly appreciated.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

Ms. Eastman,

Michael May at the IDEQ asked me to resubmit this checklist to you. Please note that this project is a candidate for funding from the State Revolving Fund, which is itself a federally funded program. Your timely response will be greatly appreciated.

- Ryan Loftus, PE

Aspen

Engineering, Inc.

10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401

Tel. 208-542-1911 Fax. 208-542-1922

[attachment "R10 Sole Source Aquifer Checklist _2_COMPLETED.pdf" deleted by Susan Eastman/R10/USEPA/US]

Ryan Loftus

From: Ryan Loftus [ryan@aspeneng.net]
Sent: Friday, October 05, 2012 9:16 AM
To: aspen@aspeneng.net
Subject: FW: Morning View

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

From: Susan Eastman [mailto:Eastman.Susan@epamail.epa.gov]
Sent: Thursday, September 06, 2012 6:11 PM
To: Ryan Loftus
Subject: Re: Morning View

Thank you for submitting your project for review. We have reviewed the information provided and find that the project will not have a significant adverse impact on the Eastern Snake River Plain Sole Source Aquifer and therefore the funding may proceed.

EPA reviews federally financially assisted projects that are proposed in federally designated Sole Source Aquifer review areas to determine if the projects have a potential to contaminate the aquifer through a recharge zone so as to create a significant hazard to public health. Such projects are submitted to EPA by federal, state, and local governments, and by the public.

This correspondence only addresses the Sole Source Aquifer Program, any other federal environmental requirements are your responsibility to ensure compliance. Please retain this email for your records.

Susan Eastman, Environmental Scientist
EPA Region 10
1200 Sixth Ave. Suite 900, OWW-136
Seattle, WA. 98101
SDWA Tribal & CWA Indian Set Aside Program, Sole Source Aquifer Program, Source Water Protection and ID 106

206-553-6249
EASTMAN.SUSAN@EPA.GOV

"Ryan Loftus" ---08/20/2012 02:17:43 PM---Ms. Eastman, Michael May at the IDEQ asked me to resubmit this checklist to you. Please

From: "Ryan Loftus" <ryan@aspeneng.net>
To: Susan Eastman/R10/USEPA/US@EPA
Cc: <Michael.May@deq.idaho.gov>
Date: 08/20/2012 02:17 PM
Subject: Morning View

Aspen Engineering, Inc.
Civil and Geotechnical Engineering
10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax: (208) 542-1922

PROJECT: MVWC EIS
PROJECT NO: ~~EIS~~ 2010.021
DATE: 8/23/12
PREPARED BY: JRL

Telecon - 1 206-553-6249 - Susan Bastman, EPA - Voice Message "FRI. Aug 17, I will be out of the office until after Labor Day"

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. James Wemtz, U.S. EPA, Idaho Operations Office, Water Quality, Air Quality,
1435 N. Orchard, Boise ID., 83706

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Wemtz:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. District Conservationist, USDA-NRCS, Prime Agricultural & Rangelands, Soil Surveys for Wetlands& Flood Plain Assistance,
http://www.scc.state.id.us/pdf/2008DirectoryFinal.pdf

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Conservationist:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Mary McGown, State NFIP Coordinator, Idaho Dept of Water Resources, Floodplain Management, Maps, General program assistance,
322 East Font Street PO Box 83720
Boise ID., 83720-0098

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Ms. McGown:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Ryan Loftus

From: McGown, Mary [Mary.McGown@idwr.idaho.gov]
Sent: Friday, January 27, 2012 2:42 PM
To: Ryan Loftus
Subject: RE: Morning View Request Letter

Mr. Loftus,

I reviewed the information you sent about the Morning View water system improvements. None of the project area is in a flood hazard zone mapped by the Federal Emergency Management Agency.

