

RIVERSIDE INDEPENDENT WATER DISTRICT

10460 Highway 12*****Orofino, Idaho 83544
Telephone: (208) 476-3613*****Fax: (208) 476-7473

RECEIVED

JUL 23 2004

DEPARTMENT OF
WATER RESOURCES

July 20, 2004

Carter Fritschle
Water Rights Supervisor
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Dear Mr. Fritschle:

Thank you for your recent letter dated July 9, 2004 regarding the Notice of Claim to a Water Right which was filed on our behalf in the Snake River Basin Adjudication. I have been in search for a piece of evidence which would establish the historic use of water. I spoke with your office and was told that we have permits filed with the Department of Water Resources but that I needed some sort of other evidence of the time we began using water from the Clearwater River. I had asked if a copy of the minutes of the board of directors would substantiate for evidence and was told it would.

I have enclosed a copy of the Order for Election, Order Declaring District Organized and Designating Board of Directors along with copies of the minutes of the board meetings for April 23, 1963, defining the term of the "water system," May 19, 1964 evidencing that the water system would be in operation in July, 1964 and to confirm this, the July 1, 1964 indicates that the water system is partly operational confirming that water was being pumped out of the Clearwater River as of July 1, 1964.

I noticed that the Date of Priority shows June 1, 1963, which is the date that construction began on the water system. The District was actually formed June 14, 1962, but by the time financing was secured, construction did not commence until June of 1963 and was completed in June of 1964.

I hope that this will evidence our claim to a water right from the Clearwater River for our public water system which serves approximately 2,000 people.

Thank you for your assistance with this matter, should this not be the appropriate information, please notify me as soon as possible and I will attempt to find more evidence.

Sincerely,



Nancy K. Dawson
Facility Manager

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JUL 23 2004

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR CLEARWATER COUNTY

IN THE MATTER

OF

THE ORGANIZATION OF
RIVERSIDE INDEPENDENT WATER DISTRICT)

No. 3383

ORDER FOR ELECTION

The above entitled cause having come on duly and regularly for hearing, pursuant to order of this Court, and notice duly and regularly given, on Tuesday, the 12th day of June, 1962, at two o'clock P.M., the petitioners appearing by Warren F. Gardner, their attorney of record, and both oral and documentary evidence having been introduced, and the Court having examined the records and files of this proceeding, and being fully advised both as to the facts and the law, finds:

That the Petition for Organization of a Water District was filed herein on the 8th day of May, 1962; that, by Order of this Court, Tuesday, the 12th day of June, 1962, was duly fixed as the time for hearing the said Petition; that notice of the pendency of the Petition and of the time and place for hearing thereon was duly given by publication of a copy of the Order Fixing Time and Place for Hearing, in the Clearwater Tribune, a newspaper printed and published in the City of Orofino, County of Clearwater, State of Idaho, in four consecutive weekly issues thereof, commencing on the 10th day of May, 1962, and ending on the 31st day of May, 1962; that an Affidavit of Publication of such order was duly filed herein on the 12th day of June, 1962; that a copy of a Notice of Hearing on the said Petition was duly mailed by registered mail to the Board of County Commissioners of Clearwater County, State of Idaho, and to the City Council of the City of Orofino, Idaho; that an Affidavit of Mailing said notices was duly filed herein on the

12th day of June, 1962.

That the tax rolls of the County of Clearwater, State of Idaho, indicate that the total number of tax payers within the proposed district, who pay a general tax on real property owned by him or her within the district, is 263; that the Petition filed herein has been signed by more than 10% of the tax payers of the district; that the said Petition has been signed and presented to this Court in conformity with the provisions of Chapter 32, Title 42, Idaho Code.

That all of the material facts are as set forth in the said Petition filed herein, and all allegations contained in the said Petition, are true as therein alleged.

That the following named persons are the owners of a single tract or parcel of property within the boundaries of the proposed district, containing five acres or more, which said owners have not consented that such property be included within the district:

C. A. Beck
C. W. Beck
Claude R. Noble
Melvin McClain
Corporation of the Presiding Bishop of the Church of
Jesus Christ of the Latter Day Saints
Isabelle M. Kinne et al
B. R. Gerard, Jr.
Vernon W. Butler
Madeline Conroy
Samuel F. Swayne, Trustee for Robert K. Robertson
Joe Richardson
Samuel F. Swayne
Earl W. Williams

That nominating petitions have been duly filed herein nominating the following named persons for the Board of Directors of the proposed district:

Vernon Ehlinger
Jack Isabelle
F. E. MacDonald
Lester Ponozzo
Robert W. Rhodes
William F. Shields
Harold T. Stoddard

That no petitions have been filed herein, by any person or

persons whomsoever, praying that any property within the boundaries of the proposed district should be excluded therefrom.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED:

I.

