EXHIBIT LIST

Docket UW-102014

NUMBER	WITNESS	A/R	DATE	DESCRIPTION
1	Dan Class		10/28/2010	E-mail from Columbia Crest Estates to Dan Class
2			11/13/2010	Letter from Dan Class to water customers with questionnaire
3			1/24/2011	Follow up letter from Dan Class to water customers with questionnaire
4			03/24/2009	Green Mountain Water Tariff Sheet No. 16
5				Article entitled "Protection from Thermal Expansion"
6			05/31/2011	E-mail from CJ Bruno to Dan Class
7				Letter from Dan Class to Bonnie Waybright
8			04/05/2011	E-mail from Dan Class to Chuck Tadlock
9				Coliform Report
10				Basic Arsenic Treatment Design - DOH Pub. #331-210
11			02/01/2010	E-mail from David Johnson to Dan Class
12			02/01/2010	E-mail from Brig Belvin to David Johnson
13			09/23/2010	E-mail from Sam Perry to Dan Class
14			11/23/2008	E-mail from Brig Belvin to David Johnson and others
15			01/07/2009	E-mail from David Johnson to Dan Class
16			01/09/2009	Exchange of e-mails between CJ Bruno and Dan Class
17			02/18/2011	Letter to CCE HOA Members from CCE HOA Board of Directors and Water Committee
18				Letter to Bonnie Waybright from Dan Class
19			01/11/2011	E-mail from Jozsef Bezovics to Dan Class
20				Receivership - DOH Pub. #331-299
21				
22				
23				
24				
25				

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From: Columbia Crest Estates <hoa@cce-hoa.com>
To: classdan@aol.com
Subject: CCE HOA Response To Dan Class's 3rd Party v.s. HOA Proposal
Date: Thu, Oct 28, 2010 12:02 pm

October 28, 2010

Dear Mr. Class,

The Columbia Crest Estates Water Committee presented you with a proposal on September 14th, 2010 in which we offered to work with you to transition the 'class-A' water system for Columbia Crest Estates to the CCE HOA. We explained to you at that time that our due diligence with several water management companies, water engineering firms, similar developments with water system which meet State and Federal quality and operational standards had all advised us that "water system infrastructures have no value" and "water system operations is not a profitable business". Since that time you have failed to provide the CCE HOA Water Committee with the supporting infrastructure costs you committed to provide at that meeting. The paperwork you have provided to date does not include infrastructure cost data.

We have been waiting for your response but have only seen your statements to the press and your communications to the CCE property owners. We can only then conclude that you are not willing to deal with the CCE HOA in good faith. This only leaves us with one option and that is to respond to you directly regarding the communications you are distributing to the residence of Columbia Crest Estates.

- We will not agree to your receiving future revenue of any kind from the water system if the CCE HOA were to acquire the water system and the risks associated with it. If the CCE HOA were to acquire and manage the water system all revenues received will be used to operate and maintain the system at cost.
- The storage costs associated with the water system are part of the infrastructure required to support the number of lots and water system volume requirements for Columbia Crest Estates. These requirements have not changed. What did become apparent was the original capacity planning was insufficient. The property owners feel they paid for the total infrastructure at the time they purchased their property as stated to you on September 14th, 2010 in the proposal and documents provided to you. We will not pay for the infrastructure a second time.
- The arsenic costs referenced in your cost comparison documents are not the responsibility of the CCE residents. Those costs were taken on by you personally and without the consent or approval of the lot owners in Columbia Crest Estates. Neither the lot owners nor the Association have any responsibility for those expenses which you chose to make and we will not agree to pay them.
- The CCE HOA will not assume any costs associated with contractual obligations and/or invoices you or Green Mountain H20 have accrued. This includes invoices/payments to Pacific Water Co, Aquatech or any other company.
- As we stated to you on September 14th, 2010 we cannot commit or guarantee any reduction or elimination in the Washington State fines they have levied on you or Green Mountain H20. We did offer to speak to the State Department of Health to request the fines be reduced or eliminated if the CCE HOA were to acquire the 'class-A' water system serving our development but we cannot commit to the outcome of that request.
- The past due CCE HOA dues for the lots owned by Dan Class and/or Class Development represent real money to the CCE HOA. The lots in question are subject to the same CCE HOA CC&R requirements as they are for any other lot owner within CCE. The CCE HOA dues are not part of the water system and/or water system negotiations with you or Green Mountain H20 and as such will not be included as part of the transition agreement of the water system to the CCE HOA if such a transfer were to occur.
- An exception for future water system participation, invoicing, etc. will not be granted for 759 Varsity Road. If the CCE HOA acquires the water system serving CCE, all properties within CCE will participate in the infrastructure costs associated with fixing and maintaining the system as well as for water consumption.

The decisions as to how the water system will be managed and invoiced will be decided by the CCE HOA members. The CCE HOA Water Committee and Board will not be making any decisions regarding the acquisition of the water system or the future management of the system without the collective input and approval of the CCE HOA members.

November 13, 2010

Due to heightened interest in increasing your water quality, Green Mountain H2O LLC is taking the first steps of implementing the Cross Connection Program as described by the UTC.

This very first step simply involves the surveying of each user of the water systems. Please answer the questions at the bottom of this page and mail it back by November 30th.

Also enclosed for your information is a brochure titled Cross *Connections can create Health Hazards* which is provided by the Washington State Department of Health. Additional brochures and information regarding cross connection can be found on their website at http://www.doh.wa.gov/ehp/dw/programs/cross_connection.htm.

The program details are located in the tariff filed with the UTC by Green Mountain H2O LLC.

Also for your reference, the WAC that covers cross connections is WAC 246-290-490.

Thank you for taking the time to complete the survey.

Sincerely,

Dan Class
Green Mountain H2O LLC
759 Varsity Rd
Kalama, WA 98625

----------detach here – return portion below----------

Name:

Address:

Please check the following that are located on your home/property: (list obtained from DOH)
Check ALL that apply.

