

Friday
January 18, 2002



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Page A8

Hot springs shut down

■ **Pah Tempe water flow low due to excavation work on nearby Virgin River**

By **PATRICE ST. GERMAIN**
patrices@thespectrum.com

HURRICANE — The Pah Tempe Mineral Hot Springs Resort was closed Thursday morning until further notice because of extensive damage caused to the mineral hot springs by the Washington County Water Conservancy District, owner Ken Anderson said.

Anderson said he closed the hot springs Thursday morning because the water flow was low due to excavation work the conservancy district is doing on the Virgin River near his

resort. The grottos where the hot springs pool, allowing bathers to soak in the hot mineral water, didn't have enough water flow to keep the resort open. The hot water is also used to heat the rooms and buildings at the resort through heat exchangers.

For Anderson, this has been an eight-year battle with the water district, which he says has damaged water flow to the grottos numerous times over the years. Water district officials maintain that they have done nothing to affect the long-term operation of the springs.

Washington County Water Conservancy District manager Ron Thompson was out of town on Thursday and was unaware of the closure of the hot springs by Anderson, but he said Anderson would be compensated for his business losses.

"We have put \$10,000 aside to pay for interruption to Anderson's business, and if there is more damage, we will take care of it," Thompson said. "But the pipeline is critical to Washington County."

The cause of the problem is a pipeline used by the water district to divert water from the Virgin River, for which the district owns the water rights.

Since the pipeline was installed in 1984, the water,

corrosive with the mineral content in that portion of the Virgin River, has ruptured the pipeline three times — in July of 2000, May of 2001 and December of 2001. The current project is to remove the pipeline from the Virgin River and install a 72-inch above-ground pipeline.

The proposed overhead water line at the southern-most edge and east side of the LaVerkin city limits has prompted Mayor Tom Stocks to write a letter of complaint about the proposed pipeline. The line will run in and over the Virgin River along the east of the highway and in front of a historic bridge, so designated in the National Register of Historic Places. Stocks' letter



Nick Adams / The Spectrum

The Grottos at Pah Tempe Hot Springs are shown in this Jan. 9 photo. Owner Ken Anderson closed the area Thursday, citing lack of water flow due to excavation work nearby.

points out that the city has a vital interest in the protection of the present and future aesthetic value of the Virgin River Canyon.

Anderson said where the pipeline crosses the bridge is the site of a rock chute where

boulders weighing several tons have fallen from the mesa top. It is also the section where the Hurricane Fault runs, Anderson said.

• See PAH TEMPE on A3

PAH TEMPE

• Continued from A1

Thursday morning, Anderson filed an affidavit in District Court asking for a motion to stay order for immediate occupancy.

"Basically, we are asking the judge to shut the conservancy district's work down," he said.

Anderson said the big problem with the project is that no one is overseeing the project, nor was proper engineering for the project completed.

Anderson said a court hearing on the matter has been set for Jan. 24 with Judge Rand Beacham. But Anderson said his lawyer was hoping the date could be moved up.

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Pipeline Problems Close Hot Springs, Again

Saturday, January 19,
2002

BY BRENT ISRAELSEN
THE SALT LAKE TRIBUNE



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ARTICLE

A popular hot springs resort in southwestern Utah is out of business indefinitely after crews working on a 66-inch-diameter water pipeline damaged the geothermal source — again.

Construction workers for the Washington County Water Conservancy District on Thursday struck an impervious layer of rock that encloses a geothermal reservoir from which Pah Tempe Mineral Hot Springs in Hurricane draws its water.

The hot water now bubbles to the surface of the river, shutting off geothermal pressure to Pah Tempe.

Resort owner Ken Anderson said he will lose about \$1,000 a day in business as a result of the loss of hot water flows.

It is just the latest chapter in an ongoing 10-year-old legal battle Anderson has been waging with the water district over the problematic pipeline.

"This [is] a very serious and damaging abuse of power. I'm being bullied here," said Anderson.

Water district General Manager Ron Thompson was out of town Friday and could not be reached for comment.

But some nearby residents, who have remained neutral in the Anderson-Thompson battle, are wearying of the district's heavy-handed tactics.

"I'm real upset by the reckless abandon with which they've conducted this operation. Ron Thompson has just walked all over Anderson," said Washington businessman Paul Reynolds, who often takes his family to Pah Tempe to swim.

The water district's pipeline, built in the late 1980s, runs from a diversion in the Virgin River east of La Verkin to the Quail Creek Reservoir 10 miles west.

Just upstream from Pah Tempe resort, which is located between the reservoir and the diversion, the pipeline crosses beneath the river. The pipeline has ruptured repeatedly over the years, requiring the water district to move heavy equipment into the riverbed to repair it.

On several occasions, the repairs damaged the geothermal source for Pah Tempe, which filed a lawsuit against the district in 1992.

The district countersued, claiming Anderson's improvements to his resort property threaten its pipeline. The district also contends the hot springs are a source of pollution in the river, which is tapped for agricultural and culinary uses, and Thompson has sought to condemn Anderson's property.

In July 2000, a pipeline break reduced Pah Tempe's hot water flows and forced a three-day closure of the pipeline at the height of irrigation season. That incident prompted the water district to decide to suspend the pipeline above the river.

Just as the district was set to begin construction last fall, the pipeline ruptured above Pah Tempe on Nov. 20, washing a large amount of sand, sediment and one of Anderson's sheds into the river.

About the same time, the U.S. Army Corps of Engineers, which enforces certain aspects of the federal Clean Water Act, sent a letter to Thompson informing him the existing pipeline was out of compliance with its clean-water permit because it crossed beneath the river six times — four more than the permit allows.

The Army Corps of Engineers also told Thompson that if the district

<http://sltribune.com/2002/jan/01192002/utah/168828.htm>

1/21/02

The Salt Lake Tribune -- Pipeline Problems Close Hot Springs, Again

Page 2 of 2

discharged any material into the river, it would have to obtain proper permits.

To date, the water district has obtained no regulatory permits for its pipeline realignment project.

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Pipeline fight continues



Nick Adams / The Spectrum

A worker jack-hammers the top of a concrete piling along the Virgin River near Pah Tempe in this Jan. 9 photo. The concrete pilings support the Washington County Water Conservancy District's new above-

ground pipe where it crosses the river next to the historic old Hurricane-LaVerkin bridge. The pipe is being moved above ground because the underground crossing near the hot springs failed twice.

Hot springs owner, Conservancy District at odds over water levels

By **PATRICE ST. GERMAIN**

patrices@thespectrum.com

HURRICANE — The Pah Tempe Hot Springs Resort is still closed due to the lack of water flow, owner Ken Anderson said.

Anderson shut his resort down last month after work by the Washington County Water Conservancy District

reduced the water flow and lowered the water level in the grottos by at least 12 inches.

In November, the district filed an order for immediate occupancy in court while Anderson made a motion for an evidentiary hearing, which was denied. The district was granted the order for immediate occupancy by 5th District Court Judge G. Rand Beacham.

Coming Friday

■ Learn more about the major points of disagreement between the Pah Tempe operator and the Washington County Water Conservancy District.

■ Find out the history of the water district and how it is set up to serve the residents of Washington County.

Anderson filed a motion to stay order for immediate occupancy in January, asking that work on the pipeline be

discontinued.

In the affidavit filed with the Fifth District Court, Anderson said the water district's contractor discharged fill material and dislodged debris into the Virgin River, poured concrete in bore holes without first installing caissons and, through construction, caused the water level to drop in the grottos.

In Beacham's findings of fact and conclusions of law in support of the order for immediate occupancy in

• See **PAH TEMPE** on A3

PAH TEMPE

• Continued from A1

November, he stated that the district manager and district engineer said early occupancy, is necessary for several reasons including "to properly schedule the use of a caisson driller to provide caisson for the overhead line."

Anderson is still waiting for a decision on the stay order filed last week.

The legal battle between the water district and Anderson regarding the hot springs and the surrounding property has been ongoing since 1992. Anderson operates the resort, although ownership is shared. Anderson owns a one-third fee interest in the resort property. The other two-thirds interest is owned by the water district, including all the water rights.

Anderson, who grew up near Thermopolis, Wyo., where the entire town is built around a very large mineral hot spring, visited the LaVerkin hot springs in 1984. After spending several days at the springs, he made an offer to the owner and purchased the resort in 1985.

