

Riverbend-Riverbank Water Improvement District
SPECIAL BOARD MEETING
MONDAY – JUNE 22, 2015 – 7:00 PM
AGENDA

PRESENTER	TOPIC	Paul Williams
Paul Williams	I. Call to Order	
Paul Williams	II. Problem – Water Main Line Without Easement on Burg Property	
Paul Williams	<p>A. Background</p> <ol style="list-style-type: none"> 1. Map of water main lines with recent change 2. How the water main line was found 3. Water main line outside of easement area 4. Easement issues 5. Home owner request to not have easement on property 6. May 27 Agreement <p>B. Issues for discussion</p> <ol style="list-style-type: none"> 1) District piping changes and costs: <ol style="list-style-type: none"> a) New service location. b) New blow off / flush valve location. c) New location for end of water main. d) Decommissioning unneeded sections of water main lines. e) District estimated costs for piping changes only. f) District working on private property with or without easement? 2) New Easement steps and costs: <ol style="list-style-type: none"> a) Surveyor work. i) Conduct a survey ii) Prepare new easement maps and documents. b) Title company files easement with County. c) County records easement changes. d) How should District and or Customer share in easement costs? 3) Customer: <ol style="list-style-type: none"> a) Customer requests minimal disruption of water service. b) Plumber needs one day to get parts and another day to make changes. c) Can District working on private property with or without easement? 	
Paul Williams	III. Adjournment	Paul Williams, President

Riverbend/Riverbank Water Improvement District

Meeting Minutes

June 22, 2015

A special meeting of the Riverbend-Riverbank Water Improvement District Board was held at the neighborhood Club House on Monday, June 22, 2015 and called to order at 7:05 p.m.

Present:

Paul Williams, President

Jessica Georgeades, Vice-President

Diane Harris, Assistant Treasurer

Mary Latimer, Secretary/Treasurer

Don Smethers, System Operator

Bob Smethers, Assist. System Operator

Also Present:

Jeff Dickson, Member @ Large

Gloria Lewton, Member @ Large

Mike Latimer

Derek Christensen

Laura Christensen

Holly & Chris Iburg

ACTION	DISCUSSION	TOPIC
For information.	<p>Background information was presented by Paul Williams. He reported that the Iburgs reported a water leak into the crawl space of their home at 30930 Riverlane Road. Test holes dug along the main line up to 30 feet from the street were dry. During the testing and digging, it was discovered that the main line is not in an "easement" (e.g. the main line is outside of the easement area). The Iburgs requested the main line be capped past their service connection and when this was accomplished, the leak stopped. Although the leak was stopped, this action left the Water District without a flush point for this line.</p> <p>Mr. Williams further explained that without an easement, the Water District was unable to further work on this line. Additionally, if an easement were granted, then the Water District could find the old service line and cap it at the main and the flush point would be reactivated.</p> <p>The first attempt to resolve this matter was an agreement between the Iburgs and the Water District. Paul signed the agreement and the Iburgs signed the agreement (dated May 27, 2015). However, such an agreement is invalid unless it is approved by a majority of the Board.</p> <p>Paul continued and presented the following topics for discussion:</p> <p>1) District piping changes and costs: a) New service location. b) New blow off / flush valve location. c) New location for end of water main.</p>	<p>A. Water Main Lane Without Easement on Iburg Property 30930 Riverlane Rd</p>

	<p>d) Decommissioning unneeded sections of water main lines.</p> <p>e) District estimated costs for piping changes only.</p> <p>f) District working on private property with or without easement?</p> <p>It was pointed out that the Iburgs have proposed placing a flush out nearer to the street. However, this would result in erosion and would require the District to have a fire hose to direct the flush water to avoid erosion issues. Don Smethers advised that the majority of the homes on the system have their water shut-offs on their property and not near the street.</p> <p>Discussion was given regarding the process and cost for surveyor work, preparation of easement maps and documents and filing the easement with the County. Holly Iburg stated that they are reluctant to assume costs related to the processing of an easement. She and her husband Chris are not opposed to the District having an easement, but do not feel they should share in the cost for establishing one. Holly added that she will need to have a plumber to purchase the parts and install the parts necessary at their expense.</p> <p>In the discussion that followed, concern was expressed regarding the District working on private property without an easement. Don reported that the person the District used for digging the test holes will not work on the property without an easement. Further, PGE will not be able to locate the power lines without shutting the power off a number of homes to locate the power lines.</p> <p>Paul advised that the District has approximately \$1,900 in costs for locating and capping the leak. Discussion ensued. Jeff Dickson proposed using a Vactruck to locate the main water line and install the blow out and shut off valve. He stated that the Vactruck works like a vacuum using pressured water</p>	
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	<p>to dig the hole and there would be no need to shut off power to any home using this equipment. Jeff offered to provide the Vactruck at no cost, but district would need to pay for the laborers.</p> <p>This presented a new solution. All parties seem to like this new proposed because it had the potential to allow the district to move the new service valve into the utility easement next to the road and not be on private property.</p> <p>The suggestion was given to have the System Operators and the Iburgs identify where the hole should be dug with the Vactruck. To follow, the District will install a new service valve, blow-off, and thrust block there.</p> <p>Mary Latimer suggested the Board identify the steps that will be taken to resolve this issue before the Iburgs depart the meeting to assure they are in agreement with the plan. Members agreed and the following steps were agreed upon by the Board and the Iburgs:</p> <ol style="list-style-type: none"> 1. The Iburgs and Systems Operators (Don & Bob Smethers) will identify the location for the new shut off valve and thrust box. 2. Jeff Dickson will arrange for the Vactruck and laborers to dig the hole at the location identified on the Iburg property to expose the main line. Jeff provides the equipment at no cost. District will cover laborers costs. 3. The Systems Operators will install the new shut off valve and thrust box that will be within the existing easement. 4. Systems Operators will install new District blow-off and valve, and the new Customer service shutoff. 5. The District will allocate up to, and not to exceed, \$2,500 to complete. 6. The District will obtain a signed agreement with the property owners of 30930 Riverlane Road that they will assume all responsibility and ownership of the abandoned water main and 	
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	<p>service lines beyond the new service shutoff and blow-off, which the District will place in the existing utility easement.</p>	
<p>II. PROPOSAL</p> <p>Members of the Board were in agreement to proceed with the steps as documented in Section I of these minutes. The MOTION was made, seconded and carried by unanimous vote, "the Riverbend/Riverbank Water Improvement District will proceed with the aforementioned six (6) steps as documented in these minutes to resolve the matter of the water lines at the 30930 Riverlane Rd residence currently owned by Holly and Chris Iburg.</p> <p>In the discussion that followed it was pointed out that the existing water lines will remain in place and the cast iron valve sleeve and the cap where the old blow-off is located, will be removed by the district.</p>		<p>III. ADJOURNMENT</p> <p>The meeting adjourned at 7:50 pm</p>

Paul Williams 2/29/15
 Paul Williams, President

Recorded by: Mary Latimer
 Secretary/Treasurer

Print

Close

From: **Holly Iburg** (hiburg@msn.com)

Sent: Sun 6/28/15 4:38 PM

To: Paul Williams (paulwilliams711@gmail.com)

Cc: Jessica Hart (jessicageorgeades@gmail.com); Mary & Mike Latimer

(mmlatimer@msn.com); Diane Harris (diane.harris333@gmail.com); Jeff Dickson

(jdickson@nwearthmovers.com); Gloria Lewton (mlewtion@msn.com); Don Smethers

(don@smethers.com); Bob Smethers (bob@smethers.com)

Thank you Paul, Chris & I agree on what you have set forth below. We will make certain that any buyer of our property understands this as well. We are very grateful of the Board's help with this.