Mary G. McGown, Ph.D., CFM
State Floodplain Coordinator
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4928
(208) 287-6700 fax

From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Friday, January 20, 2012 4:22 PM
To: McGown, Mary
Subject: Morning View Request Letter

Ms. McGown,
Please find the attached request letter and information. Feel free to contact me with any questions.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Dennis Dunn, Idaho Dept of Water Resources, Eastern Region, If Decommissioning or Drilling new Drinking Water Well,
900 N. Skyline Dr., Suite A
Idaho Falls ID. 83402

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Dunn:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 30, 2012

Mr. Steve Schmidt, Idaho Dept of Fish & Game
4279 Commerce Circle
Idaho Falls ID. 83401

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Schmidt:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

The proposed improvements include drilling a new drinking water well, construction of a new pump house (approx. 12'x12'), 300 lin feet of new water main. Installing meters in existing meter pits, and a new backup generator for new well. New Variable Frequency Drives (VFD) will be installed on existing wells.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Ryan Loftus

From: Bassista,Tom [thomas.bassista@idfg.idaho.gov]
Sent: Wednesday, March 28, 2012 4:10 PM
To: ryan@aspeneng.net
Cc: Schmidt,Steve
Subject: RE: Comment Request - Morning View Water Co - Jefferson County, Idaho

Ryan:

The Idaho Department of Fish and Game has reviewed the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County and has no comments.

Thank you for the opportunity to review the proposed project.

Tom P. Bassista
Environmental Staff Biologist

Idaho Department of Fish and Game
Upper Snake Region
4279 Commerce Circle
Idaho Falls, ID 83401
208.525.7290

From: Ryan Loftus [mailto:ryan@aspeneng.net]
Sent: Friday, March 02, 2012 4:44 PM
To: Schmidt,Steve
Subject: Comment Request - Morning View Water Co - Jefferson County, Idaho

Steve,
Please review the attached information and provide consultation with regard to fish, wildlife and biological concerns.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Gary Bahr, Idaho Department of Agriculture, Important Farmland,
PO Box 790
Boise ID. 83701

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Bahr:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

STATE OF IDAHO

C. L. "BUTCH" OTTER
GOVERNOR
CELIA R. GOULD
DIRECTOR

January 31, 2012

Ryan Loftus
Aspen Engineering, Inc.
10727 N. Yellowstone Hwy
Idaho Falls, ID 83401

Dear Mr. Loftus:

Thank you for inquiring with the Idaho State Department of Agriculture (ISDA) with regards to your work with the Morning View Water Company Improvement Project. The public works project being proposed will be an important project for the citizens of that area.

We have reviewed the planning documents provided to us. Your documents appear to be professional and informative. At this time we do not have comments or questions related to this project.

Thank you for contacting our agency. Feel free to contact us in the future (main number - 208-332-8500, my number - 208-332-8597).

Sincerely,

Gary Bahr

Gary Bahr

Water Quality Programs

PC: Water Program File

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Kellye Eager, Environmental Health Director, District 7 Health Department, Solid Waste,
254 "E" Street
Idaho Falls ID. 83402

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Ms. Eager:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Ryan Loftus

From: Kellye Eager [keager@phd7.idaho.gov]
Sent: Monday, February 27, 2012 11:37 AM
To: Ryan Loftus
Subject: RE: Morning View Response

Hi Ryan,

I just printed the letter. The address is not correct. Please update to: 1250 Hollipark Drive, Idaho Falls, ID 83401

Once I gain any comments from Ray, I'll respond.

Thank you,
Kellye

>>> "Ryan Loftus" <ryan@aspeneng.net> 2/23/2012 2:46 PM >>>
Thank you. Is the mailing address on the letter correct?

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

-----Original Message-----
From: Kellye Eager [mailto:keager@phd7.idaho.gov]
Sent: Thursday, February 23, 2012 2:45 PM
To: ryan@aspeneng.net
Cc: rkeating@phd7.idaho.gov
Subject: RE: Morning View Response

Hi,

This is the first I've seen of any letters. We'll get a response back next week.

Thank you,
Kellye

Sent from my Android phone using TouchDown (www.nitrodesk.com)

-----Original Message-----
From: Ryan Loftus [ryan@aspeneng.net]
Received: Thursday, 23 Feb 2012, 2:18pm
To: keager@phd7.idaho.gov [keager@phd7.idaho.gov]
Subject: Morning View Response

Kellye,
I haven't seen a response to this letter. It was mailed back in January.
Oops actually, this is the revised one and it was sent earlier this month.

- Ryan Loftus, PE

Aspen
Engineering, Inc.
10727 N. Yellowstone Hwy. Idaho Falls, Idaho 83401
Tel. 208-542-1911 Fax. 208-542-1922

The information contained in this e-mail may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this e-mail in error, please reply to the sender that you have received this information in error. Also, please delete this e-mail after replying to the sender.