"When I purchased the property in 1985, I had half interest in the overriding lease with Mike Applebee," Anderson said. "I bought out Mike and Sally Smith who had one-third of the title fee in 1987."

Anderson said he purchased one-third of the title fee from Mike and Sally Smith in 1987, and he was negotiating with Jessie Smith, who owned the other two-thirds, when the district purchased the remaining fee from Smith for \$255,000 — well over the appraised value of \$60,000.

"The district purchased the two-

thirds fee interest around 1995," Anderson said. "They went and purchased it for four times the appraised value, and when I asked Ron Thompson why he bought it, he said it was to get leverage against me. Back in 1984 when the district put in the pipeline, they only owned the easements and the water rights."

Barbara Hjelle, counselor and environmental coordinator for the water district, said the two-thirds interest was purchased from several individuals who jointly owned the interest and said the district purchased the property because it had an interest in it.

"From what I understand, the district owns other property in the canyon as well as the Pah Tempe property," Hjelle said. "There are many factual and legal issues that would factor into the appraised value. I'm sure the district paid what they thought was a reasonable price for the property with all the relevant facts figured in."

Anderson said the district damaged the hot springs when it began installing the pipeline measuring from 66 to 78 inches in diameter in 1984 by dynamiting trenches in the bottom of the Virgin River. The blasting resulted in cracks in the limestone bedrock, rupturing the springs so that the natural artesian outflow ceased to flow from the grottos. After the district back-filled clay and dirt on the pipeline, it sealed the breaks that were created. An earthquake on Sept. 2, 1992, ruptured areas in the pipeline trench that had been "repaired," again resulting in the loss of water flow in the grottos.

Anderson said the district claimed the earthquake caused the damage to the springs and because earthquakes are "acts of God," were under no

obligation to fix the damage.

"The earthquake showed that the water district never properly repaired the problem when the pipeline was installed," Anderson said. "I lost all of the water out of the grottos and it came up in huge quantity along pipeline that they covered with clay and dirt. I was shut down from September '92 until late November 1995."

Anderson said attempts to get water into the grottos was unsuccessful until repairs were made to the pipeline in 1995, when the Virgin River began to undercut the pipeline.

Ron Thompson, district manager for the water conservancy district, said the pipeline was constructed above the hot springs to avoid the water that pollutes the Virgin River and for gravity flow.

"We had to have the elevation and the gravity flow," Thompson said. "Plus we wanted the high quality water. The water below the springs is so polluted, it is unusable for culinary uses."

The high mineral content in the water has caused, over years, four breaks in the pipeline. Corrosive minerals eat away at the pipe, causing ruptures to occur. Anderson claims each time a break has occurred, business at the hot springs dropped as the water flows at the grotto areas were reduced.

Anderson said that over the years, not only has the flow of water to the hot spring grotto been decreased because of work done by the conservancy district, but the temperature has dropped as well. Anderson said the flows were easily 5,000 gallons per minute when he first purchased the property. Currently, Anderson said the flow is only 90 gallons per minute.

The water district is working on

a project install an overhead pipeline to carry the water from the Virgin River to the LaVerkin and Hurricane bench companies and Quail Creek Reservoir.

The overhead pipe will not only be visible, but will be built alongside a 1908 Pony Truss Bridge that is designated in the National Register of Historic Places. The district is still examining if the current 1,600 foot long pipeline will remain where it is or if it needs to be removed.

"We have engineering looking at what we should do and what would be the least degrading," Thompson said. "We may backfill sections in the river, but right now, we still are looking at the options"

Thompson said the pipe will be behind the bridge but will be visible.

"It's a fine line what can and can not be destroyed for the good of the public," Thompson said. "Putting the pipeline there is the best place, and I guess it's a person's own view on what is offensive. But we don't have any choice. We've got to have that pipeline"

Anderson contends that the water district violated 404 permits when the pipeline was originally put in. Thompson however, said he doesn't believe there were any violations on the permits that are now almost 20 years old.

But Anderson said the district is, with the current project, cutting corners and not doing the work as it was supposed to be done. His major points of contention with the water district is that they violated the law, have not repaired the damage they caused, and take no responsibility for what they have done.

"They are above the law," Anderson said of the water district. "They have the power and the infinite amount of money to do it."

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my nephews, but I'll have to test them out), stuffed animals and magical flashing Olympic torches. I saw bobble-head hockey players and Olympic dish sets for kids. I hope my niece enjoys the bunny rabbit on figure skates I got her. She's almost 3 months old and probably would like something soft to smuggle with at night.

After spending another 20 minutes throwing things into the basket after cringing at the price tags (the Salt Lake Olympic logo seems to be worth at least \$20), I was ready to stand in another line to pay for everything.

Then it was back outside in the cold. But a warm feeling came over me as I was leaving. It probably had to do with seeing the people in line — which had doubled since I was there earlier — and knowing I was done, at least for the day.

I expect a few more requests, but that's OK. I'd do the same if someone else was here and I wasn't. It's the price you pay for coming to such a huge event.

I raised a few eyebrows setting my three plastic bags down on the X-ray belt as I returned to the Main Media Center.

"Doing a little shopping?" asked the huge man in camouflage as I took all



SALT LAKE 2002



Olympics Update

Two days after writing a column that said Salt Lake City had "royally screwed up" the Olympics, Denver Post columnist Woody Paige publicly apologized to the state of Utah.

"Happy Valentine's Day, Utahans. I love you. I'm sorry I hurt you," Paige wrote in Thursday's paper. "I was wrong to write what I did."

Inside Today

- NBC coverage of Games is far from complete. / **A7**
- Figure skating's controversy continues, and meet the U.S. men's hockey team. / **B4**
- Downtown merchants say Games are hurting, not helping business. / **B8**

the metal objects out of my pockets and placed them in a small container to keep the metal detector from buzzing.

"Yep," I answered.

"Did you get any of those U.S.A. berets that the athletes are wearing?"

Juan Antonio Olivera, 19, St. George, is charged with aggravated murder, a capital offense, and aggravated robbery, a first-degree felony. If

extended. The charges are a statement from Audette and a statement from Lanza.

Audette's arraignment will be March 6.

2/15/02

Pah Tempe dispute is not a new problem

By **PATRICE ST. GERMAIN**

patrices@thespectrum.com

HURRICANE — The Washington County Water Conservancy District and Pah Tempe Hot Springs owner Ken Anderson have been at odds for many years on the property the two jointly own in the canyon where the Virgin River meanders to points further south.

Not only are the two at opposite ends legally, but Ron Thompson, water district manager, and Anderson can't agree on the water itself. Thompson calls the hot spring water a pollutant, while Anderson looks at the water as an irreplaceable resource. The two not only share property, but also water rights.

The property involved lies in a canyon that spans Hurricane, LaVerkin and Washington County land near the Hurricane Fault, where hot springs have bubbled up from the Virgin River for as long as anyone can remember.

Thompson said there has been an interest throughout the history of settlement in the area in eliminating contaminants from the hot springs and said the water has been referred to as "poison water"

INSIDE

■ What is the Washington County Water Conservancy District? / **Page A7**

by some early settlers.

"No matter how you cut it, the water from the springs pollutes the river," Thompson said. "The springs are the largest contributor of mineral content to the water. It is the primary source of mineral content to the Virgin River and, on a secondary basis, the Colorado River."

Anderson, on the other hand, refers to the Sulfur Spring located on the Virgin River as "an unusually unique and irreplaceable natural resource."

In the brochure on the Pah Tempe Mineral Hot Springs, it says "healing waters of Pah Tempe" are a priceless natural resource that have been sacred to American Indians for centuries. The history of the springs, sacred to the Paiute and other Indian tribes in the area, later soothed men working on the Hurricane and LaVerkin canals. Pah Tempe is

• See **PAH TEMPE** on **A3**

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terns that would drive the company under.

In contrast to lawmakers' sharp, often skeptical comments during other Enron executives' appearances,

Watkins said that when she brought her concerns to Lay, calling Enron a "crooked company" during a half-hour meeting in August, "he winced" and promised to look into

of events clashed with those of former Enron chief executive Jeffrey Skilling, who testified to lawmakers last week that he knew of nothing improper going on.

the parade profits. SUTBA uses portions of their budget to fund affordable housing projects and other charitable work, such as the construction of the Doctor's Free Clinic.