Thanks again,

Holly

Sent from my iPad

30930 Riverlane Rd – Sequence of Events and Documentation

The following is a list of names referenced in this report, and in the attached email messages:

Holly & Chris Iburg – home owners – 30930 Riverlane Rd
Aaron & Lacy Pruett – home owners – 30920 Riverlane Rd
Ed Curtis – Contractor – water line repairs
Paul Williams – RRWD President
Bob Smethers – RRWD System Operator
Don Smethers – RRWD System Operator
District – Riverbend Riverbank Water District

Holly Iburg informed System Operator Don on May 20 that they were experiencing water getting into their crawl space. The following comments summarize emails and communications starting at that point and moving forward:

May 20, 2015 11:42 am – email and phone from Holly stating that they had unexplained water intrusion under their house, in the crawl space. A plumber had been at the home previously, but the District was not informed until this time. Don and Ed immediately went to the property, and put a plan in place to determine the source of the water. The ground on the north side of the property was wet and soggy, but no water at the surface. Don immediately called for 48-hour excavator, given that there would likely be excavation. Note that the main water line runs to the end of the 30930 driveway, with a blow-off point in the utility easement adjoining 30940.

We determined that the water intrusion slowed when the main line was turned off, but did not completely stop. The assumption was that the wet ground continued to drain into the crawl space. With both the Smethers' and Iburg's planning to be away for the Memorial weekend, we thought at that time that we would start work on the following Monday, May 25.

May 21, 2015 – given that the flow of water into the crawl appeared to be increasing, we decided to move the schedule up. The locate request was moved up to Emergency status but when the locates were done, they were incorrect and we had to call for them to be redone. We had loaned Iburgs a District pump to keep the water from collecting in the crawl. We asked Ed to monitor the pooling of the water in the crawl, with his time at District expense.

Ed began work, digging test holes to determine the source of the water. All of the test holes were dry. On either May 21 or May 22, Ed determined that there was a broken irrigation line at 30920 Riverlane and that was likely the source of the water. That line was immediately turned off. Ed refilled the test holes, making note of the location of the main line.

May 25, 2015 – we learned that the water flow was not corrected by turning off the irrigation line at 30920 Riverlane, so we continued the search. Holly wrote an email to Paul including some inaccurate statements about our refusing to help. This message also stated that the District was trespassing on their property due to the lack of an easement. This is new information. Until Ed located the main water line, we were under the assumption that the line followed the easement along the property line. At this point, we determined that it would be best not to work on the water line without an easement, but rather to put a new Customer service shutoff and blow-off by the street in the utility easement. The Iburgs drew up an agreement that was signed on May 27, for the new mechanical layout out in the utility easement.

May 26, 2015 – it's important to note that in para 3, Chris and Holly acknowledge that the water is likely coming from the original house connection. This would support the idea that repairing that line or closing off the connection is the correct solution, assuming that we can get the easement out to the blow-off point.

May 27, 2015 - As Contractor Ed began planning for the project on the property line, he found that PGE was not able to positively state where the power lines were buried, but we know for sure that the power lines are close to our proposed excavation. A PGE engineer came out to visit with Ed, but still no positive answer on exactly where the power lines are located. Given the extreme danger of working in this area, the plan to work in the utility easement was put aside. We discussed with Iburgs the possibility of moving away from the danger area, and put the new mechanical further onto their property, but not without an easement. Holly stated that she would work on the easement idea, but so far there are no results. Another drawback to moving further onto the property is that this would be an impractical location for the blow-off. There would be no reasonable way to get the flush water away from the landscape, and there would be erosion when the monthly blow-offs were completed.

May 28, 2015 – Holly agrees in her email, para 1, not to move forward with the work in the utility easement, and further states that she would draw up an agreement for the new mechanical to be done further onto the Iburg property. I don't believe we have seen such an agreement from Holly, and further, I don't recommend that as a solution.

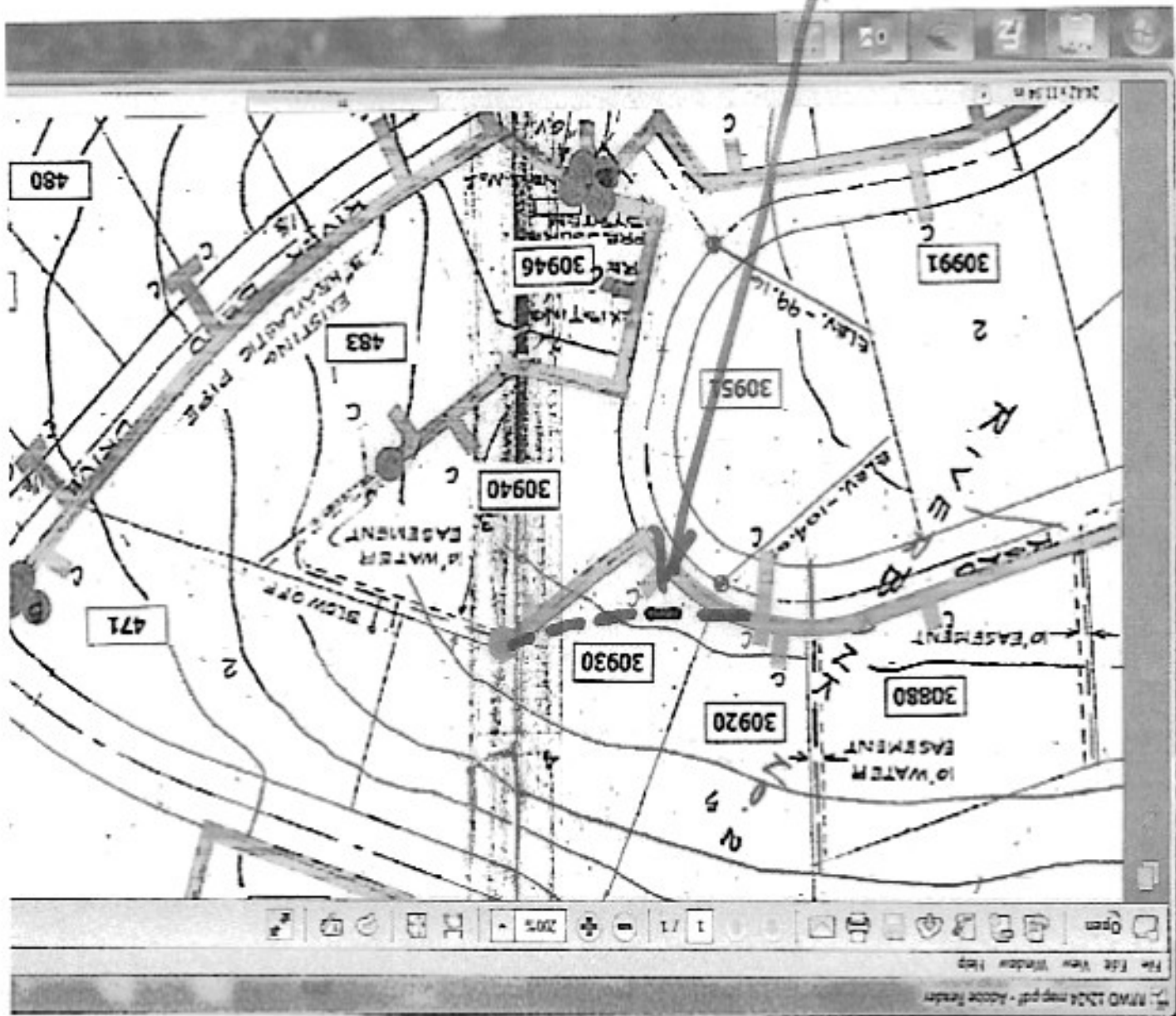
Holly also makes mention of our capping the main line just past their existing shutoff, given that the water source may be beyond that point. Note that there is an abandoned Customer service line to 30930 somewhere between the current service line and the end of the main line at the area of the home. The latter is supported by the fact that without the line capped, water had run into the crawl space within 1 to 2 minutes after pressurizing the main line, and is no longer the case after the line was capped. Unfortunately, this leaves us without a blow-off at the end of that line, and also we are without an easement.