That the boundaries of the proposed district be corrected by excluding therefrom the single tracts or parcels of property containing five acres or more, the owners of which have not consented to the inclusion of such property therein; that the corrected boundaries of the proposed district be, and they hereby are, fixed as follows:

Beginning at the point of intersection of the south meander line of the Clearwater River and the west line of Lot 12, Section 1, Township 36 North, Range 1 E.B.M., thence

South to the northeast corner of the $SW\frac{1}{4}SW\frac{1}{4}$ of said Section 1; thence

West to the northeast corner of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 3, Township 36 North, Range 1 E.B.M.; thence

North to the quarter corner common to Sections 2 and 3, Township 36 North, Range 1 E.B.M.; thence

West to the quarter corner common to Sections 3 and 4, Township 36 North, Range 1 E.B.M.; thence

North to the northeast corner of the $SE\frac{1}{4}NE\frac{1}{4}$ of said Section 4; thence

West to the north and south center line of said Section 4; thence

North to the north line of said Section 4; thence

West to the northwest corner of Lot 3 of said Section 4; thence

North to the south meander line of the Clearwater River in Section 33, Township 37 North, Range 1 E.B.M.; thence

Southeasterly along the south meander line of the Clearwater River to the point of beginning;

EXCEPTING therefrom the following described single tracts or parcels of property containing five acres or more, the owners of which have not consented to the inclusion of such property within the said district:

C. A. Beck

The South $\frac{3}{4}$ of Lot 10, Section 2, Township 36 North, Range 1 E.B.M.; EXCEPTING therefrom: Beginning at a point 40 feet S. $3^{\circ}15'$ W. from the southeast corner of Lot 6, Riverside Tracts; thence 502 feet S. $3^{\circ}15'$ W.; thence 245 feet S. $33^{\circ}39'$ E.; thence 342 feet S. $86^{\circ}52'$ E.; thence 308 feet N. $3^{\circ}36'$ W.; thence 106 feet N. $79^{\circ}14'$ W.; thence 397 feet N. $2^{\circ}00'$ E.; thence 336 feet, more or less, N. $88^{\circ}45'$ W. to the point of beginning.

ALSO

All that part of Lots 1 and 2 of Riverside Tracts owned by the said C. A. Beck.

C. W. Beck

Commencing at a point on the north line of the $S\frac{1}{2}N\frac{1}{2}$ of Section 3, Township 36 North, Range 1 E.B.M., 220 feet west of the northeast corner of the $SE\frac{1}{4}NE\frac{1}{4}$ of said Section 3; thence south 40 rods to a point on a line running east and west through said $S\frac{1}{2}N\frac{1}{2}$ of said Section 3; thence west on said line 20 rods; thence south 40 rods to a point on the south line of said $S\frac{1}{2}N\frac{1}{2}$; thence west on said line 20 rods; thence north 40 rods to a point on a line running east and west through the middle of said $S\frac{1}{2}N\frac{1}{2}$ of said Section 3; thence west 20 rods; thence north 40 rods to a point on the north line of the $S\frac{1}{2}NW\frac{1}{4}$ of said Section 3; thence east 60 rods to the point of beginning; being a part of the $S\frac{1}{2}N\frac{1}{2}$ of Section 3, Township 36 North, Range 1 E.B.M.

Claude R. Noble

Beginning at a point 40 feet S. $3^{\circ}15'$ W. from the southeast corner of Lot 6, Riverside Tracts; thence 502 feet S. $3^{\circ}15'$ W.; thence 245 feet S. $33^{\circ}39'$ E.; thence 342 feet S. $86^{\circ}52'$ E.; thence 308 feet N. $3^{\circ}36'$ W.; thence 106 feet N. $79^{\circ}14'$ W.; thence 397 N. $2^{\circ}00'$ E.; thence 336 feet more or less, N. $88^{\circ}45'$ W. to the point of beginning, containing approximately 6.0 acres, and being in Section 2, Township 36 North, Range 1 E.B.M.

Melvin McClain

Beginning at a point on the southerly line of Lot 6 of Riverside Tracts, 143 feet westerly of the southeast corner of said Lot 6; thence S. $21^{\circ}54'$ W. 143 feet; thence S. $63^{\circ}05'$ E. 207 feet to a point, which point is on the north and south line between Lots 5 and 6 of Riverside Tracts, extended south; thence S. $3^{\circ}15'$ W. 275.8 feet along said line; thence N. $65^{\circ}11'$ W. 432 feet; thence N. $78^{\circ}22'$ W. 201 feet, more or less, to a point on the north and south line between Lots 8 and 9 of Riverside Tracts, extended south; thence North along said line 292 feet, more or less, to the southwest corner of Lot 8 of said Riverside Tracts; thence easterly along the southerly line of Lots 8 and 7 and 6 of Riverside Tracts 448 feet, more or less, to the point of beginning; all being in Section 2, Township 36 North, Range 1 E.B.M.