- ☐ Wash basins and service sinks
- ☐ Hose bibs
- ☐ Irrigation sprinkler systems
- ☐ Auxiliary water supplies
- ☐ Laboratory and aspirator equipment
- ☐ Photo developing equipment
- ☐ Processing tanks
- ☐ Boilers
- ☐ Water recirculating systems
- ☐ Swimming pools/hot tubs
- ☐ Solar heat systems
- ☐ Fire sprinkler systems

SECOND REQUEST dtd 01/24/2011

Previously sent on November 13, 2010

Due to heightened interest in increasing your water quality, Green Mountain H2O LLC is taking the first steps of implementing the Cross Connection Program as described by the UTC.

This very first step simply involves the surveying of each user of the water systems. Please answer the questions at the bottom of this page and mail it back by November 30th.

Also enclosed for your information is a brochure titled Cross *Connections can create Health Hazards* which is provided by the Washington State Department of Health. Additional brochures and information regarding cross connection can be found on their website at http://www.doh.wa.gov/ehp/dw/programs/cross_connection.htm.

The program details are located in the tariff filed with the UTC by Green Mountain H2O LLC.

Also for your reference, the WAC that covers cross connections is WAC 246-290-490.

Thank you for taking the time to complete the survey.

Sincerely,

Dan Class
Green Mountain H2O LLC
759 Varsity Rd
Kalama, WA 98625

----------detach here – return portion below----------

Name: Alan Cameron

Address: 212 Varsity Rd
Kalama WA 98625

Please check the following that are located on your home/property: (list obtained from DOH)
Check ALL that apply.

- [X] Wash basins and service sinks
- [X] Hose bibs
- [ ] Irrigation sprinkler systems
- [ ] Auxiliary water supplies
- [ ] Laboratory and aspirator equipment
- [ ] Photo developing equipment
- [ ] Processing tanks
- [ ] Boilers
- [ ] Water recirculating systems
- [ ] Swimming pools/hot tubs
- [ ] Solar heat systems
- [ ] Fire sprinkler systems

Green Mountain H2O

For Commission's Receipt Stamp

WATER SERVICE
RULES AND REGULATIONS

Rule 19 - Cross Connection Control

The customer shall not permit the plumbing on their premises to be connected to any source of water supply other than the utility's, or to any potential source of contamination, without first obtaining the utility's written permission and meeting the utility's cross connection control criteria. The customer shall assure that effective back-flow prevention measures are implemented to ensure continual protection of the water in the public water distribution system. Any back-flow prevention assembly deemed necessary by the utility to prevent entry of contaminants to the public water system shall be installed at the customer's expense. Cross connection control program is outlined in Schedule 12.

Protection from Thermal Expansion

Protection from thermal expansion is provided in a plumbing system by the installation of a ***thermal expansion tank*** in the hot water system piping downstream of the hot water tank and a ***temperature and pressure relief valve*** (T & P Valve) at the top of the tank.

The thermal expansion tank controls the increased pressure generated within the normal operating temperature range of the water heater. The small tank with a sealed compressible air cushion provides a space to store and hold the additional expanded water volume.

The T & P Valve is the primary safety feature for the water heater. The ***temperature*** portion of the T & P Valve is designed to open and vent water to the atmosphere whenever the water temperature within the tank reaches approximately 210° F (99° C). Venting allows cold water to enter the tank.

The ***pressure*** portion of a T & P Valve is designed to open and vent to the atmosphere whenever water pressure within the tank exceeds the pressure setting on the valve. The T & P Valve is normally pre-set at 125 psi or 150 psi.

Water heaters installed in compliance with the current plumbing code will have the required T & P Valve and thermal expansion tank. For public health protection, the water purveyor may require the installation of a check valve or backflow preventer downstream of the water meter. In these situations, it is essential that a T & P Valve and thermal expansion tank be properly installed and maintained in the plumbing system.

For further information contact your local water purveyor, City or County building department, licensed plumber or the PNWS/AWWA Cross-Connection Control Committee through the PNWS office at (877) 767-2992 or on the web at www.pnws-awwa.org

Protect Your **Water Heater** from *Thermal Expansion*

Without a functioning Temperature & Pressure Relief Valve your water heater can

Explode

with the force of

Dynamite

PNWS
IDAHO · OREGON · WASHINGTON

American Water Works Association
Pacific Northwest Section

Lawn (Turf) Irrigation Systems

For the protection of the water purveyor's distribution system, all irrigation systems must have an approved backflow prevention assembly that is compatible with the degree of hazard. Irrigation systems are categorized as high health hazard or moderate health hazard as defined below.

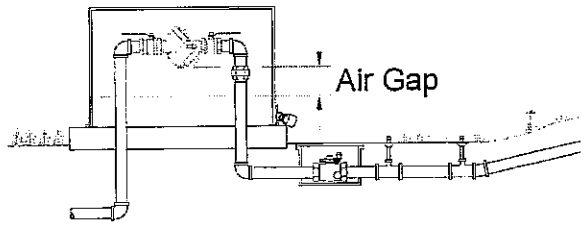
Any irrigation system that contains pumps or injectors for the addition of chemicals and/or fertilizers is considered a high hazard. This risk assessment is also based on the additional hazard posed by bacterial contaminants found on lawns, and on the possibility of changes being made to the irrigation system by the customer. An approved reduced pressure backflow assembly (RPBA), or an approved air gap separation, should be required in all cases where chemicals or herbicides may be injected into the irrigation system, or where an auxiliary water supply is also provided for irrigation water.

All irrigation systems that are not classified as a high health hazard are considered to be moderate health hazards. This risk assessment is based on the hazard posed by bacterial and chemical contaminants found on lawns, and on the possibility of changes being made to the irrigation system by the customer. An approved double check valve assembly (DCVA), or pressure vacuum breaker assembly (PVBA), should be required.

However, an approved PVBA does not provide adequate protection if it is subjected to flooding, backpressure, elevated piping, or if compressed air is used to winterize the irrigation system. In these situations, an approved DCVA should be required as a minimum level of protection.