May 29, 2015 – Ed and Bob dug down to the main line, just past the Customer shutoff, and capped the main. Upon testing after the main line water was turned back on, the leak into the crawl space had stopped. At this point, we know for the first time that there were two water line failures, (1) the neighbors' irrigation system, and (2) most likely the old Customer service line to the area of the home. The latter is supported by the fact that without the line capped, water had run into the crawl space within 1 to 2 minutes after pressurizing the main line, and is no longer the case after the line was capped. Unfortunately, this leaves us without a blow-off at the end of that line, and also we are without an easement.

June 3, 2015 – two emails, (1) from Holly stating that they are happy to report no more water problems, and (2) from Chris asking if we can "get this fixed by Friday this week". We're not certain how to interpret the email from Chris, given all conversations to this point.

At this time, there are only two reasonable solutions now that the leak has been fixed, (1) do nothing, and continue without a blow-off point on this main line, or (2) obtain an appropriate easement for the existing water line, then repair or replace that line out to the blow-off, which would eliminate the old Customer service line. It may be that waiting to see the water quality on this section of the system is the best short-term solution.

At 30930, red indicates what
our records show as water line
location. Blue indicates what
we have recently learned.
Water line does not follow easements



Don Smethers

From: Hburg Holly <hburg@msn.com>
Sent: Wednesday, May 20, 2015 11:42 AM
To: Don Smethers; <bob@smethers.com> Smethers
Subject: District line leak in Riverlane?

Hi Bob & Don,

Hope all is well with you. We are experiencing some unexplained water intrusion under our house that is coming in along our water and electrical trench. I had Mark of Top Notch Plumbing out both Monday and Tuesday to investigate and test and we are both very perplexed. Mark turned off our water at our shut off valve in our driveway, waited a bit for the water to flow through and then we crawled under the house again and found the water was still flowing in at a steady rate. We turned off our waterfall feature to make sure it wasn't that pipe but still the water flowed. Our pond sits below the area of intrusion (and below our crawlspace) so we are fairly sure it's not coming from a pond leak. Also, there is minimal difference in the level of the pond on a daily basis, so we don't think we have a leak there.

We have noticed a very wet area along our property line between our house and the Pruitt's that we are wondering could be evidence of a district or neighbor's line break and leakage. That area is adjacent to where our main line trench starts, so it could be where our unexplained water is coming from. The Pruitt's had a large fir tree blow down in last October's storm, that was directly in front of their house. We are wondering if that somehow fractured a district water line or perhaps their line into their house and as a result we are seeing water flowing at a steady rate.

Would you consider doing a sector check for our section of lines so that we could observe our crawlspace water intrusion and see if it stops when the district lines are turned off? I know it's an inconvenience to our neighbors but this is a serious issue for us (especially as our house is up for sale!). I have American Leak Detection coming out Tuesday at 3 pm and it would be nice to eliminate the potential that the leak is from a neighbor or district line before the show up. I will call you about this also, but thought it would be good to give it to you in writing so you could clearly see what's going on. I know you have a lot of experience with this type of thing and perhaps you will see something we are missing.

Thank you!!

Holly Hburg=

From:

Don Smethers <don@smethers.com>
Saturday, May 23, 2015 7:14 PM

Sent:

Diane Harris (dianeharris333@gmail.com); Gloria Lewton (Gloria Lewton

To:

(mlewton@msr.com)); Jeff Dickson (jdickson@nwearthmovers.com); Jessica Hart
(jessicageorgeades@gmail.com); Mary Ladimer (Mary Ladimer (mmladimer@msr.com));
pauwilliams711@gmail.com

Cc:

Ed Curtis (ed1363@aol.com); bob@smethers.com

Subject:

leak into crawl space - 30930 Riverlane

BOD,

We have been working on locating a water leak, that has resulted in water in the crawl space at 30930 Riverlane Rd.

Discussions with Chris and Holly Iburg indicated that they had known about the leak for about a month, but didn't inform us until Wednesday 5/20 when we immediately started work. While waiting for locates, Ed dug some test holes to try to determine the source of the water, and the location of the main and service lines. We turned off the customer shutoffs to 30920 & 30930 Riverlane Rd but the water continued. Holly was convinced that the water was coming from the main line that runs down their driveway, and insisted that we remove the entire line, stating that she was a real estate lawyer and that we had no easement for that water line. I said we would not do that until/unless we knew that the leak was in that line.

After a couple of days of work, Ed determined that the water was coming from the irrigation system at 30920 Riverlane, not the main line. He found that there is a 2nd customer connection on the main line, not charted on our information - it is now. The water flows to the south under the landscape and makes its way into the 30930 crawl, probably following a path of least resistance from previous work on the north side of the house. Ed turned that 2nd customer line off, and the flow into the crawl slowed and continues to subside, probably draining the water collected in the soil. Ed has returned to 30930 several times, to run the manual sump pump that drains the crawl.

I visited with Ed today to get the full picture of what has taken place. Given that this water issue is not the result of an RRWD water line failure, I requested that he curtail the costs to the District as soon as possible. We have incurred costs on this project, and will no doubt pay for refilling the test holes, but Ed will discuss any further work with the homeowners.