Ryan Loftus

From: Raymond Keating [rkeating@phd7.idaho.gov]
Sent: Friday, March 02, 2012 9:36 AM
To: Kellye Eager
Cc: ryan@aspeneng.net
Subject: Morning View Well
Attachments: 20120302092324.pdf; Morning View New Well.pdf

Sorry for the hand written notes. If you need it in letter form, it maybe Monday. The message is ready to be sent with the following file or link attachments:

20120302092324

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Raymond Keating, REHS
Eastern Idaho Public Health District
380 Community Lane
Rigby, ID 83442
(208) 745-7297
rkeating@phd7.idaho.gov

The information contained in this e-mail may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this e-mail in error, please reply to the sender that you have received this information in error. Also, please delete this e-mail after replying to the sender.

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Kellye Eager, Environmental Health Director, District 7 Health Department, Solid Waste,
254 "E" Street
Idaho Falls ID. 83402

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Ms. Eager:
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Sincerely,

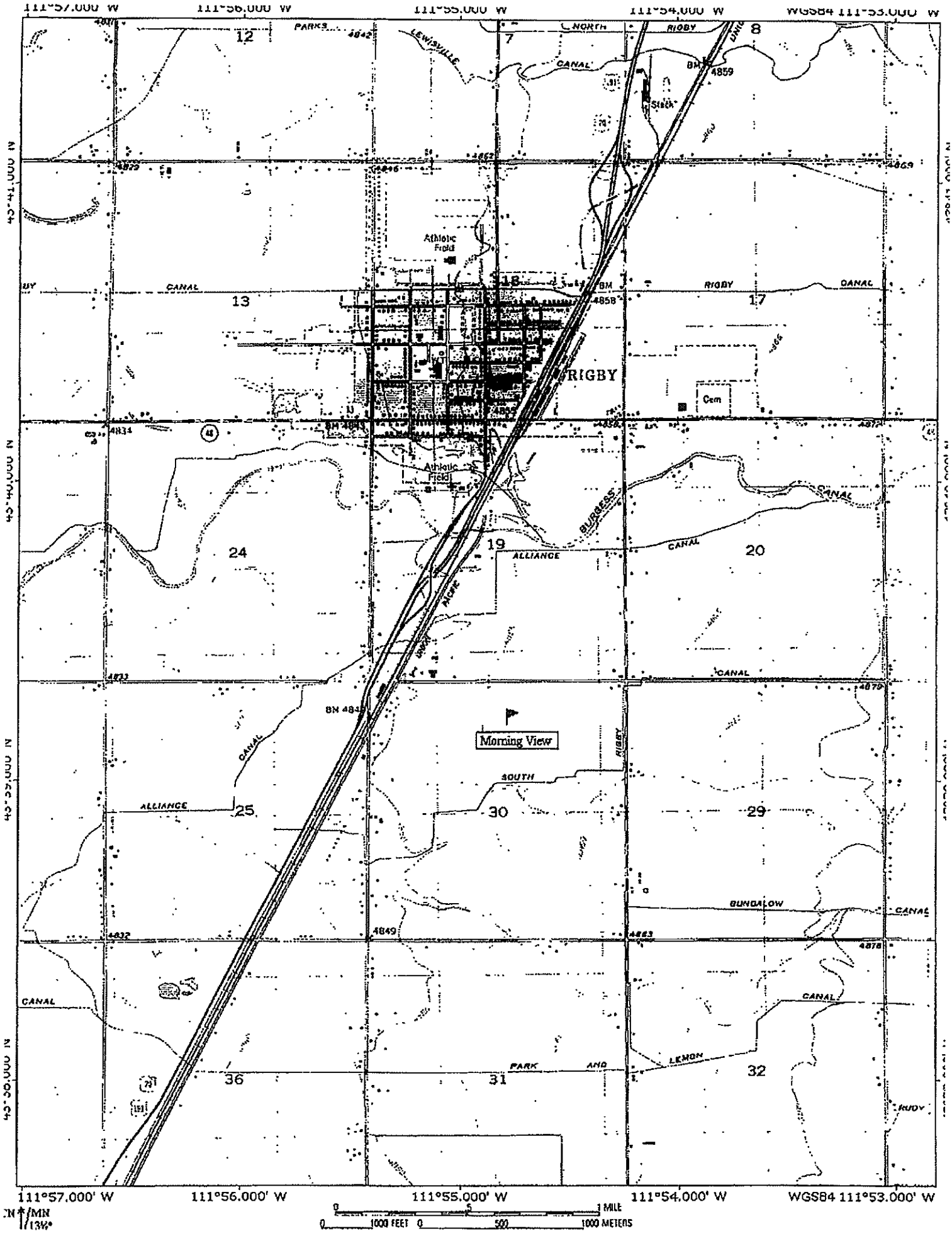
Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