ALSO

Beginning at a point on the westerly line of Lot 7, Riverside Tracts, which point is 330 feet north of the southwest corner of Lot 7; thence south along said westerly line 330 feet to the southwest corner of said Lot 7; thence east along the southerly line of said Lot 7, 200 feet to the southeasterly corner thereof; thence north 270 feet along the easterly line thereof to a point; thence northwesterly to the point of beginning.

EXCEPTING therefrom the following: beginning at a point on the west line of Lot 7, Riverside Tracts, which point is 68 feet north of the southwest corner of said Lot 7;

thence north along the west line of said Lot 7, approximately 262 feet; thence southeasterly to a point on the east line of Lot 7, which point is approximately 270 feet north of the southeast corner of said Lot 7; thence south along the east line of said Lot 7 to the southeast corner thereof; thence westerly along the southerly line of said Lot 7 a distance of 40 feet; thence in a northwesterly direction, being approximately N. 30' W., 54 feet; thence northwesterly approximately N. 73° W. to the point of beginning.

Corporation of the Presiding Bishop of the Church of
Jesus Christ of Latter Day Saints

A portion of Lot 5, Section 3, Township 36 North, Range 1 E.B.M., described as: Commencing at the quarter corner between Sections 3 and 4, Township 36 North, Range 1 E.B.M.; thence N. 0°3' W. along the Section line 1,320 feet to the true point of beginning; thence N. 0°3' W. 766 feet; thence N. 80°32' E. 337.5 feet; thence S. 2°14' W. 833.8 feet; thence N. 87°46' W. 300 feet to the point of beginning.

Isabelle M. Kinne et al

Lots 2, 3 and 4, Section 3, Township 36 North, Range 1 E.B.M.; ALSO beginning at the quarter corner between Section 3 and 4, Township 36 North, Range 1 E.B.M.; thence N. 0°03' W. a distance of 1,320 feet to the point of beginning; thence east along the south line of Lot 5 of said Section 3 to the southeast corner thereof; thence north along the east line of said Lot 5 to a point 60 feet south of the high water line of the Clearwater River on the south bank; thence S. 80°32' W. to a point on the west line of said Lot 5; thence south to the point of beginning; being a part of Lot 5, Section 3, Township 36 North, Range 1 E.B.M.; EXCEPTING therefrom the following: Commencing at the southeast corner of Lot 2, Section 3, Township 36 North, Range 1 E.B.M.; thence west along the south boundary of said Lot 2 a distance of 378 feet to the true place of beginning; thence continuing on said south boundary line of Lot 2 a distance of 93.3 feet; thence N. 13°40' E. 192.5 feet to the southerly right of way line of State Highway No. 9; thence S. 76°12' E. along said southerly right of way line 97 feet to a point; thence S. 15°48' W. a distance of 170.3 feet to the true place of beginning, excepting therefrom the southerly 30 feet of said tract.

ALSO EXCEPTING:

A portion of Lot 5, Section 3, Township 36 North, Range 1 E.B.M., described as: Commencing at the quarter corner between Sections 3 and 4, Township 36 North, Range 1 E.B.M.; thence N. 0°3' W. along the Section line 1,320 feet to the true point of beginning; thence N. 0°3' W. 766 feet; thence N. 80°32' E. 337.5 feet; thence S. 2°14' W. 833.8 feet; thence N. 87°46' W. 300 feet to the point of beginning.

AND EXCEPTING:

A portion of Lot 4, Section 3, Township 36 North, Range 1 E.B.M., described as: Beginning at a point on the south boundary of said Lot 4, which said point is S. 87°46' E. 455.5 feet from the southwest corner of said Lot 4; thence S. 87°46' E. 334.8 feet; thence N. 13°46' E. 838.6 feet to the high water line of the south line of the Clearwater River; thence Westerly 500.8 feet along said high water line; thence S. 13°46' W. 704.5 feet; thence S. 87°46' E. 175 feet; thence S. 13°46' W. 200 feet to the point of beginning; Except the northerly 60 feet of the above described tract as a right of way for access to the Clearwater River, and also except State Highway No. 9.

B. R. Gerard, Jr.

Lot 12, Section 2, Township 36 North, Range 1 E.B.M.

Vernon W. Butler

All that part of Lot 6, Section 33, Township 37 North, Range 1 E.B.M., lying and being south of the south slough or water way, on a line 3 feet above high water mark.