Thanks, Don & Bob

Don Smethers

Subject: FW: Rec: Iburg underground water intrusion issue

From: Paul Williams [mailto:paulwilliams711@gmail.com]
Sent: Monday, May 25, 2015 9:18 PM
To: Don Smethers; Bob Smethers
Cc: Gloria Lewton
Subject: Fwd: Rec: Iburg underground water intrusion issue

FYI

Bob, I would like to meet with you Wednesday late or Thursday morning. Please call me to set up a time. My cell phone numbers is 503-333-7770

What is Ed phone number?

Paul

----- Forwarded message -----
From: "Paul Williams" <paulwilliams711@gmail.com>
Date: May 25, 2015 9:10 PM

Subject: Rec: Iburg underground water intrusion issue
To: "Holly Iburg (Holly Iburg)" <hburg@msn.com>
Cc: "Gloria Lewton" <inlewt@msn.com>

Dear Holly,
Thank you for your email you sent this afternoon. I am out of town and will return home late Wednesday. Would it be possible to meet with you Thursday afternoon?
Paul

On May 25, 2015 3:34 PM, "Iburg Holly" <hburg@msn.com> wrote:
Hello Paul and Gloria;

I hope you both enjoyed a nice Memorial weekend and are rested. Chris and I are still dealing with the water issue that began last week, without resolution. We appreciate the help that Don and Ed Curtis have provided, however the water intrusion into our crawlspace continues. The only time we have witnessed the water flow stopping was when the district lines were shut down at the sector turn off. This being said, both Don and Ed refuse to accept that the district lines are at issue. We have contacted our insurance agent and will file a claim and are looking into hiring a water expert to continue our investigation. Our neighbor the Pruitts did find that they had a landscape irrigation box that is leaking and they will be working on that this week. When that line was shut down (no one knew it was there) it did decrease the volume of flow into our crawlspace but did not stop it.

We think it worth noting, that we requested a District person (Bob or Ed) to go into our crawlspace and watch the inflow of water stop with the sector shut off to cross check our observation. They declined to do this. I have been the only person to be under the house for this test. Ed did help us tremendously and we have a sump pump loaned from the District on a timer to remove the water coming in at present. Ed dug several pits around

Holly Iburg

Thank you,

Please call me to discuss this when you have an opportunity to do so.

During this process, Don disclosed to us that he is very ill. We are extremely sorry to hear this and hope that he can remove himself from this problem and concentrate on his health. We will need someone else from the Board to communicate with, as this issue is only getting bigger and probably more expensive. I hate to be in a position of potential litigation with the District but can see that's where we seem to be going. If we could possibly work together with the District Board to find a resolution it would be so much better.

I hired a plumber who investigated all of our plumbing lines and informed us the water was entering from an outside source. All of this was disclosed to Don, Bob and Ed. At this point, we have been told that the problem is our's to fix and the District is through with their investigation. I again asked for a sector shut off test and they refused to do it and said that it didn't prove the district lines were at fault. How can this be? District lines on and water intrusion. District lines off and no water intrusion. We were also told that the District may back charge us for Ed's work to determine if their lines were at fault.

our yard and at the connection points to the main line looking for water bubbling up. You need to understand that the main line enters our property and continues for at least 125 feet, through our landscaping and into our driveway without an easement to do so. Technically, it is a trespass. We have allowed permissive use of this area up to this point but are now considering that it is a liability we do not want to risk considering our property is for sale. Also, we believe that our water leak may in fact be coming from some point in this line. I have brought this issue up with Don and Ed without response.

Don Smethers

From: Don Smethers <don@smethers.com>
Sent: Tuesday, May 26, 2015 12:12 AM
To: 'hiburg@msn.com'
Cc: bob@smethers.com; Ed Curtis (etc1363@aol.com); paulwilliams711@gmail.com
Subject: Does the leak continue?

Holly & Chrs,

I was under the impression from what Ed learned in recent days that the water in your crawl space was the result of your neighbors' broken irrigation line, and that had been turned off. I understood that the flow had subsided, and was now likely draining out the wet soil.

If the water continues to flow, even at lower rate, then we need to continue our testing in that area of the system. Please confirm that the water continues, and if so we will proceed with further testing. Is this correct? If so, we will notify the neighbors of water shutoff today (Tuesday) and continue to isolate the problem.

Please advise.

Thanks, Don & Bob

Don Smethers

From: Iburg Holly <hiburg@msr.com>
Sent: Tuesday, May 26, 2015 9:04 AM
To: Don Smethers
CC: bob@smethers.com; Ed Curtis; paulwilliams711@gmail.com
Subject: Re: Does the leak continue?

Thank you Don,

To our viewing, the water has remained at the same flow rate the entire time. The only time it stopped was when the District lines were shut off. We have the District's sump pump operating on a timer and Chris is going to purchase our own small pump today, so that we can return your pump. I have attached a video that Chris took Sunday that reflects the water flowing in under the foundation wall. We believe that Ed mistakenly thought the flow rate abated because when he turned off the pump, the water simply flowed over the pool that had formed at the edge of the crawlspace (it's 2 levels) and down under the vapor barrier to the area below.

Yesterday, Chris and I dug out the area adjacent to our garage where we know our new (put in by former owner) water line runs. We didn't find any water in that area. Ed advised us that he thought the Pruitt's landscape line break was making the area in our property boundary wet but it was not enough to make the water flow into our crawlspace at the rate it is going.

Chris and I believe at this point, that the water is coming from the driveway area, along the line that is used for the blow off valve. That is likely where the original water line into the house connected. We have been informed by Dave Ostoja, former owner, that he capped the old line at the house when he replaced it but Tom, former Systems Operator, never found where it connected to the main water line and abandoned it. We think that the cap may have cracked and now water is flowing directly from this line into our house. Our entry sidewalk has a large crack, running in the direction of the downslope and toward our crawlspace and our garage has become very cracked and the concrete floor appears to be lifting in the areas cracked. To have access to the exterior of the water intrusion area, we need to have our mahogany deck removed carefully, so that it is not destroyed in the process. I am calling DJ's Decking today for that job. Once that is removed, the area next to where we see water intrusion can be dug up and the water flow viewed from outside.

To my earlier point regarding a trespass of the District's line on our property, I checked our title report and there is no easement for this line. We understand that the District did not know the exact location of this line either until the test pits were dug by Ed this weekend. We cannot confer good title to a new buyer with this water line functioning in place. It must be decommissioned and we need to install a new water line into our property from the street area where the District's line is properly in it's easement.

I contacted my insurance agent and was advised to initiate a claim today and will have a mitigation team assigned to assist us with all of this. It is likely that the insurance company will pursue a legal remedy on the trespass of the water line (it runs 125 feet into our property and well away from the 5 foot easement set forth in the C&R's) if there is no action on the part of the District to decommission it.

If the District's water line that enters our property and runs 125 feet along the entire frontage of our home is decommissioned, any water coming from it will be stopped. My point was to remedy the trespass and perhaps at the same time fix our water intrusion issue without removing our deck and digging up our entire driveway. Since the District will have to decommission the line if we are successful with a trespass action, it would save everyone's time and money to only dig once rather than twice. As discussed with Ed and Bob, the District's line

other valves do around the District do.