PAH TEMPE

• Continued from A1

the name ancient Ute Indians gave the sulfur springs, which means "water from the rock." Later, the hot springs became the LaVerkin Sanatorium and Resort Company and passed through the hands of many until Anderson purchased the property.

The source of the hot springs is actually found downstream from the Pah Tempe grottos or caves. The water comes from the Hurricane Fault and travels underground, upstream to the grottos.

When the water district installed the pipeline in 1984, it damaged the sulfur springs by blasting trenches in the bottom of the river. During the construction phase, the grottos, which hold the hot water for soaking, dried up. Once the district finished in early 1985, the springs, to a

large extent, returned to its natural flow.

Anderson claims the 1992 earthquake again stopped the flow of the springs because of faulty installation of the pipeline and, since the pipeline has been installed, the pipe has broken four times. A new overhead pipeline is in the process of being installed and is expected to be operational within one to two months.

The conservancy district and Anderson have several points of contention between them, which are presented in two historic summaries. The water district has documents to verify its points. Main points are as follows:

■ Anderson states the first human-related change to the springs came in 1984 when the district ruptured the springs by blasting trenches in the bottom of the Virgin River.

The district maintains that early water rights documentation shows that significant structural alterations

were required to divert water to the area now being used by Anderson. WUC 81-48 with a priority of 1914 was diverted by a wooden and concrete flume over a distance of 469 feet to a concrete pool. They blasted out a hole in the mountainside then cemented the bottom and face made the pools.

■ Anderson says the Sulphur Spring located on the Virgin River had artesian flow of 12,000 gallons per minute of 107 degree Fahrenheit for thousands of years.

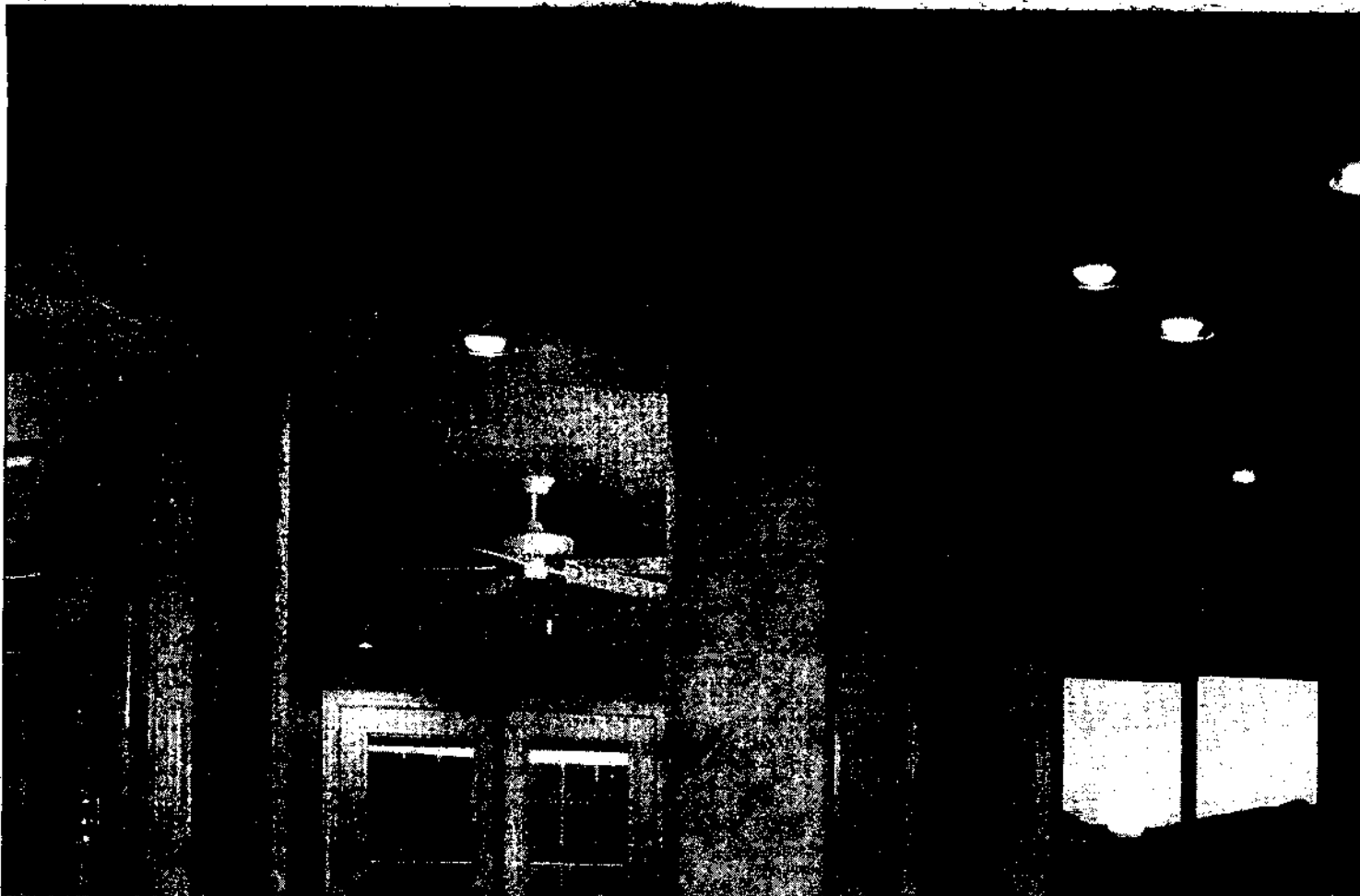
The district said a feasibility report by the Bureau of Reclamation dated July 1973 states that the total flow of the springs in 1972 was approximately 5,200 gpm, and the flow in the grotto area was only about 400 gpm.

■ Anderson said over the last 17 years, he has been adding property to all sides of the original purchase of 100 plus acres with the primary objective to protect the springs. He

also purchased property to develop support areas and facilities, appropriate to "this wonderful natural resource." Anderson has planted more than 3,500 trees surrounding his property.

■ The district said it has spent hundreds of thousands of dollars over the years in efforts to study and protect the native fish of the Virgin River basin and is currently a participant in the Proposed Virgin River Resource Management and Recovery Program. The district said Anderson, on the other hand, has channeled the river, locked out historic access to the river canyon, inadequately managed sewer effluent, planted an excessive number of trees and used exorbitant amounts of water, resulting in sloughing of sideslopes and danger to the pipeline that serves the Quail Creek system.

Moving the pipeline overhead will solve the problem of the corrosive minerals eating away at the



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the parade profits. SUHBA uses portions of their budget to fund affordable housing projects and other charitable work, such as the construction of the Doctor's Free Clinic.

designers.

For the city of St. George, the parade is an opportunity to draw tourists to the area.

"People really look forward to it,"

world, and they come back year after year," Sapp said.

Tickets are on sale now for the parade. For more information, log on to www.paradehome.com.

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Moving the pipeline overhead will solve the problem of the corrosive minerals eating away at the

pipeline, but Thompson said the district would like the springs removed from the Virgin River altogether. There are several ways to remove the springs, including the use of diversion dams. But Thompson said if the spring water is removed from the Virgin River, minimum flow requirements will still need to be maintained either from Quail Creek Reservoir or from the Ash Creek Drainage system.

In the district's purpose and need study, it states treating the water with a high saline content has both a high capital and unit water cost and is not competitive with other project options.

Thompson is frank on the district's opinion of the water and said by removing it from the Virgin River, it would decrease the salinity in the water, making it more useful for irrigation.