Madeline Conroy

SW $\frac{1}{4}$ of Lot 2, Section 4, Township 36 North, Range 1 E.B.M. ALSO the N $\frac{1}{2}$ of Lots 5, 6 and 7, and the E $\frac{1}{2}$ of Lots 9 and 10, Chase's Tracts; ALSO, Beginning at the northeast corner of Lot 13 of Chase's Tracts; thence north to the point of intersection with the meander line of the left bank of the Clearwater River; thence northeasterly easterly and southeasterly along said meander line to the point of intersection with the east line of Lot 7 of Chase's Tracts extended due North; thence south to the northeast corner of said Lot 7; thence west along the north line of said Lot 7 to the northwest corner thereof; thence south along the west line of said Lots 7 and 6 of Chase's Tracts 200 feet, more or less, to a point due east of the point of beginning; thence West 331 feet, more or less, to the point of beginning.

Samuel F. Swayne, Trustee for Robert K. Robertson

Lot 13 (less tract sold); 10 acres in the southwest part of Lot 12; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1; S $\frac{1}{2}$ of Lot 14, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 36 North, Range 1 E.B.M.

Joe Richardson

Lot 11, Section 2, Township 36 North, Range 1 E.B.M. ALSO part of Lot 6, Section 2, Township 36 North, Range 1 E.B.M., described as follows: Commencing at a point on the south side of the public highway,

where the same crosses the line between Lots 5 and 6 of said Section 2; thence south along said line to the southwest corner of said Lot 6; thence east on the quarter section line 5.75 chains to a point; thence north 3.62 chains to a point on the south and west side of the creek; thence following the westerly line of said creek meanderings to a point on the south side of said highway; thence westerly along the south line of said highway to the point of beginning; EXCEPTING therefrom all platted tracts included therein.

Samuel F. Swayne

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 36 North, Range 1 E.B.M.; less a 9 acre tract heretofore sold, and also excepting: Beginning at the 16th corner at the northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 3; thence south 660 feet; thence east 550 feet; thence north 220 feet; thence east 110 feet, more or less, to a point on the west line of Tax No. 363; thence north 440 feet, more or less, to the north line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence west 660 feet, more or less, to the point of beginning.

Earl W. Williams

All those portions of Lots 6 and 7, Section 33, Township 37 North, Range 1 E.B.M., lying north of the south slough or water way thereon, including the said slough or water way.

II.

That the question of the organization of Riverside Independent Water District be submitted to the qualified electors of the district, at an election to be held for that purpose, on Tuesday, the 17th day of July, 1962.

III.

That the following named persons, being qualified electors of the proposed district, to-wit:

Mary Ripley
Estel Jasper
Louise Schoeffler

be, and they hereby are, appointed as judges of the said election.

IV.

That the proposed district shall be deemed to be one precinct, for the purposes of such election, with the polling place to be The Idaho Inn.

V.

That the Clerk of this Court shall forthwith give notice of the time and place of said election to be held in the said district, by publication in the Clearwater Tribune, a newspaper printed and published at Orofino, County of Clearwater, State of Idaho, and having general circulation in the district proposed to be organized; and that such publication be had once a week for three consecutive weeks, with not less than fourteen (14) days (excluding the day of first publication) intervening between the first publication and the last publication of such notice; the first publication of said notice to be not less than twenty (20) days prior to the date set for the said election.

VI.

That the following named persons have been duly nominated for the Board of Directors of the said District, to-wit:

Vernon Ehlinger
Jack Isbelle
F. E. MacDonald
Lester Ponozzo
Robert W. Rhodes
William F. Shields
Harold T. Stoddard

that the names of such persons shall be listed upon the ballot to be submitted to the electors at the election hereby ordered.

VII.

That the matter relating to the creation of the district, and the matter relating to the election of the directors, shall be contained upon one ballot; which said ballot shall be in the following form:

OFFICIAL BALLOT

FOR the creation of a water district
to be known as Riverside
Independent Water District

()

AGAINST the creation of a water district
to be known as Riverside
Independent Water District

()

NOMINEES FOR BOARD OF DIRECTORS
(Vote for 5)

VERNON EHLINGER	()
JACK ISBELLE	()
F. E. MacDONALD	()
LESTER PONOZZO	()
ROBERT W. RHODES	()
WILLIAM F. SHIELDS	()
HAROLD T. STODDARD	()

VIII.

That the said election shall be held and conducted as nearly as may be in the same manner as general elections in the State of Idaho; provided, however, that no registration shall be required at such election, but each voter shall be required to execute an oath of election attesting his qualifications, before casting his vote.

DATED this 14th day of June, 1962.