Reduced Pressure Backflow Assembly for Isolation of Lawn Irrigation System

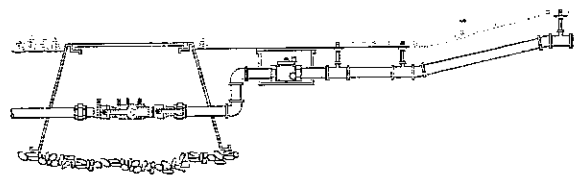
- The reduced pressure backflow assembly (RPBA) should be installed to isolate irrigation systems using injectors or pumps to apply fertilizer and other agricultural chemicals.
- The RPBA must be installed above ground to prevent the relief valve opening from becoming submerged.
- The RPBA should be installed in an insulated enclosure to provide freeze protection.
- The RPBA should be tested by a certified backflow assembly tester upon installation, after repair of relocation, and at least annually.



Reduced Pressure Backflow Assembly in Above-Ground Enclosure

Double Check Valve Assembly for Isolation of Lawn Irrigation System

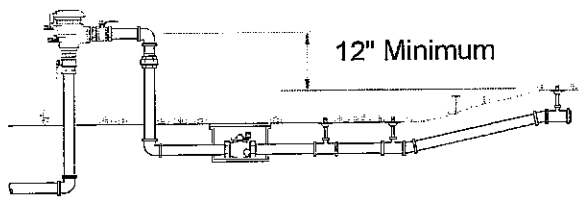
- The double check valve assembly (DCVA) may be installed to isolate all irrigation systems that do not use injectors or pumps to apply fertilizer and other agricultural chemicals.
- The DCVA may be installed in a below-ground enclosure provided the assembly test cocks are plugged; the test cocks are pointed up; adequate space is provided for maintenance and testing; and any compressed air connections are installed only downstream of the DCVA.
- The DCVA shall be tested by a certified backflow assembly tester upon installation, after repair of relocation, and at least annually.



Double Check Valve Assembly in Below-Ground Box

Pressure Vacuum Breaker Assembly for Isolation of Lawn Irrigation Systems

- The pressure vacuum breaker assembly (PVBA) may be installed to isolate all irrigation systems that do not use injectors or pumps to apply fertilizer and other agricultural chemicals.
- The PVBA shall be installed at least 12 inches above the highest point in the irrigation piping.
- The PVBA shall be tested by a certified backflow assembly tester upon installation, after repair of relocation, and at least annually.



Pressure Vacuum Breaker Assembly

Approved Backflow Assemblies

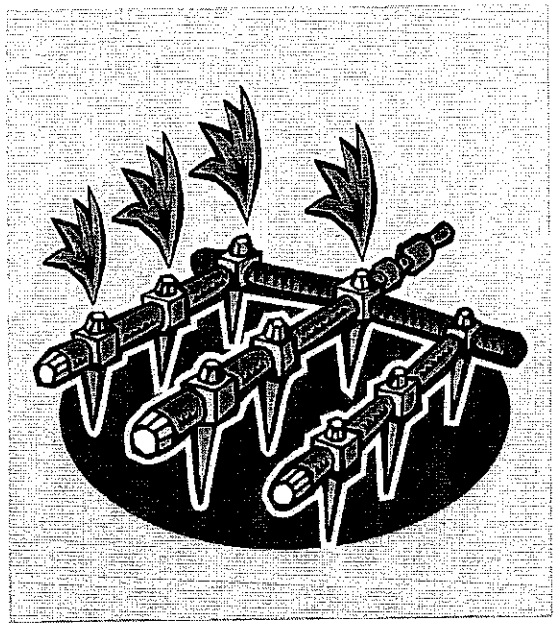
The water purveyor relies on approved backflow prevention assemblies to protect the public water system. Approved assemblies are manufactured with isolation valves and test cocks to permit field-testing to demonstrate that the assemblies are properly functioning to prevent backflow.

In addition to the above assemblies, plumbing codes also allow the use of atmospheric vacuum breakers (AVB) on lawn irrigation systems without chemical addition. Because an atmospheric vacuum breaker is not designed to be tested, some water purveyors require the installation of approved, testable assemblies. Contact your water purveyor regarding the requirements for isolation of your lawn irrigation system.

Note:
All irrigation piping should be considered a non-potable water system due to an actual or potential health hazard.

For further information contact your local water purveyor or the PNWS/AWWA Cross-Connection Control Committee through the PNWS office at (877) 767-2992 or on the web at www.pnws-awwa.org

Lawn Irrigation Systems and ***Backflow Prevention***



American Water Works Association
Pacific Northwest Section

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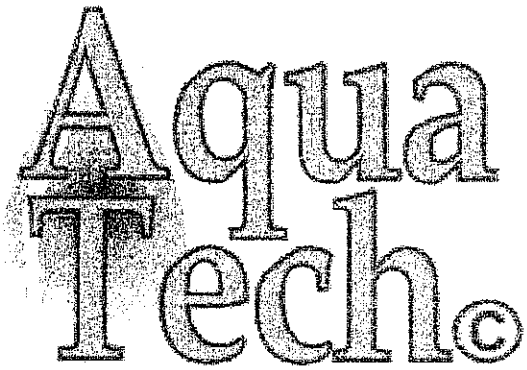
From: CJ Bruno <cjbruno@kalama.com>
To: 'Dan Class' <classdan@aol.com>
Subject: Columbia Crest Estates
Date: Tue, May 31, 2011 4:59 pm



865 Confer Rd.
Kalama, WA 98625
360-673-7790
Email: cjbruno@kalama.com
www.aquatechnw.com
5/31/2011
Columbia Crest Water System

I have been requested to give my account of the operation of the Columbia Crest Estates water system. I was the operator of record from January of 2010 until April 1st of 2010.

After consulting with my legal advisor, it was determined it was in my best interest to no longer be the operator of record after that time. I was requested by the owner , Dan Class and by Theresa Walker of the Department of Health, to assist the water system on several occasions.