Should this work be completed first, we would immediately know if it was the cause of our water intrusion and there would be no need to remove our deck and dig up our driveway. If it didn't stop the flow, then we could proceed with other options that may not include the District. One way or another, the District needs to decommission the water line that runs onto our property and outside its easement.

Thank you.

Holly

On May 26, 2015, at 12:11 AM, Don Smethers <don@smethers.com> wrote:

Holly & Chrs.

I was under the impression from what Ed learned in recent days that the water in your crawl space was the result of your neighbors' broken irrigation line, and that had been turned off. I understood that the flow had subsided, and was now likely draining out the wet soil.

If the water continues to flow, even at lower rate, then we need to continue our testing in that area of the system. Please confirm that the water continues, and if so we will proceed with further testing. Is this correct? If so, we will notify the neighbors of water shutoff today (Tuesday) and continue to isolate the problem.

Please advise.

Thanks, Don & Bob

Don Smethers

From: Iburg Holly <hiburg@msn.com>
Sent: Wednesday, May 27, 2015 10:14 AM
To: Don Smethers <bob@smethers.com> Smethers; Ed Curtis; Paul Williams
Subject: Water Issue - Our Plumber

Good Morning:

We have contacted our plumber, Top Notch Plumbing, and discussed the need for installation of new water piping to connect to our water line. He needs to have the trench dug first, up to the point where it intersects our existing water line (we have marked the approximate location with a rock painted bright green). Ed has informed me that he thinks this work may be done on Saturday. I told our plumber that I will call him as soon as the trench is dug and ready for him. He then needs to look at the work required, materials needed, and schedule his work.

Needless to say, we would greatly appreciate that our new water line be installed prior to the old line being decommissioned. Otherwise, we will be without water for an indefinite period of time. We believe our plumber will schedule the work as soon as he can, so that all the work should happen next week.

Thank you,

Holly=

Don Smethers

From: Iburg Holly <hiburg@msn.com>
Sent: Wednesday, May 27, 2015 12:10 PM
To: Don Smethers
Cc: bob@smethers.com; Ed Curtis; Paul Williams; mmlab@msn.com
Subject: Re: Water Issue - Our Plumber

Thank you Don,

We understand what you have laid out in your email and yes, I will summarize this into a document of understanding for us to sign. Ed came by this morning and we agreed that he will charge us separately for the trenching work. I'll try to get the document done by this afternoon.

Holly

On May 27, 2015, at 11:36 AM, Don Smethers <don@smethers.com> wrote:

> Holly,

> Yes, we agree on all points. One clarification that we have already
> discussed, is that we need to have Ed's billing separated - prep and
> work and fill at the new valve position on the property line for us,
> vs trenching for your service line for you and whatever he or the
> plumber do past the shutoff. The District will pay for the parts up to
> and including the new shutoff valve. Also, we will ask Ed to pull up
> the valve box for your current service, and the flush valve sleeve,
> and fill. This will be at the District expense. We will leave the pipe
> and existing valves in place, so as not to disturb any more of the driveway than needed.

> From what I hear this am from members of the BOD, they would like to
> have these points agreed to and signed before we do the job. If
> everything is clear and agreeable, maybe you or one of the BOD members
> can put the points down on paper for you and the President to sign. If
> there are any outstanding points, please let us know. I understand
> from Ed that he is planning to start work Sat am.

> Thanks for your help, Don

> -----Original Message-----

> From: Iburg Holly [mailto:hiburg@msn.com]
> Sent: Wednesday, May 27, 2015 10:14 AM

> To: Don Smethers; <bob@smethers.com> Smethers; Ed Curtis; Paul
> Williams

> Subject: Water Issue - Our Plumber

> Good Morning:

> We have contacted our plumber, Top Notch Plumbing, and discussed the
> need for installation of new water piping to connect to our water

> line. He needs to have the trench dug first, up to the point where it
> intersects our existing water line (we have marked the approximate
> location with a rock painted bright green). Ed has informed me that he
> thinks this work may be done on Saturday. I told our plumber that I
> will call him as soon as the trench is dug and ready for him. He then
> needs to look at the work required, materials needed, and schedule his work.
>
> Needless to say, we would greatly appreciate that our new water line
> be installed prior to the old line being decommissioned. Otherwise, we
> will be without water for an indefinite period of time. We believe
> our plumber will schedule the work as soon as he can, so that all the
> work should happen next week.
>
> Thank you,
>
> Holly=

Don Smethers

From: Don Smethers <don@smethers.com>
Sent: Wednesday, May 27, 2015 4:50 PM
To: Holly Iburg (hiburg@msn.com);
CC: MIKE MARY LATIMER; Bob Smethers; Jessica Hart; mlewton; Diane Harris; Jeff Dickson; Paul Williams; Ed Curtis (etc1363@aol.com)
Subject: RE: RRWD IBURG AGREEMENT

Hi Holly,

Thanks for putting the agreement down on paper. We would like to see one point added to para 6 which is consistent with our discussion, stating that we will not be removing the abandoned line on your property, just the boxes and sleeves as you have stated. No need to disturb any more of your landscape or driveway. We might choose to remove the existing 1 1/2" brass shutoff valve to put in our inventory, if we can do that without disturbing any more ground. (The new one today was \$180.) Buying a new valve and being ready to install will minimize the down time on your water service.

This paperwork is not hampering our scheduling for the work. According to Ed, the earliest he can get labor here is Saturday. We've picked up the mechanical parts to build the manifold and valves, will be ready to drop in place, and have reviewed the mechanical plan with Ed. We're good to go. We've covered a lot of ground since our first being notified of the problem on Wednesday, May 20.

I understand that Paul will be back in town sometime after 5:00 today. Thanks for your cooperation.

Don & Bob

From: MIKE MARY LATIMER [mailto:mmlatimer@msn.com]
Sent: Wednesday, May 27, 2015 4:13 PM
To: Don Smethers; Bob Smethers; Jessica Hart; mlewton; Diane Harris; Jeff Dickson; Paul Williams
Subject: Fwd: RRWD IBURG AGREEMENT

Mary Latimer

Begin forwarded message:

From: "Iburg Holly" <hiburg@msn.com>
To: "Paul Williams" <paulwilliams711@gmail.com>, "Mary Latimer (Mary Latimer)" <mmlatimer@msn.com>
Cc: "Iburg Chrs" <cburg@msn.com>
Subject: RRWD IBURG AGREEMENT

Hello Paul and Mary,

Don has informed us that the RRWD BOD is requiring that we have a written agreement for the separation of work orders to be done to remedy our water intrusion situation. I have summarized the points set forth in Donat's email to form a document to accomplish this purpose. Please review it and if acceptable, sign it so that we can proceed with the work as soon as possible.

We are in a situation of peril with continuing water intrusion until the District's line is capped. The longer this issue drags on the greater our risk of damages.

Thank you for your prompt attention to this matter.

Holly

Holly

Hi Don - Here the revised document with the point added as requested by the BOD.