Jack McQuade
District Judge

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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR CLEARWATER COUNTY

IN THE MATTER

OF

THE ORGANIZATION OF
RIVERSIDE INDEPENDENT WATER DISTRICT)

No. 3383

3383

7-18

2:15

By *Maury J. Fields, Jr.*

ORDER DECLARING DISTRICT ORGANIZED AND DESIGNATING
BOARD OF DIRECTORS

The duly appointed Judges of the election held on Tuesday, the 17th day of July, 1962, pursuant to order of this Court, having filed herein their certificate as to returns of election; and the Court having duly examined the said certificate, and being fully advised in the premises, finds:

That an election was duly held on Tuesday, the 17th day of July, 1962, pursuant to order of this Court, at which election the question of the organization of Riverside Independent Water District was submitted to the qualified electors of the district; and also, at which election the names of the persons nominated for the Board of Directors were listed on the ballot submitted to the electors of said district.

That notice of the said election was duly given by the Clerk of this Court, pursuant to order of this Court, by publication of such notice in the Clearwater Tribune, a newspaper printed and published at Orofino, County of Clearwater, State of Idaho, once a week for four consecutive weeks, commencing on the 21st day of June, 1962, and ending on the 12th day of July, 1962; that an Affidavit of Publication of said Notice of Election was filed herein on the 18th day of July, 1962.

That, at said election, 131 votes were cast on the question of the organization of the said district; that, of said votes cast, 120 were in the affirmative, and 11 were in the negative; that more than a majority of the votes cast at the said election were in

favor of the organization of the said water district.

That, at said election, the number of votes cast for each of the persons nominated for the Board of Directors, is as follows:

Vernon Ehlinger	98
Jack Isbelle	79
F. E. MacDonald	64
Lester Ponozzo	105
Robert W. Rhodes	68
William F. Shields	107
Harold T. Stoddard	86

That, in addition thereto, the following write-in ballots were cast:

John Jasper	2
Lloyd Richardson	1
Robert Bray	1.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That the said district, having for its boundaries those set forth in the Order for Election on file herein, be, and the same hereby is, declared to be, duly organized; and that the said district be, and it hereby is, given the corporate name of Riverside Independent Water District, by which name it shall hereafter be known.

II.

That the following named persons be, and they hereby are, named and designated as the first Board of Directors of said district:

Vernon Ehlinger
Jack Isbelle
Lester Ponozzo
William F. Shields
Harold T. Stoddard

One of such Directors to serve until the first biennial election to be held in the district on the second Tuesday of January, 1964; two of such Directors to serve until the second biennial election to be held in the district on the second Tuesday of January, 1966;

and two of such Directors to serve until the third biennial election to be held in the district on the second Tuesday of January, 1968; that, upon the first meeting of the said Board of Directors, the said Directors shall determine among themselves the term of office of each of Director until the biennial elections herein mentioned.

III.

That each of the Directors herein designated, shall file with the Clerk of this Court, his oath of office and a corporate surety bond, at the expense of the district, in the amount of \$1,000.00, conditioned for the faithful performance of his duties as a director; which said oath of office and bond shall be in substantially the following form:

PUBLIC OFFICIAL BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____, as principal, and _____, as surety, are jointly and severally held and firmly bound unto the State of Idaho in the penal sum of One Thousand Dollars (\$1,000.00), lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, legal representatives, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the bounden principal has been duly elected to the office of Director of Riverside Independent Water District, in the State of Idaho, for a term beginning _____, and ending _____;

NOW, THEREFORE, the condition of the above obligation is such that, if the said principal shall well, truly and faithfully perform all the duties of said office during said term now or hereafter required of him by law, then this bond shall be void; otherwise, it shall remain in full force and effect.

DATED this _____ day of _____, 19____.

Principal

Surety

OFFICIAL OATH

STATE OF IDAHO)
County of Clearwater) ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution and Laws of this State; that I will faithfully discharge all the duties of the office of Director of Riverside Independent Water District, to the best of my ability. So help me God.

Principal

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

IV.

That, from and after the date of this Order, the said Riverside Independent Water District shall be a governmental subdivision of the State of Idaho, and a body corporate, with all the powers of a public or quasi-municipal corporation.

V.

That the cash bond of \$300.00, heretofore filed in this cause, be, and the same hereby is, exonerated and released.

DATED this 18th day of July, 1962.

Jack McQuade

Jack McQuade

District Judge

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DEPARTMENT OF
WATER RESOURCES

MINUTES OF A SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF RIVERSIDE INDEPENDENT WATER DISTRICT
OF CLEARWATER COUNTY, IDAHO, HELD ON APRIL 23,
1963, AT 4:30 P.M.

The Board of Directors of Riverside Independent Water District of Clearwater County, Idaho, met in special meeting at the regular meeting place of said Board in the City Hall in Orofino, Clearwater County, Idaho, within said District, on April 23, 1963, at 4:30 P.M. there being present upon roll call the following members of the Board, constituting a quorum and being a majority of the Board, viz:

William F. Shields
Vernon Ehlinger
Lester L. Ponozzo
F. E. MacDonald

Absent: H. T. Stoddard

.....