"It is our job to provide water for the county, and the need is growing,"

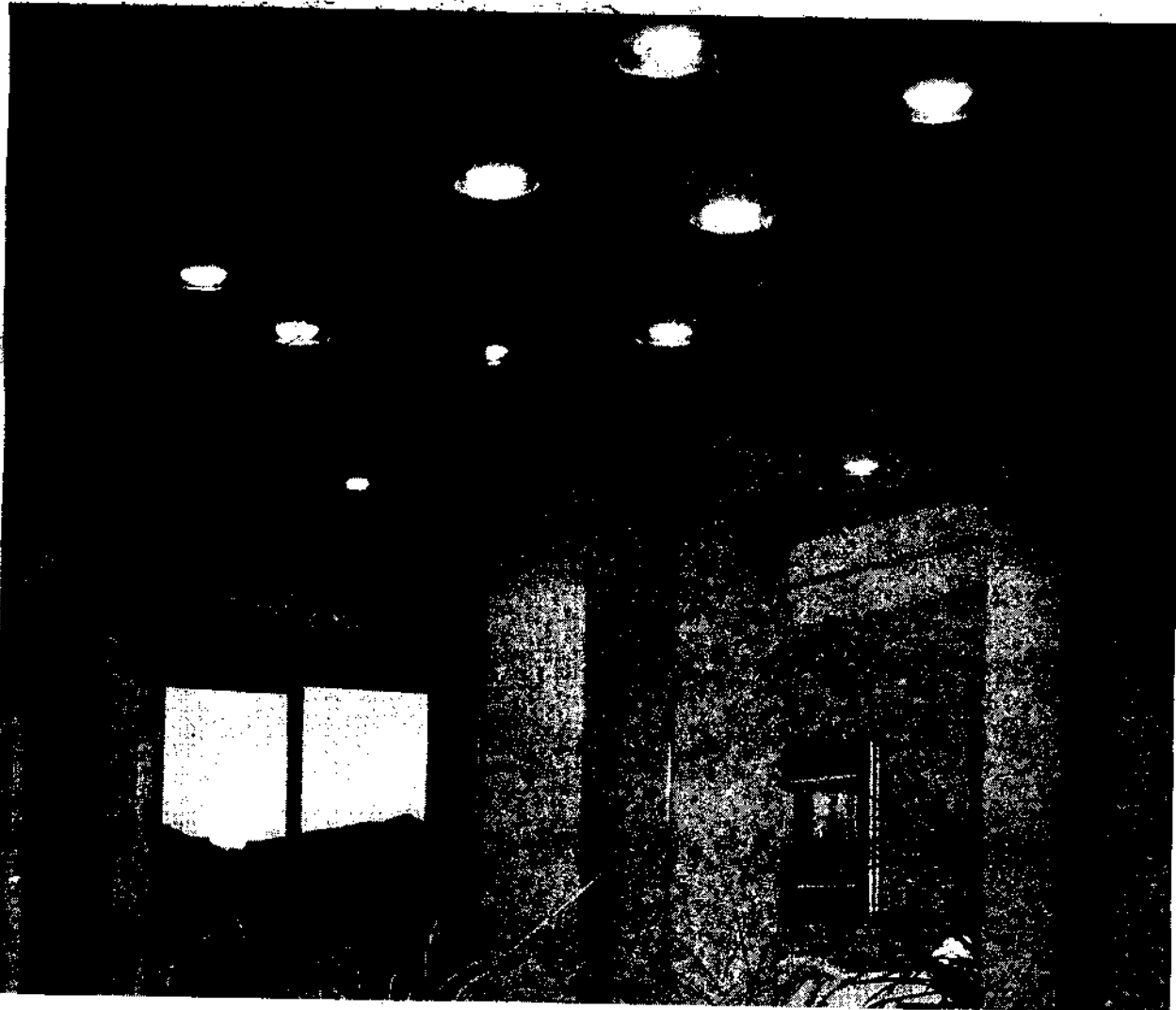
Thompson said.

Anderson said he would be happy if the district simply repaired the damage it caused to the hot springs, bringing the flow levels back to what they used to be.

Because of the condemnation order for immediate occupancy by the court, the water district was required to deposit \$11,666 — the appraised value of the property being taken and the damages associated with the taking to be paid to Anderson.

"The final resolution of those issues can only be made after all of the objective facts have been determined," said Barabara Hjelle, water district counselor.

"The district has no intention of harming those hot springs, and if they are damaged, the district will make good. But the district is not going to transfer the taxpayers dollars to a private business unless there is a good cause."





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
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1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

January 18, 2002

Regulatory Branch (200150388)

Mr. Ron Thompson
Washington County Water
Conservancy District
136 North 100 East, Suite 1
Saint George, Utah 84770

Dear Mr. Thompson:

This concerns your pipeline in the Virgin River near Hurricane, Washington County, Utah and follows up on my letter of November 26, 2001. On January 14, 2002, I visited the project area near Pah Tempe Mineral Hot Springs again. In this letter, I am addressing three main issues namely, the two new overhead pipeline crossings, the existing pipeline break and repair immediately upstream of Pah Tempe, and compliance with Department of the Army permit number 82-187-TM.

At the work-site near the old bridge just downstream of Pah Tempe, I noticed several problems. On the left descending bank, there is a small amount of material (dirt and rock) that is within our jurisdiction. This appears to have resulted from the excavated material being piled riverward of the excavation for the overhead pipeline support structure and the material settling on a natural angle of response. At the toe of this slope, a small amount of material is in adjacent wetlands. This material must be removed for an estimated distance of 4 lateral feet as measured from the toe of slope. This should be accomplished with workers using hand tools, and not motorized vehicles, to minimize damage to wetlands. Successful removal will resolve this issue. Silt fencing and/or effective supervision should be implemented to insure that unauthorized material does not reach the Virgin River and adjacent wetlands in the future. If silt fencing is used, it must be constructed outside of our lateral limits of jurisdiction.

On the opposite (right descending) bank, immediately downstream of the bridge, there is small deposit (probably less one cubic yard) of apparently waste cement/concrete that was placed below the ordinary high water line of the river. This material needs to be removed and properly disposed. I also noticed other apparently waste deposits of cement/concrete on the road on both sides of the river. While these deposits are not within our jurisdiction, some were sufficiently fluid to flow towards the river. These instances reflect poor handling and disposal practices. Better practices and supervision need

immediate implementation to prevent such spills and avoid needless degradation of the river.

At the site of the second overhead crossing work-site, on the right descending side of the river, excavation for the support structure is underway. Ground water is apparently being pumped to an immediately adjacent retention basin. Water leaves the basin via a pipe and flows overland to the river. The water entering the river has a high level of suspended solids and is causing a highly visible plume of turbidity in the river. Retention time in the basin is obviously insufficient. Both the excavation area for the supporting structure and the retention basin are outside of our jurisdiction. However, you may need a permit for the effluent under Section 402 of the Clean Water Act from the Utah Division of Water Quality (UDWQ). We have reported this matter to UDWQ.

On January 15th, Mr. Ken Anderson reported to us that you are placing rock in the river at the second crossing. If so, this must cease and the rock must be removed to an area outside of our jurisdiction.

On the subject of the pipeline break repair on the right descending bank, just upstream of the Pah Tempe "grottos," water was allowed to flow for several weeks, eroding land, and creating a fairly wide and deep trench to the river. Consequently, a considerable amount of material entered the river. We are satisfied that the break was recently repaired but we are interested in knowing why this took so long. Nonetheless, a large pool of water (depth unknown) now inundates the break area. The pool appears to result from intercepting underground mineral hot springs. Do you plan to seal the springs and backfill around the pipeline? Please provide us with your plans. Include your proposed measures for rehabilitating the eroded area with fill, vegetation, etc.

Finally, regarding the permit compliance issue, we contacted the Regulatory Branch of Los Angeles District and they do not have any record other than the individual permit issued on October 4, 1983. Therefore, our permit compliance review as given in our letter dated November 26, 2001 stands. The existing pipeline does not comply with the permit and this must be resolved. Please refer to our previous letter, especially paragraphs 5 and 6. Your plans for the reach of pipeline that will apparently be replaced by the new pipeline are especially important. However, we also need to know your intentions regarding the remaining pipeline sections that are in the Virgin River and do not comply with the approved plans in the permit.

We will expect your response to this letter by January 31, 2002. Thank you for your cooperation. If you have any questions, you may contact me at (435) 986-3979.