From: Iburg Holly <hiburg@msn.com>
Sent: Wednesday, May 27, 2015 5:22 PM
To: Paul Williams; MIKE MARY LATIMER
Cc: Don Smethers
Subject: RRWD IBURG AGREEMENT 2
Attachments: RRWD IBURG AGREEMENT 2.pdf

Don Smethers

AGREEMENT FOR SEPARATION OF WORK ORDERS BETWEEN
RIVERBEND RIVERBANK WATER IMPROVEMENT DISTRICT
AND
CHRIS IBURG AND HOLLY PARKS IBURG
30930 SW RIVER LANE ROAD
WEST LINN, OR 97068

This document shall reflect an agreement between the RIVERBEND RIVERBANK WATER IMPROVEMENT DISTRICT (hereafter referred to as "DISTRICT") and Chris and Holly Iburg (hereafter referred to as IBURG'S).

DISTRICT has requested that a written Agreement be signed by authorized representatives of both parties to reflect that work orders shall be separately invoiced for work to commence at the IBURG'S residence and on DISTRICT easement sites located at 30930 SW River Lane Road, West Linn, OR 97068.

IBURG'S to be separately invoiced by service providers for work to dig trenching for IBURG'S new water line on IBURG'S property and plumbing required on IBURG'S property for water line connection to their residence and for back filling of the trench.

DISTRICT to be invoiced separately for work by service providers to install a new shut off box and valve for IBURG'S new residential water line, in a location adjacent to 30920 SW RIVER LANE ROAD and approximately within DISTRICT'S 5 foot easement, running parallel to RIVER LANE ROAD (see plat map #31EZZCB03200 attached).

IBURG'S to be invoiced for licensed plumbing work, necessary to connect their new residential water line to the shut off valve to be installed by DISTRICT and for subsequent work necessary to accomplish a new water line connection to their residence.

DISTRICT to be invoiced for work to perform the decommissioning and abandonment of DISTRICT'S water line crossing IBURG'S property, outside of DISTRICT'S easement; including removal of the existing shut off box and the flush valve sleeve and appropriate back fill required in those areas. DISTRICT will leave the abandoned line in place, non-functioning and without water.

IBURG'S require that DISTRICT allow IBURG'S service providers to perform all tasks necessary to connect their new residential water line, prior to DISTRICT'S decommissioning of IBURG'S existing connection

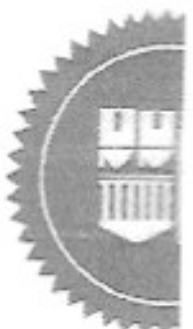
Signed: HOLLY PARKS IBURG

Date:

5/27/2015

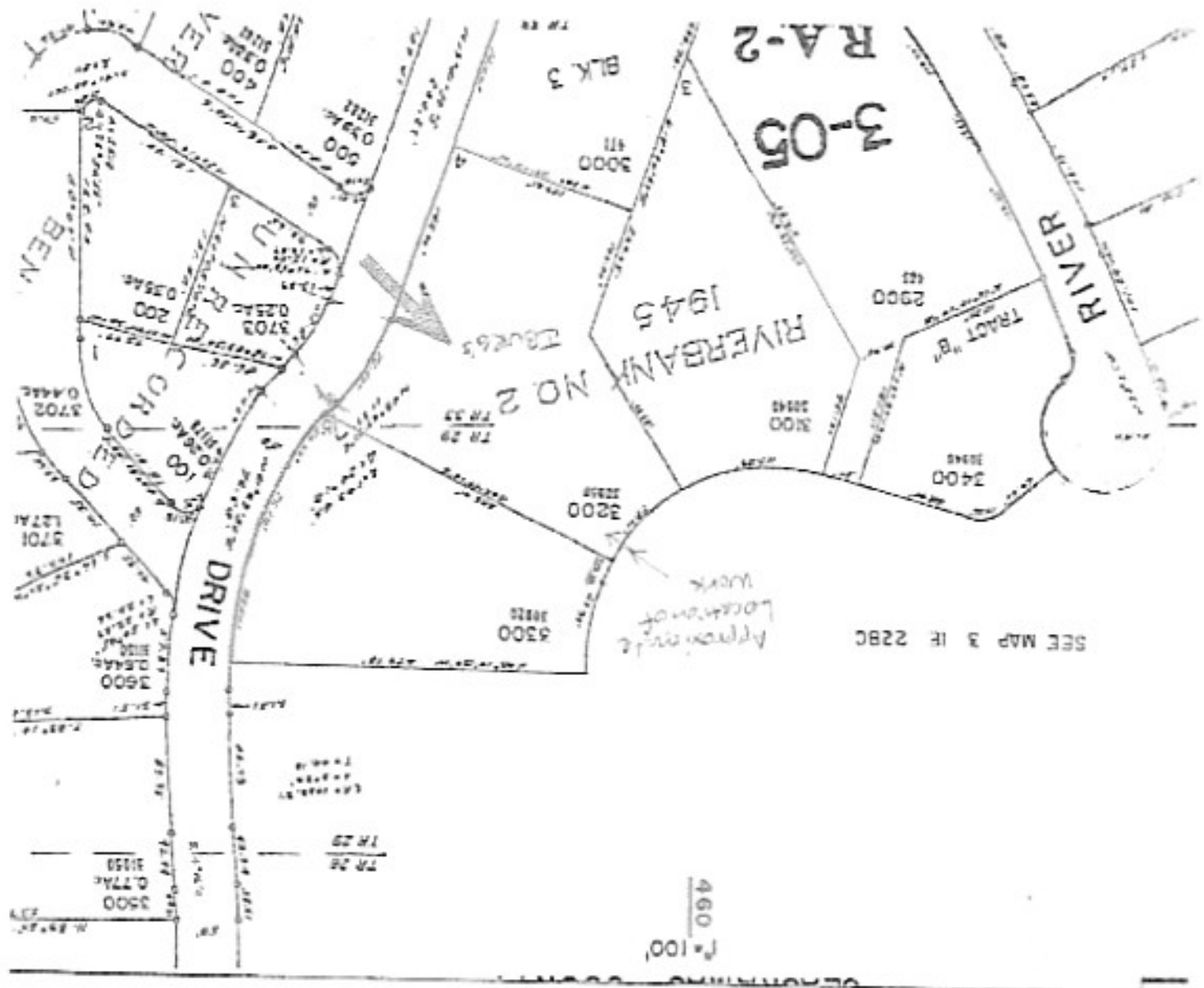
Signed:

Date:



Fidelity National Title Company of Oregon
Map # 31E22CB03200

The drawing below is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



From: Iburg Holly <hiburg@msn.com>
Sent: Thursday, May 28, 2015 10:27 AM
To: Don Smethers; Bob Smethers; Ed Curtis; Paul Williams; MIKE MARY LATIMER
Cc: Iburg Chris
Subject: Revised and Simplified Proposed Plan for Iburg Water Issue

Good Morning Everyone:

Ed stopped by this morning and we discussed some of the challenges he is facing in trying to interact with the power company to help him accurately locate the power lines buried at the location where our agreed upon District work is to take place. This area, next to River Lane, is very narrow and has high voltage lines as well as the tree roots from our large maple tree. We jointly decided that the risk of working around the power lines is potentially too great to move forward with.