Upon motion of Director MacDonald, seconded by Director Ponozzo, and unanimously carried, it was:

RESOLVED, that the District retain Burcham & Blair, Attorney of Spokane, Washington, to act as attorneys for the District in proposed forthcoming bond election and bond sale, at a fee of not to exceed \$1,200.00

Thereupon, at the direction of the Chairman of the Board the following Resolution was read by the Secretary, viz:

RESOLUTION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RIVERSIDE INDEPENDENT WATER DISTRICT OF CLEARWATER COUNTY, IDAHO, AS FOLLOWS:

1. The term "Water System" as used herein shall mean the water works plant distribution and water supply therefor, including main hydrants, meters, valves, standpipes, storage tanks, pumping tank intakes, wells, impounding reservoirs and purification plants.

2. That the Chairman and Board of Directors of Riverside Independent Water District deem it advisable to issue general obligation negotiable serial coupon bonds of the District in the sum of not more than \$180,000.00 and incur an indebtedness of said District in said amount for the purpose of acquiring funds to pay a part of the cost and expense of the acquisition by construction of a water system for its own use and for the purpose of selling

and distributing water to its inhabitants and the people, industries and other users therein, subject to the approval of the qualified taxpayer electors of said District at a special election hereinafter required, which system thus acquired, shall be operated by this District.

3. That the Chairman and Board of Directors find and declare that the interest of said District and the public interest and necessity demand the acquisition as hereinafter provided for a water system to carry out the objects and purposes of said District.

4. The following plan and manner of payment and defraying of the cost of the acquisition by construction of such system, and the manner of acquisition thereof, are as follows:

There shall be constructed, erected, and installed by the District, in, over and upon, along and under the streets, avenues, alleys, and other public places, ways and other convenient places within, and where legally permissible without, the limits of the District, all apparatus and equipment and appurtenances customarily made a part of and incorporated in and used in modern water systems, sufficient to constitute a complete and adequate water system therein for the distribution in the usual manner of water as is hereafter designated and described in the plans and specifications which follow:

The following installation shall be made:

The construction of a water system shall include water mains, or conduits, aqueducts, pipe-lines, pumping stations, and all appurtenances and machinery necessary or useful and convenient for obtaining, transportation or transfer of water; and in addition to the above, shall include all reservoirs and storage facilities and all appurtenances necessary or useful and convenient thereto for the collection and storage and treatment, purification and disposal of water for domestic uses and purposes.

The foregoing construction is in accordance with the preliminary maps, plans and specifications as prepared by Hoffman, Fiske & Milar of Boise, Idaho, Engineer for the District, for the carrying out of the plan of construction, complete details for which said project are fully set forth and specified in the above preliminary maps, plans and specifications, which said preliminary maps, plans and specifications have been filed, and are now on file, in the office of the Secretary of the Board of Directors of said District, which said preliminary maps, plans and specifications are hereby expressly adopted and approved, and are by reference made a part hereof.

5. It is estimated that the cost of doing all the foregoing, including preliminary expenses will be \$341,700.00, which amount

will be paid for by the issuance and sale of not more than \$180,000.00 of General Obligation Negotiable Serial Coupon Bonds, and the balance, it is anticipated will be realized from a Federal Grant, or Grants. In the event the Federal Grant, or Grants, are not forthcoming then, in that event these bonds, if authorized, will not be issued and sold.

6. The foregoing bonds in the foregoing amount, shall be of the denomination of \$1000.00 each, shall run for a period of twenty (20) years after their date of issue, which shall be the ultimate maturity of said bonds; the annual amortized bond principal maturities thereof, and the bond principal amounts which will be paid annually, shall be amortized and payable in accordance with the provisions of the Municipal Bond Laws of the State of Idaho, being Chapter 262 of the Session Laws of 1927, whereby (and it is further resolved hereby) the first annual amortized bond principal payment thereof shall mature and be payable at the expiration of two (2) years from and after the date of issue of said bonds, and the various subsequent annual principal maturities of said bond issue, as nearly as practicable, shall be in such principal amounts as will, together with accruing interest on all outstanding bonds of this bond issue, be met and paid by an equal annual tax levy for the payment of the principal of said bonds and the interest thereon during the term of years for which said bonds shall be issued; which said bonds shall bear interest at a rate, or rates, not exceeding Six Per Cent (6%) per annum, which interest shall be payable semi-annually, and which bonds in denominations and in all other respects shall be as provided by law and be consistent with the provisions of said Municipal Bond Law and the law of this State and as subsequently prescribed specifically by the Chairman and Board of Directors of this District

