

BROWN'S SUPPLY, INC.

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2/10/09

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Rec'd	FEB 23 2009
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February 16, 2009

Cindi Mitton
1440 Civic Drive,
Suite 200
Victorville, Ca 92392

RE : KEOUGH'S HOT SPRINGS, BISHOP

As per your request for further data in the temperatures of the out flow and "Hot Ditch" we have enclosed a chart with the readings we have taken thus far. And have attached a operating schedule as well. Since our last communication we have made little change to our operation other than lowering the nozzles used in the winter time to 100 opposed to 108 in previous times. This has retained nearly the same volume used by the pool as with the unused volume. We have added the additional point of temperature reading as per your request and have added it to the attached chart. With the degradation of the pipes that the outflow and source water flow from we are not at this time able to get an accurate gpm reading from each side but the ratio is as it seem is 1.5(source) to 1(out flow) with the total flow reading being at about an average of 600 gpm. We would like to point out that we have included temperatures when there is no water flowing into the pool were as all of the hot water is diverted to the "Ditch." In reference to these readings we would like to acknowledge that the temperature differences at the property line are falling under the Basin Plan most of the time. We would like to further monitor the temperatures through the summer months to get more of an idea of how the ambient temperatures effect the water temperatures.

In regards to the grandfathering of Keough's Hot Springs Resort into the basin plan we would again like to address this predicament. In the last letter from your office you stated that since the Basin Plan did not contain specific language for this action that it did not seem feasible. But other amendments for other issues have been made to the Plan in the past and so wouldn't it be possible to make such an amendment for ours, and other hot springs in California operating since long before this Plan was adopted? If this action also does not seem to be adaptable we wonder what other concessions may be able to be made for this and other businesses so that we can continue to operate in a reasonable manner. We together need to find some resolution to this part of this problem so that we can move forward. We would like to suggest that if grandfathering is not an option is there a possibility to have some variance with the 5 degree goal set before us?

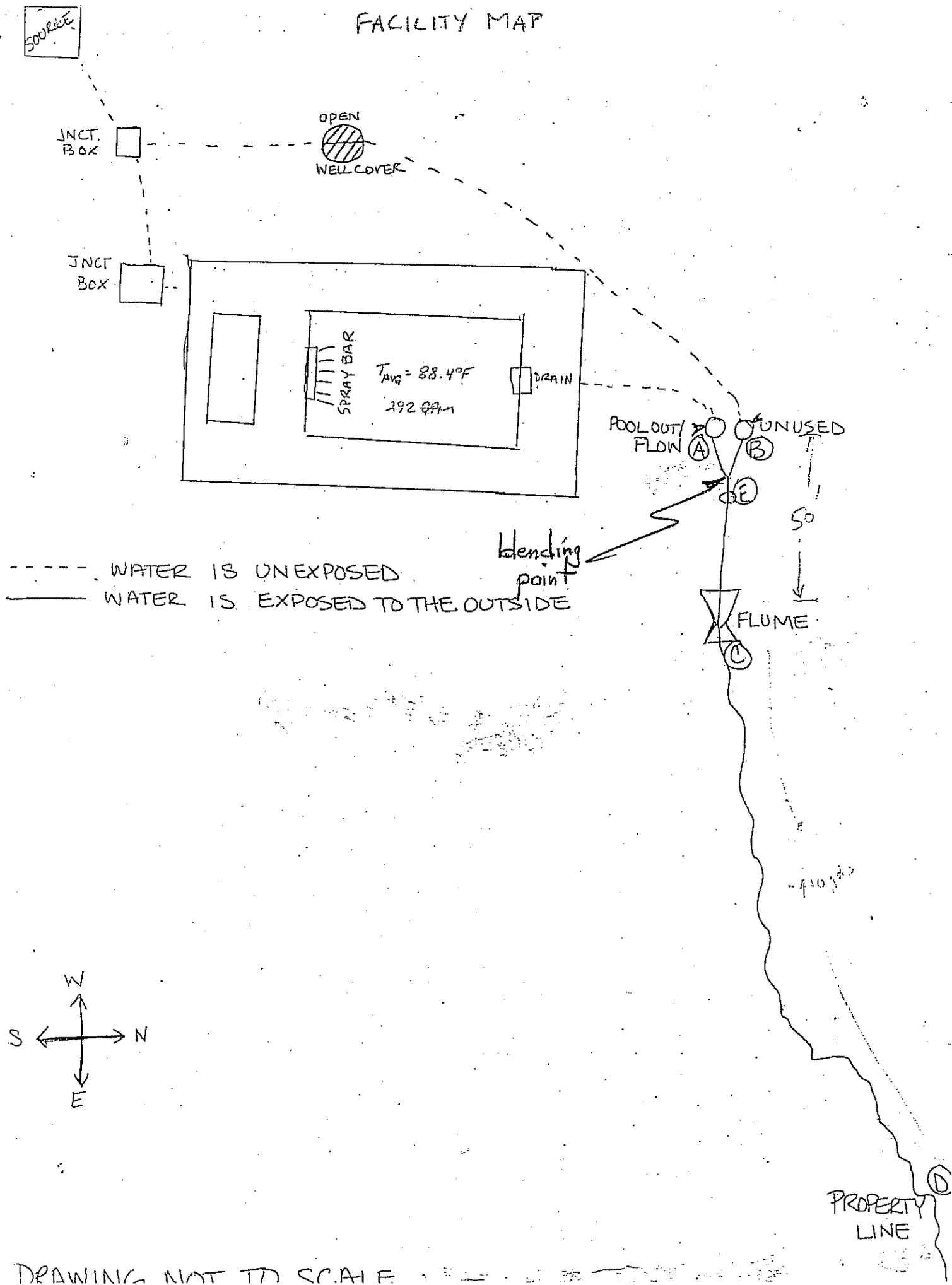
We hope that this report is satisfactory to your needs and helps us to further resolve this issue. Thank you for all input that you have had and any help that you have given in this matter.