The initial call was on December 22, 2009 to respond to a frozen water line in the middle well pumphouse. The ice had pushed a coupling apart and it was leaking. I thawed the pipe and pushed the coupling back together while the water was flowing to the reservoir. On January 4th, I took a bacteria sample from distribution. On January 20th, there was a leak in the pumphouse at the upper well. The water line was damaged from freezing and leaking so the damaged pieces were cut out, replaced and that short section of piping inside the building sanitized. On January 28th, there was a leak discovered by the owner outside the upper well. The water line had been excavated and exposed. I was requested to fix the leak but the hole was not large enough for a proper repair. A temporary repair was completed until the hole could be enlarged the next day, at which time the water line was sanitized and repaired. On February 1st a Bacteria sample was taken, it failed, and 3 backup samples were taken for analysis . On February 11th, the system reservoirs were sanitized and flushed. Follow up Bacteria samples on February 24th were acceptable. In March, the system had 5 samples taken for Bacteria, all passed. In addition, on March 31st, Arsenic samples were taken from the two operating wells.

I was no longer the operator of record but was called by a customer of the water system to install a reverse osmosis system and a shutoff valve for the house. A shutoff valve was not apparent at the meter, so it was decided to install a shutoff valve after the water meter. We contacted Dan Class two

days in advance of the maintenance and arranged for the system to be shut off at the Bhang residence. After 45 minutes of draining the system, we continued to have pressure on the system. It was discovered the labeling of the valves for the system were in error, and it required another 45 minutes to drain the system. We cut the water line after the meter, sanitized the water line with Calcium Hypochlorite, and placed the system back in service. Dan stated he knew there was another shutoff valve before the meter. The water line was leaking before the meter, so we were requested to excavate and repair the water line. It was discovered that there was a shutoff valve buried about 12 inches before, and 8 inches deeper than the meter, we shut off that valve and repaired and sanitized the leaking water line.

Dan Class came to the worksite and requested that we repair a water leak at the upper well house. The hole was quite deep and small and the best we could do was a temporary repair, and sanitized with liquid Sodium Hypochlorite.

Dan arranged for the hole to be expanded and on June 4th, I repaired the leak and sanitized with Calcium Hypochlorite. It was determined that muddy water had entered the piping system so the system reservoirs were sanitized and flushing commenced. The flushing was completed on June 7th.

I had no further contact with the system until I was contacted to do a tour of the system on September 11th. It was determined the reservoirs needed cleaning of sediment and sanitized. All of the system reservoirs were cleaned of sediment as best as possible and sanitized on September 14th and 15th.

Bacteria samples were taken on September 22nd after allowing the disinfectant to purge from the system.

Additional Bacteria samples were taken on October 1st and the 6th.

It was determined by the State Department of Health that a Chlorination system was to be installed on the two operating wells. I installed these in late December with a flowmeter, pump control module, and Stenner injection pumps. The aim was to keep the Free Chlorine below 0.5 mg/l. Although the job was only to install the system, I monitored the distribution system daily for 14 days, and weekly thereafter. The system was toured by the Department of Health, Free Chlorine samples taken, and the system given temporary approval until it could be engineered.

During the time I was operator, I did not observe Dan sanitizing the system, nor repairing the broken water lines. There was a water line break that I was called for on Thanksgiving evening. I was in Yakima, I was not the operator of record and as such had not arranged for a backup while I was out of the area. That water line break was repaired by others.

#1

Bonnie Waybright,

Just want to confirm the water quality sample results from water system 07200 in 2010.

1 - In February of 2010, 461 Varsity and well ACV 070 came back unsatisfactory.

2 - In early March, CJ Bruno sanitized, and in March all tests came back satisfactory.

3 – On 6-11-10, 461 was unsatisfactory, the others passed

4 – On 06-24-10 all samples passed

5 - The only other sample that I know of that was unsatisfactory was at 151 Varsity on 07/01/2010. You can see by the picture I sent to Jozsef, the leak was clearly on the water user's side. This is in reference to #5Q on the punchlist.

6 - As I explained on the phone, I talked CJ into taking a sample at 461 Varsity on 9-13-2010, before he did the thorough sanitizing starting on 09-15-2010. This sample came back satisfactory.

7 – The unsatisfactory bacteria result that came from 756 Varsity on 9/28 is a mystery. We have never had a bad sample at this location prior. CJ sanitized everything from the upper well house down. The leak that was on the water system was below 756 and could not have affected 756. This has been re-sampled on Friday Oct 1st and it came back satisfactory.

If my facts are straight on this it means my clients have been drinking satisfactory water since ~~March 9~~ June 24, 2010. relative to Bacteria testing

Dan Class

360-225-0999

Sample information enclosed

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From: Dan Class <classdan@aol.com>
To: n51pl@earthlink.net
Subject: Fwd: Waybright to UTC
Date: Thu, Apr 14, 2011 8:14 am
Attachments: Waybright_to_UTC_02.28.11.pdf (2352K)

Dan Class
Class Development NW Inc
Please note phone number changes as of Dec 1st
360-909-4321 phone
360-719-7853 fax

-----Original Message-----
From: Dan Class <classdan@aol.com>
To: tadlockc@gmail.com
Sent: Tue, Apr 5, 2011 7:31 am
Subject: Waybright to UTC

Good Morning,

I want to confirm that you have received this attached information from Bonnie Waybright of the Department of Health.

In regard to bacteria, February 2009 and February 2010 had unsatisfactory results.

The test results from November 2010 were unsatisfactory from Addy Labs. Teresa Walker and CJ Bruno both felt that these results were not accurate, and retested with Columbia Analytical with 100% satisfactory results.

With the November results ultimately testing as satisfactory, the only unsatisfactory results were form Feb 2009 and Feb 2010, neither of which contained E Coli. I agree with these findings.

I also agree with the arsenic findings.

As a CCE/HOA member, I am requesting copies of any and all water related emails that were sent to CCE HOA members whether I was originally copied or not.