Sincerely,

Grady L. McNure
Chief, St. George
Regulatory Office
321 North Mall Drive, Suite L-101
St. George, Utah 84770

Copies Furnished:

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Mr. Ken Anderson, Pah Tempe Mineral Hot Springs, 825 North 800
East, Hurricane, Utah 84737
Mr. Elliott Lips, Great Basin Earth Science, Incorporated 2241
East Bendemere Circle, Salt Lake City, Utah 84109

PAH TEMPE MINERAL HOT SPRINGS

Governor Michael Leavitt
210 State Capitol
Salt Lake City, Utah 84114
801-538-1000, fax: 801-538-1528
e-mail: governor@state.ut.us

January 24, 2002

Dear Governor Leavitt,

Clearly, the eyes of the world are on Utah. What their eyes see and what they (the 1200 + media people from around the globe) write and picture will severely impact this wonderful State, for good or for bad. Here is one example: a very serious, 8 year long standing issue, the destruction of Pah Tempe Hot Springs; a sacred Paiute healing Center located on the Virgin River in Hurricane Utah. At long last, this tragic abuse of public power and waste of public funds is being exposed to the light of objective scrutiny.

The Washington County Water Conservancy District operates as a private, independent, and all powerful fiefdom.

1. The appointed board does not in any sense properly represent the principal water users of Washington County. It is a small clik of "good ol' boys". Only 7 members are "appointed" to what should be an 11-member Board of Directors.
2. The District's Manager is a very smart, cleaver and extremely well connected lawyer. His acts are largely rubber stamped by the 7 Board members.
3. There are no oversight agencies at the Federal, State or local level that have reviewed, monitored and overviewed for compliance the District's plans and projects. These are multi-million dollar projects for major water storage and delivery systems in Washington County. None of these agencies currently oversee the compliance of the actual construction of these projects.

Example: The 404 permit that the District first submitted to the US Army Corps of Engineers in 1983 has been grossly violated by the District. See enclosed copy of the 404 permit and a recent letter from the US Army Corps identifying these violations after the fact! And these violations continue unabated. The examples are multiple but the latest is described in a news report in the January 21, 2002 Salt Lake Tribune. (enclosed)

WORLD FAMOUS HEALING WATERS

Pah Tempe is an ancient Paiute healing center.

Thousands of guests from all over the world enjoy the unique waters and peaceful environment at Pah Tempe. The Springs are near Zion, Grand Canyon, Cedar Breaks and Bryce Canyon National Parks.

My respectful and urgent request to you, Governor Michael Leavitt, is that you take a few moments to review the material that is on your e-mail. Then, if you agree that an in-depth objective study is warranted, you request an immediate cease and desist order through the Utah State Department of Water Quality and/or the US Army Corps of Engineers. A stay in this current \$2,000,000 project will allow the appropriate impartial agencies and individuals to fully analyze the details of this project and recommend, and if necessary, to require modifications that are clearly necessary in the best interests of all concerned.

This is one of many important cases where an ongoing oversight by appropriate authorities of the planning and construction phases must become the norm without exceptions! The Enron deception and collapse, the national and international impact of the failure of huge private as well as public entities properly and honestly to regulate themselves cannot be condoned any longer. These national crimes of distorted records, back room deals, and many illegal acts, are only larger examples of what is also occurring at lower levels (as here in Southern Utah) that are less visible to the American public.

It's vitally important to act responsibly now, rather than let these abuses continue until their damage has been done and everyone suffers. No amount of money can pay for the damage that results from the continuous and gross abuse of power at all levels of the American Society.

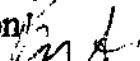
Please review the information on your E-mail and on our web-site. These materials are being widely distributed throughout Utah, other States and worldwide. I hope to hear from you very soon!

Most Cordial Regards,


Ken Anderson

P.S. I am in strong support of your opposition to the far right in the Utah legislature. There is no sense to cutting vital social services that are already wanting. There are other ways of meeting these critical needs with rainy day and other available funds. Please show the world that we are truly a State that cares about life's essentials (education, support for the poor and needy, opportunities for everyone, protection of the environment and safeguarding individual property rights).

We depend on your strong consistent stand and success!

Ken Anderson 

PAH TEMPE MINERAL HOT SPRINGS

Brooks Carter- Chief UT Regulatory Office
US Army Corps of Engineers
533 W. 2600 S. Suite 150
Bountiful, UT 84010
Office- 801-295-8380 ext. 11
Fax- 801-295-8842

2/1/02

Dear Mr. Carter,

Your phone call this morning is so much appreciated. I realize it is most difficult for anyone on the edge of this tragic situation to really understand the frustration and almost hopelessness to see these unique natural resources; the sacred mineral hot springs; the gorgeous Parroos Canyon, the Virgin River and the historic Pony Truss 1908 pioneer bridge, being ruthlessly damaged and destroyed. There is no public necessity for this thoughtless, poorly planned and shoddily executed water project. None of the new 2000 feet of replacement pipeline would now be necessary if the original 1984 pipeline had followed the approved US Army Corps of Engineers 404 permit which the Washington County Water Conservancy District has blatantly violated. (See documented 4 letters from the US Army Corps of Engineers Oct. 31, 2001; Nov. 8, 2001; Nov. 26, 2001 and Jan. 18, 2002.)

As I stressed in our conversation, the urgent need now is to stop the work on the current project through the coordinated actions of the local, State and Federal officials that, together, have the oversight responsibility to coordinate, control and monitor this \$2,000,000+ pipeline replacement project. Frankly, the Water District's mode of operation is always to get no permits, have no objective review of their plans and specifications, construct their "emergency projects" as rapidly as possible (ignoring any damage that may adversely effect any one else) and then ask for forgiveness. If they are not forgiven for these multiple transgressions then they in effect just say, "sue me" and no one has the money or the local political clout to win against the deep pockets of the Water District.

WORLD FAMOUS HEALING WATERS

Pah Tempe is an ancient Paiute healing center.

Thousands of guests from all over the world enjoy the unique waters and peaceful environment at Pah Tempe.

The Springs are near Zion, Grand Canyon, Cedar Breaks and Bryce Canyon National Parks.

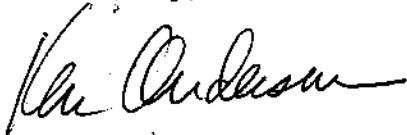
825 North 800 East / Hurricane, Utah 84737, USA / Phone 435.635.2879 / 1.888.726.8367
email: pahtempe@infowest.com / home page: www.infowest.com/pahtempe

The only way to get a fair and reasonable solution is to stop the project in midstream and demand that the rights of others, the care of the environment, and the protection of natural and historical resources be honored. Here are the names of the various local, State and Federal agencies that I have contacted over the past 6 months. A rapid agreement among these officials should certainly halt this "out of control" project of the "autonomous" Washington County Water Conservancy District. The existing 66" pipeline continues to deliver Virgin River water to Quail Lake and to the power plants so that the District's claimed dire emergency is not valid. I have no objection to the replacement pipeline if it is properly located and properly planned and engineered and over seen by objective and responsible government agencies.

Again, I am so grateful for your call and your assurance that you will enforce, to the letter, where your jurisdictions apply to any and all aspects of this project. Also, that you will coordinate as rapidly as possible with the listed local, State and the Federal agencies to put this project on hold and then on a proper track to the benefit of all concerned.

I am very grateful for your urgent help!

Most Sincerely,



Ken Anderson

Attached is a list of names and addresses to contact.



LAVERKIN CITY

DOUGLAS B WILSON
CITY MANAGER

TOM STOCKS
MAYOR

AL SNOW
GARY MCKELL
LANCE GIFFORD
PHIL JENSEN
DAVID WILSON
COUNCIL MEMBERS

Washington County Water Conservancy District
136 North 100 East Suite 1
St George UT 84770

January 23, 2002

To Whom It May Concern:

It has come to the Cities attention that the Conservancy District is planning to install a water line above ground through Pah Tempe Hot Springs. Part of this property is located within the boundaries of LaVerkin City and is zoned commercial property.

Pursuant to the Cities Commercial Ordinance the proposed structure would require a conditional use permit. The only permitted use designated within a commercial zone is "ownership changes of businesses where no other conditions change". I have enclosed a copy of the commercial ordinance for your review.

We respectfully request that the District submit plans and apply for a hearing before the Planning Commission and City Council. Applications are available at the City office.

The Planning Commission meets on the fourth Wednesday of each month at 7:00 PM. The City Council meets on the first and third Wednesday of each month at 7:00 PM. Application and seven sets of plans need to be submitted at least two weeks prior to the meeting.

If there are any questions regarding this matter please call.