Sincerely,



Gail Slee
Secretary

FACILITY MAP



DRAWING NOT TO SCALE

OPERATION SCHEDULE

- SPRAY BAR IS ALWAYS ON DURING OPERATING HOURS. THOSE HOURS ARE AS FOLLOWS

REGULAR HOURS

11-7 DAILY CLOSED TUESDAYS

SUMMER HOURS

EARLY JUNE THRU LATE AUGUST

MON-THURS 9-8

FRI & SAT 9-9

SUNDAYS 9-7

- THE POOL IS CLEANED ON TUESDAY MORNINGS DURING THE REGULAR SEASON DRAINING STARTS BETWEEN 5-7AM AND LAST ABOUT 2 HOURS FILLING BEGINS AS EARLY AS 8AM AT TIMES BUT IF REPAIRS ARE BEING MADE TO THE POOL FILLING COULD START AS LATE AS 5PM. DURING FILLING BOTH PUMPS ARE USED AND THE FLOW TO HOT DICH IS LOWER UNTIL THE POOL IS FILLED. FILLING THE POOL LAST ABOUT 5-6 HOURS. THE SPRAY BAR IS TURNED OFF AT ABOUT 7PM UNLESS FILLING BEGINS LATE.
- THE POOL IS CLEANED ON MONDAY NIGHT DURING SUMMER HOURS. DRAINING BEGINS AT 8PM AND FILLING BEGINS BETWEEN 10PM-12AM
- THE SPRAYBAR IS TURNED OFF AT THE END OF OPERATION HOURS EACH DAY. UNLESS UNFORSEEN CIRCUMSTANCES CAUSE US TO RUN THE SPRAY BAR LONGER OR OVERNIGHT (THIS IS RARE OCCASIONS)
- THE SPRAY BAR IS TURNED BACK ON BETWEEN 12AM-2AM EACH NIGHT TO ACHIEVE A FULL TURN OVER OF WATER BEFORE OPENING OF THE POOLS TO THE PUBLIC. THIS IS AS PER THE REGULATION OF THE COUNTY HEALTH SERVICES.

These are the best operating hours that we can give. There are times that the spray bar is or is not on that varies from these times given due to uncontrollable circumstances.