Dan Class
Class Development NW Inc
Please note phone number changes as of Dec 1st
360-909-4321 phone
360-719-7853 fax

COLUMBIA CREST ESTATES WATER SYSTEM, ID 07200P, COWLITZ COUNTY
YEARS & MONTHS WITH COLIFORM VIOLATIONS AND
WAS A PUBLIC NOTIFICATION FORM RECEIVED BY DOH

2009	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Violation Type	None	Nonacute MCL	None	None	None	None	None	None	None	None	None	None
Public Notification Form		Received										

2010	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Violation Type	None	Nonacute MCL	None	Major Monitoring	Major Monitoring	None	Major Repeat	Major Monitoring	None	None	Nonacute MCL	None
Public Notification Form		Received		Not Received	Not Received		Not Received	Not Received			Not Received	

2011	JANUARY
Violation Type	None
Public Notification Form	

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Basic Arsenic Treatment Design

Arsenic in water is commonly present in water as dissolved ions. It is present in two different oxidation states: arsenite [AsO_3^{-3}] and arsenate [AsO_4^{-3}]. Arsenite, commonly written as As(III), is the reduced form of arsenic and is more difficult to remove from water than arsenate, As(V), the oxidized form of arsenic. Consequently, most treatment techniques will incorporate chemical oxidation, such as chlorination or ozonation, as an initial step to convert As(III) to As(V).

There are several types of treatment that are available for arsenic. EPA has identified the following "Best Available Technologies" (BATs) for arsenic removal:

- Oxidation/Filtration
- Ion Exchange
- Activated Alumina Adsorption
- Enhanced Coagulation/Filtration
- Enhanced Lime Softening
- Reverse Osmosis
- Electrodialysis Reversal

Only some of the technologies listed above are generally recognized as being suitable for small systems. Enhanced coagulation/filtration and enhanced lime softening apply only to systems currently treating surface water with those technologies. Electrodialysis reversal and reverse osmosis require expensive equipment and are complex to properly operate. They are also not likely to be suitable for small system source treatment.

Of the available technologies, the most appropriate for small systems include:

- Oxidation/Filtration;
- Ion Exchange; and
- Sorption (including Activated Alumina and Iron-based Sorbents).

These three technologies are described in greater detail in this document.

Oxidation/Filtration

The oxidation/filtration process involves the oxidation of iron and arsenic, followed by filtration (Figure 7). During the oxidation step, arsenic binds to the iron oxides that are formed. These iron oxides are then removed by filtration. In general, the process is the same as treatment to remove iron and manganese. The key criterion is that there is sufficient iron to bind the arsenic.

DOH PUB # 331-210
(PDF) FORMAT

From: David Johnson <dave_dorothy@yahoo.com>
To: Dan Class <classdan@aol.com>; CJ Bruno <cjbruno@kalama.com>
Cc: Brig Belvin <cbelvin@cni.net>
Subject: Pilot test of Arsenic Mitigation
Date: Mon, Feb 1, 2010 8:16 pm

Dear Dan and CJ Bruno

Thanks for including the ultimate end user/consumer of water in your ongoing discussion with the DOH Office of Drinking Water. I have cc'd Brig Belvin our HOA president on all of this ongoing dialog. I'll say up front I see no reason why the DOH should not approve a pilot project using the ION Exchange Process. We want to know how it will work with our water and it's particular chemistry. If we have to have arsenic mitigation we want a simple solution that is cost effective. Last week I had a phone converation with Carl Garsison, a water system engineer who has installed many arsenic mitigation systems in several western states. He said and I quote " Ion Exchange will work but the State of Washington won't approve it".

Now why is that?? It appears to me someone high up in Resin Tech must spend some time answering the state's objections to the system and the technology. Once blessed it could become a "no brainer" if the chemistry is right.

As end users of the water, Brig and I met with DOH on several occasions last year to try to find a common sense solution to our situation. We and all the homeowners prefered a ***point of use*** solution. They gave us lip service and sent us on our way. We asked them specifically what technology they recommended for central treatment and how much it might cost. They ducked the issue. I can understand your frustration in trying to hit a moving target only to be told to **try again**. It's only your time and money. They're still on salary. This is typical govenment now days. Lots of regulations, few solutions.

I hope you can work things out. I for one can drink the water and enjoy it as it is now. If I need to get the arsenic below 10% I just drink the water in town or drink some bottled water half the time. **After all, it's just a numbers game**. At 66 years old I'd have to drink a lot of arsenic before I die to match the long term studies from Europe on the evils of arsenic over a lifetime. One study and our EPA creates a massive problem. In the 80's The Russians studied the effect of high voltage and high magnetic fields on linemen. They concluded it made them more verile. I worked for BPA much of my professional career around high voltage and high RF fields. I'd say the study, like most studies was inconclusive. Enough poking fun at our inept governments. Maybe they can move off the square and prove me wrong.

David Johnson
Chairman Water Committee CCEHOA

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From: Brig Belvin <cbelvin@cni.net>
To: David Johnson <dave_dorothy@yahoo.com>
Cc: Dan Class <classdan@aol.com>; CJ Bruno <cjbruno@kalama.com>
Subject: Re: Pilot test of Arsenic Mitigation
Date: Mon, Feb 1, 2010 9:46 pm

Hi David,

Yours is a good letter this evening.

1) Dan and CJ need to emphasize Sam Perry's very first point that the system one uses depends on the local water chemistry. In our case, the ferric oxide treatment that works well in the Puget Sound area does not work well for us. Ion exchange is correct for us.

2) If Dan or CJ would begin talking about what is good for the customer, and what is reasonable, they might shame DOH into approving a pilot ion exchange project.

3) Finally, they need to set up an appointment between DOH and Resin Tech to open DOH's mind. Then, as CJ emphasizes, they need a DOH approved engineer to approve a pilot project so DOH can rubber stamp it. That's the only thing that will work with a bureaucracy.