Sincerely,

Douglas Wilson
City Manager

Pah Tempe: Another Black Hill debacle

To the editor:

Is there anyone left, like a tourist, who can still look up at the Black Hill and marvel at its natural beauty? Ray Charles perhaps?

For a few pieces of silver, some thoughtless owner stole it from everyone. Shame on you. I hope you get sciatica from your fattened wallet.

Would anyone condone destruction of the dinosaur tracks? Why not? They are privately owned! But they are also a benefit to everyone. They are natural, beautiful, worth looking at, unique to the area, exciting and a tourist draw. But they are worth a lot of money to the owner if sold off piece by piece.

Kudos to the owner for thinking of everyone but himself.

So why does anyone condone the purposeful destruction of the beautiful, healing, unique to the area, exciting, tourist drawing, natural mineral hot springs called Pah Tempe just 20 miles away in Hurricane?

The far-sighted boys at the Washington County Water Conservancy District are digging through the hot springs aquifer again!

For a pipeline? Listen folks. Anybody knows you can run a pipeline around the Hot Springs to avoid destroying them, unless of course the intent really is to destroy them.

These fools are stealing your tourist-drawing, world-famous, spa-quality,

GETTING YOUR OPINION PUBLISHED

We welcome your comments on editorials, columns, other topics in the Spectrum or any subjects important to you.

Only submissions that include name, address and day and evening phone numbers, and that are verified by the Spectrum, can be considered for publication.

Letters to the editor must be 250 or fewer words.

All submissions may be edited for length,

accuracy and clarity. Letters are limited to one published per writer every 14 days.

Send all submissions by e-mail to opinions@thespectrum.com; fax to 674-6265; or mail to 275 E. St. George Blvd, St. George, Utah, 84770.

Letters to the editor, editorial columns, and articles submitted to the Spectrum may be published or distributed in print, electronic or other forms.

healing mineral hot springs and using your money to do it.

Another Black Hill debacle is happening right now! Call the water district at 673-3617. Tell them you are against the Hot Springs destruction and want them restored today!

Call the county commissioners at 634-5700. Tell them they've lost your vote because they allow destruction of tourist drawing natural resources in the county. That should get their attention!

The mentality that brought you the black hill is killing this world-renowned Hot Springs and sending tourists away. It has to stop! If not, everybody will loose! Look up at the black hill and tell me what you see.

Pretty, isn't it?

Just what a tourist, or you for that matter, want to see, right?

*Michael Maness
LaVerkin*

Rate increases hurt all who can't afford

To the editor:

Enclosed is the beautiful good news, staring at me as I opened my delivered copy of The Spectrum, this beautiful Friday morning in St. George. How happy many retired people living on a fixed income, to receive this news.

What concerns me is why is it necessary to raise the rates 40 percent ... all at once?

Who has been on the City Council, watching what was needed over the past? A 40 percent raise is a tremendous amount at a one- or first-time notice.

Either we need new City Council members or some people that understand that in St. George many people cannot afford this large increase with low wages in this town, and many retired people on fixed incomes.

Please City Council members show some lead-

Governor Michael Leavitt
210 State Capitol
SLC, UT. 84114

266-2

Dear Governor Leavitt;

Just last week I routinely went to Pah Tempe Mineral Springs as I have done for over 20 years. I was very sadly disappointed to find Pah Tempe closed. Although I knew that over the years there was an assault on the rights of Pah Tempe over the water I never thought that such disgraceful action would take place.

In 1960 I came to Las Vegas and became a Crap Dealer, since then for over 40 years I have vacationed in your naturally beautiful State of Utah. I have hunted, fished, skied, went boating, enjoyed Zion and all the other pleasurable sights that make the State of Utah an excellent place to relax and enjoy a little of life. In the winter months I frequent Pah Tempe every few weeks, the natural beauty is breath taking and the therapeutic value is beyond words.

During the Korean War I volunteered for military Service and subsequently became Disabled Connected Disabled Veteran. Being disabled I can't tell you how great I feel after a trip to Pah Tempe. Being 100% Disabled I spend a lot of time at the Las Vegas VA Hospital, and I have over the years recommended Pah Tempe to other Veterans some sick, some injured, some wounded, some who have lost limbs and over the years I would run into a Veteran who would say "Remember me, you sent me to Pah Tempe, what a great place that is". I have also sent many of my personal friends there and they all enjoyed the experience.

Governor Leavitt it would be a tragedy to destroy a part of the natural beauty of the State of Utah when there is no reason to do this. The WCWCD and Pah Tempe, in co-operation, all that is needed is to do it the right way. The WCWCD has destroyed Pah Tempe once before, if it had been done right in the first place I would not be writing this letter.

Please do not allow some incompetent minor officials destroy a part of the natural beauty of the State of Utah when it is not necessary. It does not have to be one or the other, the WCWCD has ignored the Laws and the input from Pah Tempe, if all parties work together and correctly do this, all rights and needs can be preserved. The therapeutic value of this natural Hot Spring is tremendous for us old and sick people, don't destroy this wonderful place when it does not have to be. Keep Pah Tempe Mineral Hot Springs open and preserve this magnificent part of the State of Utah.

Very Respectfully,



Frank Esposito
5277 Sandstone Dr.
Las Vegas, NV. 89142

Let's keep Pah Tempe springs as God intended

To the editor:

This is a letter to Judge Rand
Beacham:

In discussing some pictures of
the Hot Springs, I would say it
requires one's full attention both
in a spiritual and temporal setting
as we address the infinite question
of just who it is that made this
place ... and for what reason.

We live in a stressful world at
best and most people have coffee,
coke, gym services, TV club,
school, church, etc. These are
ways to say ... get through the
day. A lot of us add to the world
... that world famous, Pah Tempe
Hot Springs to our TV, golf,
senior citizen activities to get
through the day.

It is a big deal to a lot of people
in Washington County, Las
Vegas, Cedar City ... Southern
Utah ... the Navajo Indians in
Arizona ... They have been coming
to the spas for 500 years ...
also the Paiute, all other Indians
in this Shivwits area, all the way
500 miles from Arizona. They all
came to the springs in LaVerkin
... most of all it was in a rever-
ence.

They had a pray and a fast. The
medicine man planned the trip
and there was a gift given to the
springs ... point being they stay
awhile a week, whatever it was. A
big, big part of their tribal life is a
spiritual setting. In short they said
the Great Spirit made this place
and stays here and they wanted to
be part of this!

In Colorado I know (as I work
there) the Indians all wintered by
Montrose (below) Grand Junction

and in the spring they went up to
the Vapor Cave and the hot
springs at Glenwood Springs.

All the Native American people
both esteem and reverence this
type of setting, should we say 100
fold!!

We hope you will weigh a lot
of things in this!

All we are saying is let's have
both the pipe for the Washington
County Water Board ... fine let's
have both our world class springs.
Let's not tear it up anymore! The
flow is at one-half right now. The
water is at 100 degrees. There are
large cracks that were made in the
original laying of the pipe (that
were not ever filled in or fixed).

The springs should be 107
degrees and 5,000 gallons a
minute. That is big, big hot
springs. It compares to Badana
Badana, Germany, SheTong,
China. You can go all over the
world and Pah Tempe is known.

Most state's counties would
give a lot to have something like
this in their back yard!

Let's keep it as God intended it
to be!!

I hope you look at the pictures
and ponder just what is at stake
for the state of Utah.

I hope you take a long, long
look at the big pipe (water pipe)
that used to be at the springs (that
is no more). Also take a long look
at the couple who came to the
spring at 8:30 every morning for
five years. What kind of place
attracts this kind of loyalty?

*Parry Calder
LaVerkin*

got 2nd Page!
Ray Urbaniak
125 S 2330 West
Hurricane, UT 84737

435 635-3981
naturalfreq@yahoo.com
February 21, 2002

Brooks Carter-Chief UT Regulatory Office
US Army Corps of Engineers
533 W. 2600 S. Suite 150
Bountiful, UT 84010

Dear Mr. Carter,

Subject: Pah Tempe Mineral Hot Springs

As you as well aware, the Washington County Water Conservancy District has not filed for a new 404 permit for their replacement pipeline over & along the Virgin River and Pah Tempe Hot Springs.

The District never followed their originally approved permit, with the construction of the original pipeline, and has severely & permanently damaged the Pah Tempe Mineral Hot Springs.