7260084
- City Water is at DOT
- Hillman's Trailer Ct PWS
- Irr. ditch / culvert
- Septic Drain fields
  - 5B Ranch
    a) Lots 45 of Blk 1 are vacant but drain fields are required to go to the north
- RTZ may need them to do a Addn. Plat
- Country Grove Est are all ind. Septic Systems

Future LSAS?
(Morning View #4)


111°57.000' W
111°56.000' W
111°55.000' W
111°54.000' W
WGS84 111°53.000' W
45°41.000' N
45°40.000' N
45°39.000' N
45°38.000' N
PARKS
LEWISVILLE
NORTH
RIGBY
CANAL
Stack
BM 4859
Athletic Field
RIGBY
Cem
BM 4858
BM 4843
BURGESS
ALLIANCE
CANAL
Morning View
SOUTH
RIGBY
BUNDALOW
PARK AND
LEMON
RUDY
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4869
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4879
4832
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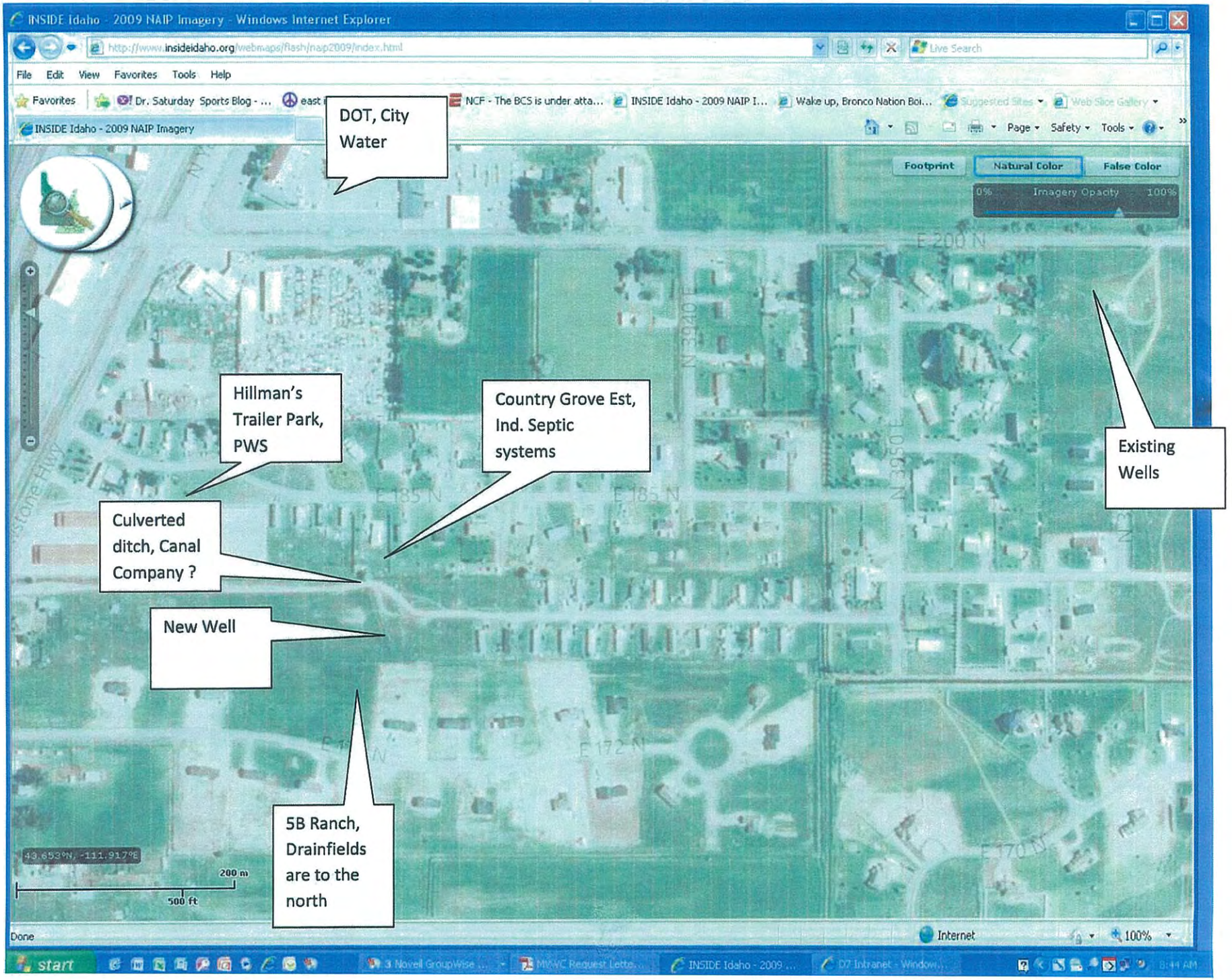
INSIDE Idaho - 2009 NAIP Imagery - Windows Internet Explorer
http://www.insideidaho.org/webmaps/flash/naip2009/index.html
DOT, City Water
Footprint
Natural Color
False Color
Imagery Opacity
E 200 N
N 3940 E
Hillman's Trailer Park, PWS
Country Grove Est, Ind. Septic systems
Existing Wells
E 185 N
Culverted ditch, Canal Company ?
New Well
E 172 N
E 170 N
5B Ranch, Drainfields are to the north
43.653°N, -111.917°E
200 m
500 ft
Done
Internet
100%