As an alternative, we agreed (with the District's approval) that the location of the District's capped water line, blow off valve and our new shut off box, should be located further into our lot from the street in a safer area. The simplest alternative, is to place the new equipment directly over the existing water line and approximately half way between our two maple trees and adjacent to our driveway. We can then utilize the District's existing water line as our line, which connects to our existing shut off valve and then into our house. Ed will cap the District line that runs onto our property just past our existing shut off box and we believe that this will remedy our water intrusion problem.

This approach can be accomplished quickly and with much less cost to both parties. Also, it is better for our neighbors, as they will not have to suffer a power shut down since we will not be working near any power lines. It prevents us from suffering the cost of trenching and piping a new water line and will be much more economical for the District for Ed's work.

To accomplish this, I am willing to draft a document that lays out the details and the approximate location of the work. We are uncertain how wide the county road easement is and therefore exactly where our property line begins at the street. The District's easement of 5 feet runs from our property line in. It may be that the location of this new equipment will be slightly over the easement area but we are willing to draft a document that gives the District a license to use this additional area of our property to accomplish this relocation of it's equipment. Ed will measure from the center line of River Lane into our lot and we will state the dimension and width of the area needed for the work, in the license agreement.

We hope that this simplified and slightly revised plan will be acceptable to the District. Please discuss it and let us know your thoughts and any concerns.

Thank you,

Holly=

Don Smethers

From: Iburg Holly <hiburg@msn.com>
Sent: Wednesday, June 03, 2015 11:24 AM
To: Paul Williams; Bob Smethers; Ed Curtis
Cc: Don Smethers; Iburg Chris
Subject: No further water issues in crawlspace

Hallo Everyone,

We're happy to report that even after two days of heavy rain, we have not had any more water intrusion into our crawlspace. I have now pulled out the sump pump and hoses and we will be filling the whole caused by the water, in the next few days.

What is left to resolve is the District's placement of the blow off valve and our new shut off box. Has there been any progress toward a decision on this placement? As you are aware, our house is on the market and we need to get this finished as soon as possible so that we can replace our landscaping and be ready to sell without lingering issues. I checked with Greg Huntzinger to see if he knew where his property line started and he doesn't know either. The marker was removed by the utility crew that put in the power vault next to the street between our two properties. Should a surveyor be used to mark the District's easement area?

Please keep us apprised of your progress and thank you for your help.

Holly Iburg

Don Smethers

From: Iburg, Chris <ChrisIburg@xerox.com>
Sent: Wednesday, June 03, 2015 8:22 PM
To: Paul Williams
CC: Bob Smethers; Ed Curtis; Don Smethers
Subject: Re: No further water issues in crawlspace

Can we get this fixed by Friday this week? It took 8 days to stop the water from running under the house after we identified to the water district the location of the problem caused by an old water line that was not properly decommissioned. I don't want to wait weeks or months to clean up the mess. I believe we have lost potential buyers already and may be facing diminished value in our property due to the lack of action by the Water District. I would like to know specifically what the plan is to finish this by Thursday this week. So far lack of response is a response.

Chris
Sent from my iPhone

> On Jun 3, 2015, at 11:23 AM, Iburg Holly <hiburg@msn.com> wrote:

> Hello Everyone,

> We're happy to report that even after two days of heavy rain, we have not had any more water intrusion into our crawlspace. I have now pulled out the sump pump and hoses and we will be filling the whole caused by the water, in the next few days.

> What is left to resolve is the District's placement of the blow off valve and our new shut off box. Has there been any progress toward a decision on this placement? As you are aware, our house is on the market and we need to get this finished as soon as possible so that we can replace our landscaping and be ready to sell without lingering issues. I checked with Greg Hutzinger to see if he knew where his property line started and he doesn't know either. The marker was removed by the utility crew that put in the power vault next to the street between our two properties. Should a surveyor be used to mark the District's easement area?

> Please keep us apprised of your progress and thank you for your help,

> Holly Iburg

Mark tonight - Vacuum by Friday - let Bob know - need not exceed \$2,500 -
 • main line currently there - new blow off + shut off
 • won't in existing Easting
 • cost is at entry - add we

Plumb right back into 3" in line
 • exist - shut off you can do with you like -
 • dirt to - refill the hole -

4. Dresser coupling around pipe + attach to gate valve
 • when in your shut off + leave existing -
 • clamp on both sides w/

• You - w/ pipes at your well - - thrust block installed.
 • (Holly have plumber for the order the pipe to
 • be open for plumbers

3. ~~Water~~ lay out Blow off + set up - hole needs
 • You want a line - Holly + Chris - identify location
 • Water Vacuum dug - expose - install new service valve + Box

Hole - Off
 Blow Off + line + shut off 1st

• Service Valve + Box District pay for

Holly - no way to turn it off - turn off water + still had leak from - line -
 • want it in - a flat -
 • irrigation line did not cause leak
 • when cut line + capped if it stopped

• Do nothing - you on end of line
 • shut off on property -
 • at the street not what we've done
 • a leak in - a project -