Brig

Exhibit ____
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From: Perry, Sam A (DOH) <Sam.Perry@DOH.WA.GOV>
To: classdan@aol.com
Cc: Waybright, Bonnie (DOH) <Bonnie.Waybright@DOH.WA.GOV>
Subject: Columbia Crest - Your call
Date: Thu, Sep 23, 2010 9:08 am

Dear Dan:

I got the voice mail you left on Monday 9/20 and apologize for the delay in responding. I just got back into the office after having been out the past few days. I appreciate the fact that you want to meet and understand your frustrations with Davido and others.

I think the pilot study plan that CJ Bruno assembled is a good, solid plan for conducting a pilot study using ion exchange treatment. The professional engineer who will be overseeing the project needs to review it as well to make sure that he/she agrees with it, and submit it to the department for formal review and approval. (I took quick look at the pilot study plan that CJ assembled and it is pretty much good to go). There are sometimes I wish I could waive the professional engineer requirement, but in this instance I can't without breaking the law.

I don't want to waste your time and energy, so if a meeting were to occur, I think it should involve the engineer who will be working on the project from this point forward.

Best regards,

Sam

Samuel A. L. Perry, P.E.

Water Treatment Engineer

Office of Drinking Water

DOH - Environmental Health Division

20435 - 72nd Ave., Suite 200/Kent, WA 98032

DIRECT: (253) 395-6755

FAX: (253) 395-6760

e-mail: sam.perry@doh.wa.gov

Public Health - Always Working for a Safer and Healthier Washington

From: Brig Belvin <cbelvin@cni.net>
To: Dave Johnson <dave_dorothy@yahoo.com>; Robin Krane <robinjkrane@earthlink.net>, Robert Nehls <bobnehls@hughes.net>; Phil Robbins <probbins@cni.net>
Cc: cbelvin@cni.net; Dan Class <classdan@aol.com>
Subject: Arsenic Mitigation Memo
Date: Sun, 23 Nov 2008 9:53 am

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Board Members,

Cost
We've long been concerned about the cost of arsenic mitigation that EPA, via the state Dept of Health, is forcing upon us. While Dan thinks he can get away with as little as $18,000 for a mitigation system, the realistic cost is likely much closer to $60,000. And the operating cost month to month is even more. And while it's Dan whom the state is beating up, we're the folks who are going to wind up paying for it. We don't want that cost.

Idea
The "Red Tag" notice from the state has generated an idea, originally developed by Dave Johnson. Notice that the state's letter suggests that a pilot plant be demonstrated first, before a full operating system is built. There may be a way to persuade the state that the pilot alone could suffice for mitigation. Only about 1% of CCE's water use is for drinking and cooking. It is irrational to treat the other 99% used for toilet, laundry and irrigation.

Same Page
Yesterday, Dave and I caught up with Dan and ran the idea by him. He sees the merit in it and agrees to carry out the things he'd have to do to pull it off. We can represent to the state that the system owner and HOA are on the same page on this idea.

Action Item
Tomorrow, Monday, I'll call Clark Halvorson at DOH and arrange a meeting with him and his staff with Belvin, President, and Johnson, head of the water committee. Next week is a short week owing to Thanksgiving, but we'll get the meeting as soon as we can.

DOH seems pretty strict about this, because if they don't comply with EPA orders, Washington State loses dollars from Washington DC. But we are going to respond to each of their objections, try to protect their interests, and find out what is needed to make it easy for them to say yes.

There are lots of hoops to jump through, but this approach is plausible. For example, we now know that they are beginning to think about "point of use" systems under selective circumstances, whereas a year ago they absolutely ruled that out.

Delay On Red Tag Notice
I'm going to delay putting out the notice to homeowners and lot owners about the red tag on the water system's operating permit. I would hope, after our meeting with the DOH, that we can report an answer as well as the problem. We could include in the notice to owners that there is a feasible remedy in the works. Let's hope.

Brig Belvin
November 23, 2008

From: David Johnson <dave_dorothy@yahoo.com>
To: Dan Class <classdan@aol.com>
Subject: Estimated meter readings
Date: Wed, 7 Jan 2009 9:33 am
Attachments: Draft_water_billing_NRate.xls (432K)

Exhibit ____
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Good Morning Dan

I've attached the meter reading file with estimated readings.

Under the tab (meter reading) I used a formula to make the readings the same as the previous month.
Sorry for the delay.

I read the Dec 12 critique by DOH. It appears DOH does not like and would not approve an ion exchange plant.

I'm going to send out a survey comparing point of use vs central treatment to the homeowners. We'll use the results to lobby DOH. I expect the survey will favor POU as it's far less expensive. Whether we'll have any luck with DOH is anyone's guess. If the board approves the survey this evening you'll see a copy tomorrow.

Dave

From: CJ Bruno <cjbruno@kalama.com>
To: classdan@aol.com
Subject: RE: arsenic treatment survey
Date: Fri, 9 Jan 2009 7:24 pm

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Also, we calculated the salt usage as $210 per year for the large system and $110 for the small system, this includes regenerating the resin twice as often as is required. CJ

From: classdan@aol.com [mailto:classdan@aol.com]
Sent: Friday, January 09, 2009 5:25 PM
To: cjbruno@kalama.com
Subject: Fwd: arsenic treatment survey