Ryan Loftus

From: Raymond Keating [rkeating@phd7.idaho.gov]
Sent: Friday, March 02, 2012 4:23 PM
To: ryan@aspeneng.net
Cc: Kellye Eager
Subject: Emailing: Morning View New Well #2
Attachments: Morning View New Well #2.pdf

Have some other points of interest. The trailers in Morning View #4 share septic systems. The next system would be in the general area I marked on my photo. Also, there were some individual wells drilled in Country Grove. I don't think this was kosher but there they are. Maybe you can use them to boost yield. The message is ready to be sent with the following file or link attachments:

Morning View New Well #2

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Raymond Keating, REHS
Eastern Idaho Public Health District
380 Community Lane
Rigby, ID 83442
(208) 745-7297
rkeating@phd7.idaho.gov

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Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Kurt Houston, Department of Lands, Land Use,
300 N. 6th Street, Ste. 103 P.O. Box 83720
Boise ID. 83720-0050

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Houston:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

EASTERN IDAHO SUPERVISORY AREA
3563 Rinie Highway
Idaho Falls, ID 83401
Phone (208) 525-7167
Fax (208) 525-7011
pbrown@idl.idaho.gov

THOMAS SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
C. L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction

January 23, 2012

Ryan Loftus PE
Aspen Engineering, Inc.
10727 North Yellowstone Highway
Idaho Falls, ID 83401

Dear Ryan:

This letter is in response to your letter of January 20 to Kurt Houston of our Boise Office requesting comments for the Environmental Information Document for the Morning View Water Company project.

This project does not appear to fall under any of the department's regulatory responsibilities, nor does it involve any Endowment Trust Lands. Therefore, the Department of Lands has no comments regarding this project.

Thank you for the opportunity to comment. In the future, please send inquiries for projects like this in eastern Idaho to this office.

Sincerely,

Patrick A. Brown
Area Manager

Aspen Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Suzi Pengilly, Deputy SHPO, Idaho State Historical Society, Historic and archeological sites and sensitive areas
210 Main Street
Boise ID. 83702

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Porter:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Project Description
Map of Existing and Proposed Water Facilities

Aspen Engineering, Inc.
Civil and Geotechnical Engineering
10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax: (208) 542-1922

PROJECT: MVWC
PROJECT NO: 2012.21
DATE: 8/22/12
PREPARED BY: JRL

Suzi Pengilly - SHPO - "out of office" 8/22 - 8/27
back 8/27/12.