7. The Chairman and Board of Directors of the District shall levy, and cause to be levied and collected, annually, at the time when, and in the manner in which other general taxes are levied and collected, upon all the taxable property within the limits of this District, in addition to all other authorized taxes and assessments, an annual tax in each year sufficient in each annual amount to meet and pay the interest on such indebtedness as it becomes payable, according to the foregoing, and also to meet and pay the foregoing bond principal amounts as they mature and also to constitute a Sinking Fund for the payment of the principal of said indebtedness and said bond issue as said bonds mature and within twenty (20) years from the time of contracting the said indebtedness, as required by law; and said tax levies thus specified are hereby ordained and directed to be made, and said Sinking Fund is hereby ordained and directed to be made, and is hereby constituted and created in the office of the Treasurer of Riverside Independent Water District. Nothing expressed herein shall be construed as denying to said District the right to apply any other funds legally available thereto, to the payment of said bonds and interest thereon

including receipts from water rents.

8. That a Special Election of the qualified electors of this District, who are taxpayers thereof, shall be, and is hereby ordered to be held in this District on Friday, the 17th day of May, 1963, between the hours of 8 o'clock A.M. and 8 o'clock P.M., Pacific Daylight Time on said day, at which election the question of the issuance of said bonds and the incurring of said indebtedness thereby for the foregoing purpose shall be submitted to the qualified registered voters who are also taxpayers of this District, and to their assent or rejection, as provided by law; all qualified electors of said State and of this District, as provided by law, who are taxpayers of said District and were registered as required by law, shall be entitled to vote at such election; the election will be at the following place, or places, within said District:

VOTING PLACE

Idaho Inn

LOCATION OF VOTING PLACE

Route 1, Orofino, Idaho

Such voting place, or places, and the ballot box, or boxes, therein for said special election will be opened at the hour of 8 o'clock, A.M., and will continue open until, and will be closed at, the hour of 8 o'clock, P.M., Pacific Daylight Time, on said day. The voting at said election shall be by ballot, and the Proposition which shall be submitted thereon at said election, shall be substantially in the following alternative form, viz:

"IN FAVOR OF issuing bonds to the amount of \$180,000.00 for the purpose provided by Resolution adopted April 23, 1963".

"AGAINST issuing bonds to the amount of \$180,000.00 for the purpose provided by Resolution adopted April 23, 1963".

If at such election two-thirds of the electors qualified and entitled to vote at said election and being taxpayers of and in said District voting at such election, assent to the issuing of such bonds and the incurring of the indebtedness thereby created for the purpose aforesaid, such bonds for said purpose shall be issued as provided herein and in the manner provided by the Municipal Bond Law of the State of Idaho above referred to.

9. That Notice of said special election shall be published in the CLEARWATER TRIBUNE, a legal newspaper, printed and published weekly in Orofino, Idaho, and of general circulation within River-side Independent Water District, Clearwater County, Idaho, said publication to be for three consecutive weekly publications, the first publication to be at least twenty (20) days before the date fixed for said election, said published notice shall clearly set forth the date of such election, the voting place, or places, therefore, the Proposition which shall be submitted at such election

Idaho as required by the Constitution and Laws thereof, and to have resided within the limits of said District for three months preceding said election and to be registered as required by law. Those electors who have registered for the last preceding general election held in said State are not required to register again for the election herein noticed so long as he or she shall continue to reside at the address in which he or she is living and from which he or she shall have registered, but those who failed to register for said general election, or thereafter, or have failed or neglected heretofore to vote at the last general election, are required to register in order to vote at the election herein noticed. If an elector has registered and has removed from the District and has remained away for a period of one year, his name shall be stricken from the register and if he shall again reside in the District for at least thirty days, he shall again register.

Said election shall be conducted in other particulars as other municipal elections.

DATED this 25th day of April, 1963.

RIVERSIDE INDEPENDENT WATER DISTRICT
OF CLEARWATER COUNTY, IDAHO

By William F. Shields
Chairman of Board of Directors

ATTEST:

Vernon Ehlinger
Secretary

(END OF NOTICE OF SPECIAL ELECTION)

12. That compensation to be paid the officers of the election upon said election shall be \$12.00.

13. That there are hereby appointed the following electors, who are taxpayers of the District, for the polling place, or places, herein designated, to act as officers and judges of such election:

Name of Polling Place

Idaho Inn

Officers and Judges

Louise Schoeffler Judge

Magnhild Ehlinger Judge

Estel Jasper Judge

F. E. Erickson Clerk

(End of Resolution)

ATTEST:

Turner Ehlinger
Secretary

John L. Shields
Chairman of Board of Directors

(Impress Seal of District here)

Thereupon, after consideration of the foregoing Resolution, it was moved by Director Ponozzo that said Resolution be adopted, which motion was seconded by Director MacDonald and then submitted to an AYE and NAY vote of the Board of Directors, the vote thereon resulting as follows:

Director	<u>Ehlinger</u>	voted "AYE"
Director	<u>MacDonald</u>	voted "AYE"
Director	<u>Ponozzo</u>	voted "AYE"
Director	<u>Shields</u>	voted "AYE"

with no votes "NAY", whereupon the Chairman declared the foregoing Resolution to be duly adopted and in approval thereof signed his name at the end thereof, which signing was attested by the Secretary under the seal of the District.