Now they are finalizing the construction of a replacement pipeline and in the process they have again inflicted additional damage to Pah Tempe Hot Springs and the Virgin River.

We have been waiting from day one(1) for you to stop this project until they apply for and receive a permit for a pipeline that is sound both in engineering and aesthetics.

Unfortunately, you have ignored your responsibilities in this matter! Unless you act now the project will be completed and your inaction will be a scar you will carry for the rest of your life!

From day 1 the District allowed extensive erosion into the Virgin River, which continued for 34 days. This was followed by many other instances of soil, water, concrete & foreign clay discharges into the Virgin River.

The worst being the discharge of tons of foreign clay into the Virgin River over a period of 4 days with unknown effects on the aquatic environment.

Some of these discharges can be viewed at...
<http://www.naturalfrequency.net/PahTempe/PahTemp.htm>

To date, you have only asked them to remove a few rocks from the river, which is obviously a token demand on your part, involving the least damaging of their infractions.

You have the Power, the Authority and the Responsibility to the Public and the Environment in this matter to stop work until a new permit is filed for and issued.

Ray Urbaniak
125 S 2330 West
Hurricane, UT 84737

435 635-3981
naturalfreq@yahoo.com
February 21, 2002

You can at least make them redirect the final leg of the pipeline away from the Scenic Historical Bridge as per the originally approved plans.

The District obviously views you as a toothless joke, and feels that they can do whatever they wish with no repercussions (If you don't take action against them, they take this as confirmation that they aren't doing anything wrong!).

It is your duty & responsibility to stop them Immediately, as well as fine them for all past violations, including their refusal to file for a permit.

Looking forward to your Immediate Action!

Ray Urbaniak

A handwritten signature in black ink, appearing to be 'Ray Urbaniak', written in a cursive style.

To:naturalfreq@yahoo.com

Date:Wed, 20 Feb 2002 11:40:46 -0800

Subject:Re: Friends of Pah Tempe Mineral Hot Springs

From:"Michael D Wohlfeld" <michaelwohlfeld@juno.com> | [Block Address](#) | [Add to Address Book](#)

(Please feel free to send this off to whoever will be able to help. I'm in California)

God bless, Michael

Honorable, State and Federal officials and friends of Utah's natural wonders,

As you may know, Pah Tempe Mineral *Hot Springs* has been a *peaceful* healing center for centuries. The hot mineral water and the beautiful environment Mr. Anderson and staff have created over the past 17 years, has provided healing rejuvenation, relaxation and enjoyment for thousands of people from around the world. I am one of these very satisfied people.

I am writing to urge you to request that the Washington County Water Conservancy District properly and permanently repair ALL the damage to the Pah Tempe Mineral Hot Springs so the *original* flow of hot, artesian mineral water is returned to its natural condition as it existed prior to the installation of the WCWCD's pipeline in 1984. I strongly believe the District should pay adequate punitive damages, legal fees and reparations for the extensive damage and related loss of business that the Resort has suffered Since September 2, 1992.

In my opinion, the preservation and protection of this irreplaceable, unique, natural resource is extremely important. In addition to the importance of this unique, natural and irreplaceable resource, the Resort attracts tourists from all over the world and is a very significant economic resource for Southern Utah (over 28,000 visitors in the year 2000). I am strongly opposed to any destruction, condemnation or any partial or temporary repair to the natural flow of the Pah Tempe Hot Spring waters. Please contact Mr. & Mrs. Ken Anderson for more specific information related to the springs or any questions you may have. Your active support for the full repair and preservation of the Springs is extremely important. Thank you very much.

The courtesy of your personal reply would be greatly appreciated.

Sincerely,

Michael Wohlfeld
259 Delphinium St.
Encinitas, CA 92024
760-784-5161

Date: Mon, 18 Feb 2002 06:52:03 -0800 (PST)

From: "Ray and Enilse Urbaniak" <naturalfreq@yahoo.com> | [Block Address](#) | [Add to Address Book](#)

Subject: Pah Tempe- Letter to the Editor

To: opinions@thespectrum.com

February 16, 2002

Pah Tempe-Letter to the Editor- Rebuttal to Ron Thompson

(Yesterday I mistakenly sent this to Todd Seifert-Managing Editor, instead of Opinions, so I thought I had better resubmit it.)

THE SPECTRUM

275 E. St George Blvd.

St. George, UT 84770

In Your February 14th and February 15th articles on Pah Tempe you quote Mr. Thompson of the Washington County Water Conservancy District as saying....

1. "No matter how you cut it, the springs polute the river".

1. Rebuttal If Mr. Thompson is trying to prevent the river from being polluted, why on January 31-February 3, 2002 did the District's contractor (under the supervision of the District) pump tons of foreign clay into the river without any consideration of its impact on the river ecology? (photos can o be viewed at <http://www.naturalfrequency.net/PahTempe/PahTemp.htm>).

2. "The water has been referred to as 'poison water' by some early settlers".

3. "The flow rate in the grottos was only about 400 gallons per minute".

2&3 Rebutal In *A Brief History of the La Verkin Hot Springs and the La Verkin Canal*, compiled by Ruby Webb (Daughters of the Utah Pioneers), 1986

On page 5 she states "The early settlers baptized their children in the river... Her uncle baptized her in the river where the mineral water formed a pool beneath the rocks..... A year later, Rosalba Gubler and Moroni Sanders, the first girl and the first boy born in La Verkin, were baptized in this little pool in February". If this is "poison water" why is Hot Springs Water Baptism a practice that continues today?

In addition, on page 17, a 1937 quote says that the waters were in fact "considered sacred to the Indians, and many white people as well." It also states that, the flow rate was "at the rate of 11 cubic feet per second, at a temperature of 108 degrees F." This is over 5,000 gallons per minunte vs the 400 Mr. Thompson states.

Furthermore, Mr. Thompson said,

4. "The district is not going to transfer the taxpayers dollars to a private business unless there is good cause!"

4. Rebutal If this is in fact true & the District is concerned about how they spend tax payers money, why did the District pay 4 times the appraised value for the 2/3's title (with taxpayers money), and continue to waste taxpayers money on legal fees, as well as redoing improperly done work, instead of doing it right the first time?

Ray Urbaniak

125 S. 2330 West

Hurricane, UT 84737

635-3981 (Day & Evening)

February 6, 2002
PO Box 790157
Virgin, Ut 84779

Dear Judge Beacham:

This letter is in regards to the Pah Tempe matter.

For over 30 years our family has driven from Utah Valley to Hurricane to relax and restore in Pah Tempe Hot Springs.

Two years ago my husband and I retired to Southern Utah. A pivotal factor in our decision was the proximity to Pay Tempe.

As we have enjoyed not only the relaxing effects of soaking, but also a number of quality cultural events sponsored by the Andersons, we have been fortunate to visit with people from around the state, country and world who were there for the same reason. Unanimously, they felt the facility was healing to their spirits as well as their bodies.

Our out of town guests and family that we treat to their bed and breakfast facilities report it as a highlight of their Southern Utah experience.

One woman we met from Las Vegas moved to Hurricane specifically for the Hot Springs, finding that a daily soak was the only thing that has kept her arthritis at bay for the past two decades.

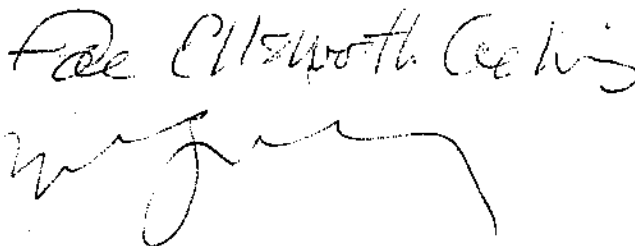
For our family and the countless others who spend their tax dollars in Washington County, I encourage you to do everything possible to keep this state treasure intact.

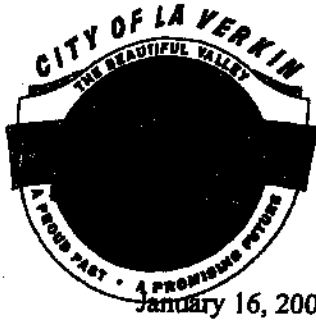
My feeling is that to endanger Pah Tempe would impact Hurricane and surround towns in negative ways impossible to calculate at present.