Ransay Owen - IDEQ Air Quality Left Voice Message
8/23/12

www.history.idaho.gov

Idaho • State Historical Society

C.L. "Butch" Otter
Governor of Idaho

Janet Gallimore
Executive Director

Administration
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2682
Fax: (208) 334-2774

Membership and Fund Development
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 514-2310
Fax: (208) 334-2774

Historical Museum and Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7695
Office: (208) 334-2120
Fax: (208) 334-4059

State Historic Preservation Office and Historic Sites
Archeological Survey of Idaho
210 Main Street
Boise, Idaho 83702-7264
Office: (208) 334-3861
Fax: (208) 334-2775

Statewide Sites:
• Franklin Historic Site
• Pierce Courthouse
• Rock Creek Station and
• Stricker Homesite

Old Penitentiary
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office: (208) 334-2844
Fax: (208) 334-3225

Idaho State Archives
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2620
Fax: (208) 334-2626

North Idaho Office
112 West 4th Street, Suite #7
Moscow, Idaho 83843
Office: (208) 882-1540
Fax: (208) 882-1763

Historical Society is an Equal Opportunity Employer.

DATE: August 30, 2012
TO: Ryan Loftus, Aspen Engineering
FEDERAL AGENCY: MISC
PROJECT NAME: Morning View Water Company, Jefferson County, Idaho

Section 106 Evaluation

The field work and documentation presented in this report meet the Secretary of the Interior's Standards.

X No additional investigations are recommended. Project can proceed as planned.

Additional information is required to complete the project review. (See comments below.)

Additional investigations are recommended. (See comments below).

Identification of Historic Properties (36 CFR 900.4):

X No historic properties were identified within the project area.

Property is not eligible. Reason:

Property is eligible for listing in the National Register of Historic Places.

Criterion: _ A _ B _ C _ D Context for Evaluation:

X *No historic properties* will be affected within the project area.

Assessment of Adverse Effects (36 CFR 800.5):

Project will have *no adverse effect* on historic properties.

Property will have an *adverse effect* on historic properties. Additional consultation is required.

Comments:
If archaeological remains are discovered, halt work in the vicinity of the discovery and contact your archaeological consultant immediately.

Susan Pengilly

Susan Pengilly, Deputy SHPO
State Historic Preservation Office

August 30, 2012
Date

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Ms. Carolyn Boyer Smith, Cultural Resources Coordinator, Shoshone-Bannock tribes, Historic and archeological and sensitive religious sites in any county in Pocatello region
210 Main Street
Boise ID. 83702

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Ms. Smith:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

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Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Curt Fransen, Director

September 4, 2012

Carolyn Boyer Smith
Cultural Resource Coordinator
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83202

Sent via certified mail – 7007 3020 0001 4049 8894

RE: Request for Agency Consultation on Cultural Issues for the Morning View Water Company Drinking Water Improvements, Jefferson County, Idaho

Dear Ms. Boyer Smith:

The Morning View Water Company has applied for funding from the Idaho Department of Environmental Quality Drinking Water State Revolving Fund to make improvements to its drinking water system. Funding this project with federal funds requires compliance with Idaho's National Environmental Policy Act (NEPA)-like process to determine what environmental effects might occur during construction or result of construction of this project.

I am seeking comments regarding possible short term, long term, or cumulative impacts related to historical properties, cultural resources, or archaeological issues resulting from construction of the proposed project. The State Historical Preservation Officer (SHPO) has indicated that no historic properties will be affected within the project area. Copies of correspondence with SHPO and maps showing the proposed project planning area and locations of project features are enclosed for your review.

The scope of the proposed project includes:

- Construction of a new drinking water well and pump house;
- Installation of a natural gas or propane backup generator in new pump house;
- Installation of variable-frequency drives on the existing wells; and
- Installation of individual meters on existing residential service lines.

With the exception of the new well, pump house and generator, project activities are expected to be conducted on previously disturbed ground. If archaeological artifacts are encountered during construction, work will be halted and SHPO and your Cultural Resource Coordinator will be contacted.

Printed on Recycled Paper

Please respond within 30 days with any concerns or mitigation measures you have on the potential environmental impacts from this project. Please contact me at (208) 373-0406 or by email at Michael.May@deq.idaho.gov if you have any questions.