• You - talk re the depth
 Blow out } not required just
 even out } stating -

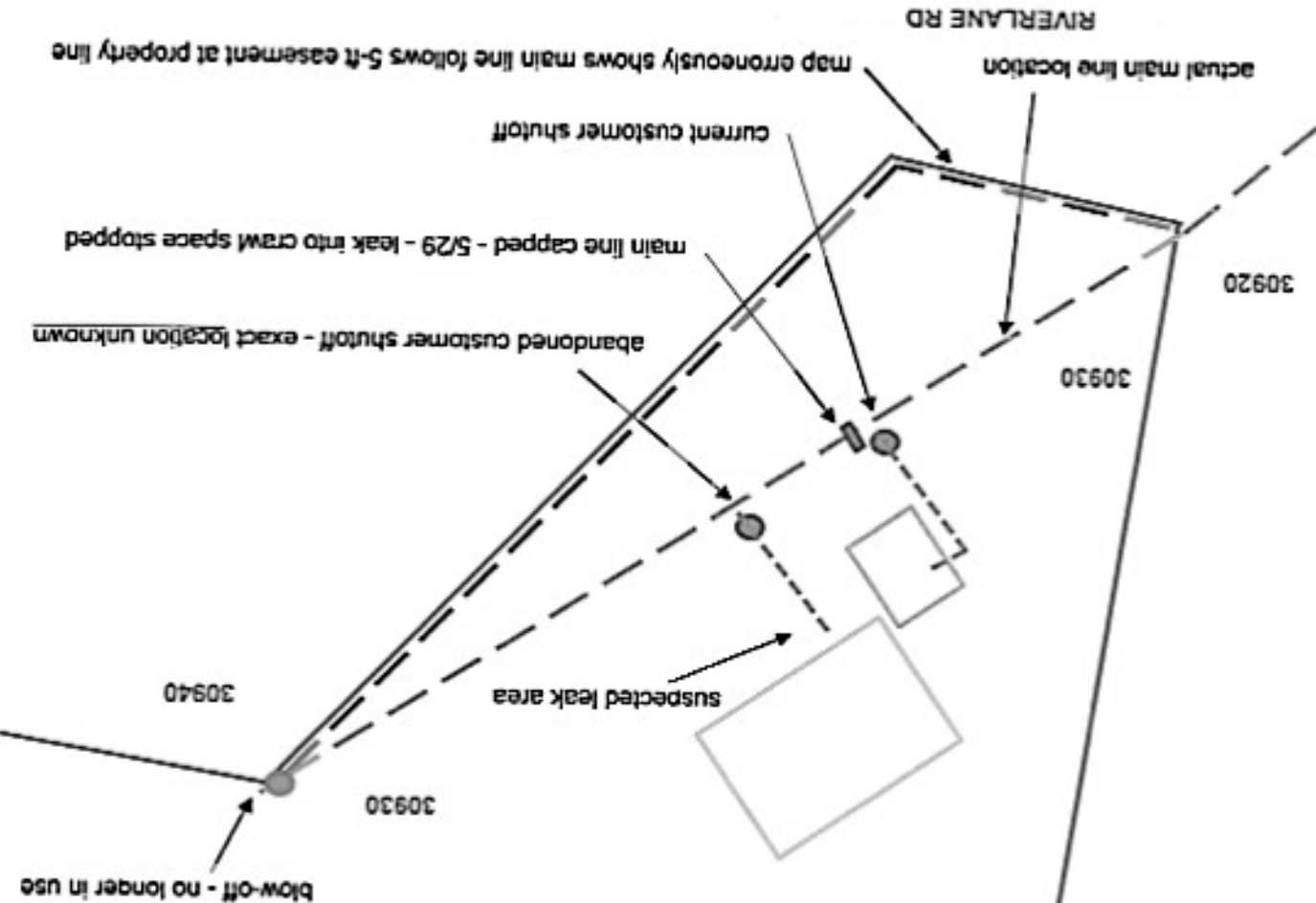
* Blow off + shut off
 ←

3.

2.

As outlined in
 Scope of Work
 ordered in
 \$1,500

4



RRWD - Work at 30930 Riverlane Rd
 summarized 6-14-15

- problem - water leak into 30930 crawl space
- testing indicates that leak was likely in an abandoned customer service line
- the exact location of the old customer service line is unknown
- test holes dug along main line up to 30-ft from the street were dry
- one source of water was determined to be from 30920 failed irrigation line
- during testing and digging, determined that main line is not in an easement
- due to no easement on existing water line, search for leak was limited
- customer asked that the main line be capped past their service connection
- main line was capped on 5-29-15 - this stopped the leak
- although the leak is stopped, this leaves us without a flush point for this line
- without an easement, we can do no further work on this line
- ideally, we would be granted an easement, then find the old service line
- the old service line would be capped at the main, and flush point reactivated
- we understand that there is reluctance to add an easement to the property
- a proposal to place a flush out nearer to the street would result in erosion

- Chilly Fall
- Chris Mike
- Olivia Mary
- Bill Grand
- Don Bob
- Issues
- Scott Christensen
- Donk Christensen

Private

A. Background - Water Main Line Without Easement on Iburg Property
 across - property - 1st - line along - at service 1 house
 Iburg + just - blowoff valve monthly. Iburg

1. Map of water main lines with recent change

2. How the water main line was found

3. Water main line outside of easement area

4. Easement issues + water lines are not always where they get to.
 Riverwood Dr. - they are not so not unreasonably are not where they show - 1970s

5. Home owner request to not have easement on property as calling - home - 120 feet in property - may impact of build later. - might move it w/ PGE - my not seem when a hole are. - in in 20 feet (in diagram) + show easement + give w/ County.
 6. May 27 Agreement - (see attach) - move line back to easement, but not practical. + the owner has to be approved by - PGE + it was not. + PGE record as out. + area
 That easement now - live
 If within 20 feet, need have to not show back into Iburg property

B. Issues for discussion

1) District piping changes and costs: new serv. location

a) New service location. - within 20 feet property line away from existing easement but cannot show from there - you have to use. The notes also
 that hole Ed dug is - location
 stilly - pulled report pins by ground workers

Don - talk CC Health Dept.

Blow Out } not required just
Clean Out } testing -

(4)

- Do nothing - you on end of line shut off ~~on~~ on property -
↳ at the street not what we've done
- 2 leaks in - project - -

Holly - no way to turn it off -- turn off water + still had leak from line.
want it in - street -

- irrigation line did not cause leak
- when cut line + capped it it stopped

- Sewer Valve + Box District pay for

As outlined in Plan - not exceed \$2,500
Scope of Work

Hole - Jeff
Blow Off + line + shut. off 1st

2. Water Vacuum dug - expose - install new sewer valve + Box
1 Don wants lines - Holly + Chris - identify location

3. ~~Excavate~~ lay out Blow off + set up - hole needs be open for plumber
(Holly have plumber) he needs see the pipe to order his parts -
Don - pipes not glue well - thrust block installed.

4. Dresser coupling around pipe + stub to gate valve
wh is your shut off + leave existing -
Clap on both sides w)

Estimate \$
Expans - 1,600
to complete project.

Exist shut off you can do wh you like - -

5. Ed bring gravel or dirt to - refill the hole -

Plumb right back into 3 in line ^{main} - currently there -

- new blow off + shut off
- win in Existing Eastment
- Cost is not emergency so we need not exceed

Mark tonight -
Vacuum by Friday - let Bob know

* Blow off + Shut off

E

b) New blow off / flush valve location. - w/ a hole - or erosion

c) New location for end of water main. -

d) Decommissioning unneeded sections of water main lines. - 100 ft.

e) District estimated costs for piping changes only.

f) District working on private property with or without easement?
 Organization.
 Blow off valve was at Huntermer

- 2) New Easement steps and costs: - *actual - estimate is easement*
- a) Surveyor work (can off by 60 feet). Paid called 6 - suspended - *if new utility easements are! Surveyor*
 - i) Conduct a survey - see property lines + utility easements are! *Surveyor*
 - ii) Easement maps. *get easement* - *not take to County, take. Cost - 1,600 + 3,000 for 1 corner. 1/2 day or all day*
 - iii) Prepare new easement maps and documents. - *1,600 to move cap*
 - be on private property - *1,600 to move cap*
 - give us permission to use on - property. *1,600 to move cap*
 - Get not what an easement we need here but we not want *1,600 to move cap*
 - So get easement - *1,600 to move cap*
 - *spend 8 on new line but not dig up*
 - *spend 8 on new line but not dig up*
 - *spend 8 on new line but not dig up*

b) Title company files easement with County. -
 estimate - complete scope & prepare also. to file w/ - County. they get ball park

**AGREEMENT FOR SEPARATION OF WORK ORDERS BETWEEN
RIVERBEND RIVERBANK WATER IMPROVEMENT DISTRICT
AND
CHRIS IBURG AND HOLLY PARKS IBURG
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Signed: HOLLY PARKS IBURG

Signed: *Holly Parks Iburg*

Date: 5/27/2015

Date: 5/27/2015

Holly Parks Iburg

Holly Parks Iburg