-----Original Message-----
From: David Johnson <dave_dorothy@yahoo.com>
To: Alan Cameron <cameron@pacifier.net>; Althea Heagy <altheagy@earthlink.net>; Becky youngs <beckyyoungs@cni.net>; Berdell Haller <birdie@cni.net>; Bill Heagy <wheagy@earthlink.net>; Bill Welch <bwelch34@earthlink.net>; Bob Youngs <boby48@cni.net>; Brig Belvin <cbelvin@cni.net>; Carolyn Christianson <mom.rules@cni.net>; Christi larson <christilarson2003@yahoo.com>; Chuck Dea Tadlock <tadlockc@gn.ail.com>; Dan Class <classdan@aol.com>; Diana Nehls <dnehls@hughes.net>; Dick Blide <dick@blide.us>; Hee Kwon <june7inc@yahoo.com>; Jerome Bennett <phoebeb42@yahoo.com>; Jim Caldwell <jim@onyoursitehomes.com>; John Lindgren <johnclindgren@hotmail.com>; Kris Carolyn Christianson <krischristianson@cni.net>; Larry Hufman <drlarry@teleport.com>; Lynette Caldwell <lynettecaldwell@wildblue.net>; mark Jensen <madisembj@earthlink.net>; Minah DeAinza <drminah@ yahoo.com>; Nathan McLucas <mclucasfamily@gmail.com>; Pattie Belvin <pbelvin@cni.net>; Paul Loretta Unrein <n51pl@earthlink.net>; Phil and Carolyn Robbins <pcrobbins@cni.net>; Priscilla Grover <priscillagrover@gmail.com>; Robert Nehls <bobnehls@hughes.net>; Robin Krane <robinjkrane@earthlink.net>; Sam Leslie Allen <lallen@swartzms.com>; Shinwon Kim <shinwon12@gmail.com>; Sil Arata <aratasl@aol.com>; Steve Escamilla <saesca123@earthlink.net>; Steve Perry <stperry23@yahoo.com>; Ted Haller <tedarch@cni.net>; Vern Herriott <vlherriott@yahoo.com>
Sent: Fri, 9 Jan 2009 11:08 am
Subject: arsenic treatment survey

Dear Homeowners and Lot Owners

I have attached a document that asks a question. What form of arsenic treatment would you prefer?

The HOA intends to present the results of the survey to Washington DOH officials. It is important that you responde in a timely fashion. Hard copy of the survey has been mailed to those not on our Email list.

Thanks for your consideration.

David Johnson
Water Committee

Feb 18

Dear CCE HOA Member,

On February 16, 2011 the Washington State Department of Health (DOH) petitioned and was granted an emergency receivership for the CCE water system by the Cowlitz County Court. Beacon Hill Water and Sewer District is the temporary receiver of the water system. Beacon Hill has changed the locks on the well houses and posted signs on the well house doors advising they are managing the water system and for no trespass.

The DOH has taken these actions based on the long history of mismanagement of the CCE water system by Mr. Dan Class. Recently chlorination systems were installed in the upper and middle well houses to disinfect the water. Testing was conducted by the DOH last week which revealed the chlorination systems were not being maintained correctly and there was zero chlorine at multiple test sites on the system. In addition residents were advised by the PUD that the power to the wells supporting the CCE water system was going to be turned off on March 1, 2011 due to lack of payment. This is the second notice of power shutoff by the PUD within three months. These issues combined with the long history of similar issues with the overall safe management of the system are why the DOH moved for the emergency receivership and why the Cowlitz County judge agreed.

The receivership is a "temporary receivership" at this time. On February 28, 2011 there will be a hearing at the Cowlitz County Courthouse at which time Mr. Dan Class will be able to present to the court his case as to why the system should not be taken away from him through receivership. The DOH along with their legal counsel from the State Attorney General's Office will attend this meeting and present the history and justification for the receivership actions. We are confident the DOH will prevail at this hearing.

The CCE HOA Board of Directors will be sending out the information regarding the February 28, 2011 receivership hearing once we know the details. We would encourage everyone who can to attend this hearing in person to do so in support of the DOH's receivership action. We are not sure if there will be a call-in number available for remote participation or if we will be able to support the hearing through proxy. We will advise you once we know.

We have cleared up one very important question which was discussed at the last

homeowner meeting regarding our water system status and issues at Paul and Loretta Unrein's home a couple months ago. There was a concern that Mr. Class would be able to petition the court to get the CCE water system back in one year if it was taken away from him through receivership. After discussing this concern with the DOH they provided us with a copy of RCW 43.70.195 which states "(7) The court shall not terminate the receivership, and order the return of the system to the owners, unless the department of health approves of such an action." The DOH has affirmed to the Board that based on the long history of mismanagement of the CCE water system by Mr. Class, they would never approve his management or ownership of the system again.

Beacon Hill Water and Sewer District has been around since 1974. They are a well-managed company with an excellent record. We have met with their General Manager and we have agreed that they will not be doing any immediate major upgrades (i.e. the arsenic mitigation systems, etc.). They will be overseeing the system so that when we have a problem we have someone to call. They will be doing minor work to ensure the system is reliable and safe like insulating pipes and equipment to keep it from freezing, etc. They will be maintaining the chlorination systems to insure our water is safe. We have attached a letter to all Columbia Crest Estates residents from Beacon Hill Water and Sewer District welcoming us to their service and providing us with emergency contact information. Click here to see their letter: Beacon Hill Water and Sewer District letter

Please click reply to this email if you have any questions you would like to ask the Board or Water Committee. We will respond as soon as possible.

Regards,

The CCE HOA Board of Directors & Water Committee

Dear Bonnie,

This is just a follow up to today's phone conversation regarding my 03/21/11 emailed request for information.

The first item I requested was the findings report supplied by Beacon Hill upon receivership. If I understand correctly, you explained that there is no report to forward since one was not submitted. A report was not required since the system had just passed the inspection by Jozef _____on 1/11/11. The system is fine.

Also, it is the State's intention to not require follow through on the arsenic treatment until the system has entered permanent receivership in one year from now. This one year is allowed since the arsenic levels are not a threat to health and the water user's understand and agree with this.

And, that the Do Not Drink the Water order due to high arsenic levels has been dropped, even though the arsenic levels and the rules have not changed.