Sincerely,

Michael May
Sr. Water Quality Analyst

MLM:er

Enclosure

cc: Gregory Eager, P.E., DEQ Idaho Falls Regional Office
William Teuscher, P.E., DEQ Idaho Falls Regional Office
Bryan Zibbell, DEQ State Office
Ryan Loftus, P.E., Aspen Engineering (ryan@aspeneng.net)

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Curt Fransen, Director

September 4, 2012

Carolyn Boyer Smith
Cultural Resource Coordinator
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83202

Sent via certified mail – 7007 3020 0001 4049 8894

RE: Request for Agency Consultation on Cultural Issues for the Morning View Water Company Drinking Water Improvements, Jefferson County, Idaho

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CAROLYN BOYER SMITH
CULTURAL RESOURCE COORDIN.
SHOSHONE-BANNOCK TRIBES
PO BOX 306
FORT HALL, ID 83202

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) LINDICE BRONCHO C. Date of Delivery 9/6/12

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Aspen
Engineering, Inc.

10727 N. Yellowstone Hwy. • Idaho Falls, Idaho 83401
Phone: (208) 542-1911 • Fax (208) 542-1922

January 20, 2012

Mr. Ted Howard, Cultural Resources Program, Shoshone-Paiute tribes, Historic and archeological and sensitive religious sights in any county in Pocatello Region
P.O. Box 306
Fort Hall ID. 83203

Subject: Environmental Information Document for Morning View Water Company
Request for Comments

Dear Mr. Howard:
The Morning View Water Company is in the process of performing an environmental review to assess the possible environmental impacts of completing the proposed Public Drinking Water Facility improvements to the Morning View Water System in Jefferson County, Idaho. The environmental review is being performed pursuant to the requirements of the National Environment Policy Act (NEPA) for the USDA-Rural Development; State of Idaho Department of Environmental Quality (IDEQ); and the Idaho Community Development Block Grant Program. The proposed project is to address IDEQ non-compliance issues with the Morning View Water Company's Public Drinking Water System and to meet increasing demands on the water facility.

Please note that the proposed improvements are anticipated to be constructed at the existing site on ground currently used for the same purposes. Additionally, the improvements will be constructed on land owned by Morning View Water Company and in existing public utility easements. Enclosed is a map that depicts the proposed project's area of potential effect for construction activities and a description of the work involved.

The Morning View Water Company requests that your office review the proposed project for potential impacts within the project area. Please provide any recommendations you may have to mitigate or avoid these impacts. We would appreciate a response within 30 days. If you need any further information or wish to discuss the project, please contact me at 208-542-1911.
Sincerely,

Aspen Engineering Inc.

Ryan Loftus PE

Encl. Map of Existing and Proposed Water Facilities

Mike May

From: Mike May
Sent: Tuesday, September 04, 2012 13:53
To: 'Ted Howard'
Subject: RE: Emailing: Shoshone-Paiute Tribes - Request for consultation - Morning View DWG - 4 Sept 2012.pdf

Thanks, Ted. I have a similar request in to Carolyn Boyer Smith.

From: Ted Howard [mailto:howard.ted@shopai.org]
Sent: Tuesday, September 04, 2012 13:51
To: Mike May
Subject: Re: Emailing: Shoshone-Paiute Tribes - Request for consultation - Morning View DWG - 4 Sept 2012.pdf

Dear Mr May,

The Shoshone-Paiute Tribes do not have any comments regarding this project. I suggest that you contact our sister tribe, the Shoshone-Bannock Tribes for comments to this project.

Sincerely,

Ted Howard

Director, Cultural Resources

Shoshone-Paiute Tribes

P.O. Box 219

Owyhee, Nevada 89832

Wk. (208) 759-3100 ext. 243

Fx. (208) 759-3202

Cell (208) 871-7064

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damage caused by any virus transmitted by this email. You should prudently carry out your own virus screening checks before opening any attachments. Thank you.

On Tue, Sep 4, 2012 at 1:09 PM, <Michael.May@deq.idaho.gov> wrote:
Hi, Ted. I am sending this cultural resources consultation request by email for your convenience. The original will follow by mail. Thanks.

Mike May
Sr. Water Quality Analyst
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706
(208) 373-0406
Michael.May@deq.idaho.gov