Thank you for your attention to this important state issue.

Sincerely,

Fae Gehring
Brent Gehring

The image shows two handwritten signatures in black ink. The top signature is written in a cursive style and appears to read 'Fae Gehring'. The bottom signature is also in cursive and appears to read 'Brent Gehring'. The signatures are positioned to the right of the typed names.



LAVERKIN CITY

DOUGLAS B WILSON
CITY MANAGER

TOM STOCKS
MAYOR

AL SNOW
GARY MCKELL
LANCE GIFFORD
PHIL JENSEN
DAVID WILSON
COUNCIL MEMBER

Chuck Williamson, Water Rights
1495 W. North Temple
Salt Lake City, Utah 84114

Re: VIOLATION

Dear Mr. Williamson:

The Washington County Water Conservancy District is in the process of installing a 72" water line at the southern most edge and east side of LaVerkin City limits in and over the Virgin River bed east of the highway and next to the historical bridge (now designated in the Federal Register as such) and in the vicinity of the Pah Tempe Mineral Hot Springs Resort.

LaVerkin City Corporation has a vital interest in the protection of the present and future scenic and aesthetic value of the Virgin River Canyon and the potential development of the Pah Tempe Mineral Hot Springs Resort. When developed to its potential, the tax base should provide real property taxes all the local and state taxing entities as well as add to the State and City, Sales Tax Revenue.

We look to you the agencies with the authority to monitor the construction, that it takes place permitted; that the scenic value not be desecrated by the placement of the over river crossings with the pipeline. It is my understanding; the contractor intends to place the waterline east of the historical bridge indifferent to the permits issued and in an area where a rock chute has allowed a number of rocks as large as twenty ton to descend to the river bottom.

As Mayor of LaVerkin, I request your immediate review of the project to determine that the project comply with that which was requested and in compliance with either the State or Federal Agency that has the authority to provide protection of these assets including the safety of the pipeline from boulders which may descend down the chute.

Respectfully,

Tom Stocks, Mayor

Cc: Corp of Engineers
Federal Clean Water Act
Ron Thompson, WCWCD

January 3, 2002

Governor Michael Leavitt
210 State Capitol
Salt Lake City, UT 84114

*Sample
letter for ideas*

Dear Governor:

This letter is to urge you to prevent the destruction of Pah Tempe Mineral Hot Springs, in Hurricane, Utah. The Washington County Water Conservancy District (WCWCD) managed by Mr. Ron Thompson has repeatedly violated federal laws and the rights of Ken Anderson, owner of Pah Tempe.

The district's blasting in the Virgin River during the installation of the irrigation pipeline in 1984 was not in accordance with permits obtained from the Army Corps of Engineers. This disrupted the natural flow of hot mineral water, resulting in loss of business for the Hot Springs.

Recently, during attempts to repair the damaged pipe line (which broke for the third time in the past two years) the District again acted illegally by not obtaining required permits mandated by federal law.

I believe that the District has wasted millions of dollars of taxpayer money in its inefficient efforts to capture water from the Virgin River. The 1989 break in the Quail Creek Reservoir Dam was a major disaster caused by poor judgement and inadequate engineering on the part of WCWCD.

I call for the resignation of Mr. Thompson and the members of the WCWCD board. In addition, the District should pay for the restoration of the Hot Springs as well as punitive damages, legal fees and business losses incurred by Pah Tempe.

Pah Tempe is an irreplaceable natural resource that is enjoyed by thousands of people from around the world. Destroying it would be equal to destroying Zion National Park or any other of the natural wonders in our state. The District's conduct is an insult to our political system with its abuse of taxpayer rights and funds.

The fact that Mr. Anderson is not Mormon, and Mr. Thompson, the WCWCD board members and the local district court are all Mormons leads me to believe that this is a serious case of religious discrimination. This is not legal in our great country and I feel it should be dealt with as a serious crime.

I am looking forward to your personal prompt reply.

Sincerely,



Ken Anderson
Pah Tempe Mineral Springs
825 N. 800 E.
Hurricane, UT 84737
February 1, 2002

Honorable, State and Federal officials and friends of Utah's Natural Wonders,

I am writing in regard to the present distressful situation at Pah Tempe Mineral Springs. When I first went to the springs three years ago I was extremely ill. I greatly attribute my good health now to the healing and rejuvenating properties of the hot springs. This springs is very special to me as well as others and has become an environment for healing, relaxation and enjoyment for people all over the world. Each time I go there I am amazed at the number of guests from other countries that have heard about it and have come to visit.

I believe Pah Tempe is an important resource for the city of La Verkin, and no attempt should be spared to preserve it intact for all nationalities and generations. I am writing to urge you to request that the Washington County Water Conservancy District properly and permanently repair all damage to the Pah Tempe Mineral Hot Springs so that the springs may be returned to its natural condition prior to the installation of the WCWCD's pipeline.

It is an easy thing to rationalize that natural things be eliminated for the sake of "progress" but it seems to me that it is given to us to find balance not only for ourselves in our own lives but to keep diversity and multiplicity in the quality of all life wherever possible.

The spring must be preserved. It serves the community economically, as a tourist attraction, aesthetically as a place of unique beauty, artistically as center for new ideas and artistic creations, and spiritually as a healing center and place of meditation and prayer. I am strongly opposed to any destruction, condemnation or "temporary" repair to the natural flow of the spring waters. Please contact Mr. and Mrs. Ken Anderson for more specific information related to the springs or any questions you may have. Your active support for the full repair and preservation of the Springs is extremely important. Thank you very much.

The courtesy of your personal reply would be greatly appreciated.

Sincerely,



Catherine Downing

Associate Professor

Utah Valley State College

800 University Pwky.

Orem, UT 84058

(801) 222-8837

PAULETTE FRANKL
230 E. FLAMINGO #337
LAS VEGAS, NV. 89109
email: pauletteart@mindspring.com

Re: Pah Tempe Hot Springs

31 January 2002

Honorable State & Federal Officials & Friends of Utah's natural wonders,

I am a devoted fan of the Pah Tempe Mineral Hot Spring and I am devastated to learn that this natural wonder is under attack from the Washington County Water Conservancy District, the resulting in its closure.

How OUTRAGEOUS!

Surely something can be done to correct this situation at once. Politics and Healing centers should never collide. Surely there is some way for the WCWCD to pipe their water in a ~~rather~~ manner that does not conflict with the healing waters of the hot spring. Pah Tempe is a rarity, an endangered gem in these troubled times — unique and special to health and sanity.

Please do whatever it takes to correct this insane error, and do it NOW.

Thank you. Paulette Frankl

230 E. Flamingo #337

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P.S. Please note that the Pah Tempe Hot Spring attracts tourists from all over the world (over 28,000 visitors in the year 2000) which is a significant economic resource for Southern Utah. I urge you to permanently ^{repair and} restore the natural flow of the Pah Tempe Hot Springs waters to ~~the~~ its original condition, prior to the installation of the WCWCD's pipeline in 1984. Since Pah Tempe has suffered significant loss of business as a result of this pipeline, it is only fair that the District should pay adequate punitive damages, legal fees & reparations for the extensive damage & related loss of business that the Resort has suffered since September 2, 1992.

Please contact Mr. & Mrs. Ken Anderson for more specific information.

I thank you in advance for a successful outcome to your efforts.

Sincerely Paulette Frankel

Fifth Judicial District
220 North 200 East
St. George, Utah 84770

2-7-02

Dear Judge Beacham,

In reference to Pah Tempe, its destruction is totally unnecessarily. I have been with construction enough to know the engineers and contractors knew where a problem existed and they could have gone around or over it. These careless mistakes have caused problems for many people. I believe the Indians had it well named, "Healing Water".

For the last 12 or more years, it has kept me going and saved workers compensation around \$30,000. Instead of redoing a hip replacement they bought me a life pass. I started going twice a week but the last 8 years I've gone once a week. I have talked to many people who depend on Pah Tempe to keep them enjoying life enough to keep moving. Ken Anderson has been liberal with us. I do not like to see bullies get enough power to over run people like they have here. I'd be happy to testify in this tragic case. Please reply.

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Ruell Hall

*6 North 100 East
Hurricane, Utah 84737*