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From: Bezovics, Jozsef (DOH) <Jozsef.Bezovics@DOH.WA.GOV>
To: Dan Class <classdan@aol.com>
Cc: Waybright, Bonnie (DOH) <Bonnie.Waybright@DOH.WA.GOV>; Halvorson, Clark R (DOH) <Clark.Halvorson@DOH.WA.GOV>; Walker, Teresa (DOH) <Teresa.Walker@DOH.WA.GOV>; Kantz, Gael (DOH) <Gael.Kantz@doh.wa.gov>; Smith, Jesse <SmithJ@co.cowlitz.wa.us>
Subject: Columbia Crest, ID #07200,Cowlitz County, Follow-up Site Visit on Special Purpose Investigation
Date: Tue, Jan 11, 2011 8:46 am
Attachments: 1_Chlorination_Report_Form.pdf (126K)

Hi Dan,

This email is a follow-up on your telephone message requesting the acknowledgement of correction of deficiencies listed in our July 20, 2010 letter. That letter was sent to you in follow-up to the special purpose investigation (SPI) survey done on July 7, 2010.

On January 4, 2011, Gael Kantz and I did a site visit with you and C.J. Bruno of Aqua Tech to verify the correction of the deficiencies.

Most of the items were completed except the following. Please correct the remaining deficiencies and send verification of completion by **February 15, 2011**.

- **Item 1b** - Temporary chlorination has been installed and is operational but we have not received the appropriate documentation to gain final approval of the chlorination system. **Submit the engineering report to our office with "as built" drawings for this approval. This report must be prepared and stamped by a professional engineer registered in Washington State.**

- **Item 2b – Seal the openings at the tank vents and cable penetrations in the upper pump house (total of four locations).**

- **Item 4o – Repair the lower pump house reservoir vent to fit securely to the reservoir top.**

New items identified during this visit:

- **Reinstall the overflow screen which came off of the lower pump house reservoir since last site visit.**

- **Check lower pump house reservoir vent screen to make sure it is in place.**

I attached a chlorination report. Please record free chlorine residuals daily and submit the form to our office monthly.

<<1_Chlorination Report Form.pdf>>

Jozsef Bezovics, PE

Washington State Department of Health

Office of Drinking Water

Southwest Drinking Water Regional Operations

PO Box 47823

Olympia, Washington 98504-7823

Physical Address:

243 Israel Road Southeast

Tumwater, WA 98501

Phone: 360-236-3034

email address: jozsef.bezovics@doh.wa.gov

Website: www.doh.wa.gov/ehp/dw/

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May 2005
DOH PUB. #331-299

Receivership

The state Department of Health (DOH) and local health jurisdictions share responsibility for enforcing state drinking water regulations to ensure safe, reliable drinking water. DOH tracks water system sample results, conducts technical investigations, and takes action as needed to ensure compliance.

When a water system fails to provide safe and reliable water, DOH uses a variety of tools to bring it back into compliance. These include informal actions – such as phone calls, letters, site visits and technical assistance – and formal enforcement actions such as issuing orders and penalties.

In most cases, by the time formal enforcement action occurs, the water system has exhausted all reasonable justification for not meeting DOH requirements. As a last resort, if the system fails to respond, the court may appoint a receiver to operate the water system.

What is a receiver?

A receiver is an entity appointed by the court to manage a water system. Generally, the court intends receivership to be temporary until a permanent solution for the water system is found.

How long is the receiver in control of the water system?

The length of time varies. However, DOH must present a disposition plan to the court within 12 months after the receiver is appointed.

What do potential receivers need to know?

DOH can recommend an entity to the court for appointment as a receiver. They must know how to manage a water system operation effectively. This includes, but is not limited to the ability to:

- Comply with applicable drinking water regulations.
- Evaluate the system to determine needed improvements.
- Coordinate repairs, capital improvements and water quality testing.
- Communicate with customers.
- Work with the Utilities and Transportation Commission (UTC) for rate increases, if the UTC regulates the system.

How does the receivership process get started?

In most cases, systems placed in receivership have a history of problems. The process starts when DOH and the Office of the Attorney General (AG) determine the water system is a candidate for receivership. Next, DOH schedules a meeting to discuss the issue with the system's customers, and the AG prepares a petition laying out steps DOH wants to take, including the name of a recommended receiver. The AG will file the petition with the superior court in the county where the water system is located.

How long does it take the court to appoint a receiver?

If it's not an emergency, the court usually appoints a receiver within one month after the AG files the petition. If it is an emergency, the court may set a hearing within three days to appoint a temporary receiver. The court will schedule a full hearing within 14 days of the temporary appointment.

What powers does a receiver have?

The court can grant broad powers needed to operate the water system, including, but not limited to:

- Operating and maintaining the system in compliance with drinking water requirements.
- Making needed improvements.
- Imposing reasonable assessments on water system customers.
- Setting up an account for receipt of all fees for water service charged to customers.
- Receiving reasonable compensation for the cost of services, improvements and system operations.

Does anyone check to ensure assessments imposed on customers are fair?

The court grants broad powers to the receiver, including reasonable assessments on customers. The receiver is expected to account for all expenditures and be able to justify them to the court. The court can ask DOH or another knowledgeable entity to review and ensure the assessment is reasonable.

What happens if there are no qualified or willing receivers available?

The court appoints the county in which the water system is located as the receiver. The county must then designate a county agency or contractor to run the water system.

How does the court determine the final disposition of the water system?

The court bases its decision on a disposition plan, which DOH develops in conjunction with the county and the local health jurisdiction. The disposition plan includes the receiver's recommendations for future operation of the water system and all reasonable and feasible alternatives. The court may order the parties to implement one or a combination of the alternatives.

Can the court return the system to its original owner(s)?

Yes, but only with DOH's approval. If DOH approves the return, the court may impose reasonable conditions for operation. These conditions may include, but are not limited to:

- Posting a bond or other security.
- Submitting to routine performance and financial audits.
- Employing or contracting a certified water system operator.
- Complying with financial viability requirements.
- Taking other measures needed to ensure on-going operations.

Where can I get more information?

If you wish to be considered as a receiver, or you want more information, call John Aden at the state Department of Health (360) 236-3157 or e-mail john.aden@doh.wa.gov

PUBLIC HEALTH
ALWAYS WORKING FOR A SAFER AND
HEALTHIER WASHINGTON