.....

Upon motion duly made, seconded and carried unanimously, the meeting adjourned.

ATTEST:

Turner Ehlinger
Secretary

John L. Shields
Chairman of Board of Directors

(Impress Seal of District here)

May 19, 1964
Special Meeting

RECEIVED

JUL 23 2004

DEPARTMENT OF
WATER RESOURCES

Inspecting
line before

A special meeting of the Riverside Independent Water District was held at 7:30 p.m. at the home of Chairman Shields. Present were Shields, Gambs, Ponozzo, Secretary Dahl and Engineer Fiske. Also present was Mr. Rex Kimberling.

Following is a revised water rate schedule:

Residential: \$7.65 per month per residential unit with a minimum service of 6,000 gallons. Additional water at rate of 10 cents per 1,000 gallons.

Additional units such as guest houses or mobil homes - \$3.00 per month per residential unit with a minimum service of 6,000 gallons. Additional water at rate of 10 cents per 1,000 gallons.

Commercial: For clubs, cleaners, beauty shops, service stations, drive-ins, offices, stores, hotels, motels, cafes, laundries, schools, shopping centers, mobile home courts, nurseries, bowling alleys, and all other commercial customer connected activities - \$11.00 per month per first unit with a minimum service of 12,000 gallons.

Extra units:

Living units with cooking facilities in use including mobil homes \$2.50 with additional minimum service of 6,000 gallons per unit.

Living units at motels without cooking facilities in use
\$.50 per unit with additional minimum service of 1,200 gallons per unit.

Residential and commercial units in Riverside at the time of start of operation of the water system in June, 1964 which do not start paying monthly water bill at time of first billing will pay a graduated hook-up charge at any time that they may wish to connect to the system in the future. The graduated scale of this hook-up charge is listed below:

If hook-up is made prior to July 1, 1964, no hook-up charge will be made.

If hook-up is made between July 1, 1964 and November 1, 1964 the charge will be \$100.00.

If hook-up is made between November 1, 1964 and July 1, 1965 the charge will be \$150.00.

Thereafter, the hook-up charge shall increase \$50.00 every six month period.

On all hook-ups after July 1, 1964 an additional service fee of \$3.00 shall be made for turning on the water.

Residential and commercial units in Riverside at the time of start of operation of the water system in ~~June~~ 1964 which do start paying water bill as outlined above but which discontinue using water and paying water bill for a period and then wish to again use the water in the period before the bonds are paid for shall pay the same graduated hook-up fee for the period that they do not use the system.

James Shields

Janice Dahl

RECEIVED

July 1, 1964

JUL 23 2004

DEPARTMENT OF
WATER RESOURCES

Inspecting
line before

The regular meeting of the Riverside Independent Water District was held at the Orofino Fire Hall at 7:30 p.m. on July 1, 1964.

Present were Chairman Shields, Secretary Dahl, Directors Ehlinger, Gambs, MacDonald, and Ponozzo. Mr. Fiske, the engineer, was also present.

Minutes were read and approved.

The following bills were presented:

Vernon Ehlinger	5.00
Les Ponozzo	5.00
Floyd MacDonald	5.00
Hal B. Gambs	5.00
William F. Shields	9.37
Janice Dahl	40.00
United States Post Office	6.00

Motion made by Ehlinger and seconded by MacDonald the bills be paid. Motion carried.

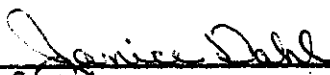
The Housing and Home Finance Agency wrote to the chairman concerning the final audit arrangements. The contract had not been received by their office as of June 16th. Contract had been mailed so we are to check to see why they do not have this information.

Discussion was held on the water system. System is partly operational now. The board feels charges should be made for water in July on a pro rated basis. If system stands pressure test by Engineer Fiske we should have water system in operation in two or three days.

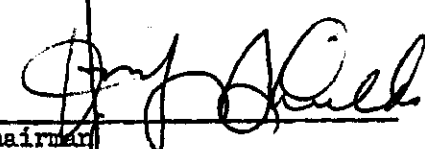
Motion made by Ehlinger and seconded by Ponozzo that the secretary would be on full salary of \$100.00 a month starting the first of July. Motion carried.

Board members noted that interest coupons were again due and payable July 1st. Some coupons have already been received.

Motion to adjourn made by Ehlinger and seconded by Gambs. Motion carried. Meeting adjourned 9:15 p.m.


Secretary

APPROVED


Chairman