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JUL 17 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
5th Judicial District
County of Twin Falls - State of Idaho

JUL 16 2008

Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 79-04285

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

On April 11, 2008, the City of Grangeville, by and through counsel, Dennis Albers, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on July 15, 2008. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated July 16, 2008.



JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on July 16, 2008, with sufficient first-class postage to the following:

CITY OF GRANGEVILLE

Represented by:

DENNIS L ALBERS

PO BOX 314

GRANGEVILLE, ID 83530

Phone: 208-983-2310

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 7/16/08

FILE COPY FOR 00159

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" and last name "Murphy" clearly distinguishable.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 79-4285
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

1. Name of Claimant(s)

CITY OF GRANGEVILLE Phone: (208)983-1380
225 W NORTH ST
GRANGEVILLE ID 83530

2. Date of Priority: 01/01/1959

3. Source: JOHNS CREEK Trib. to: ROCK CREEK

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
30N 02E 25 SW NW IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/1	10/31	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

8. Total consumptive use:

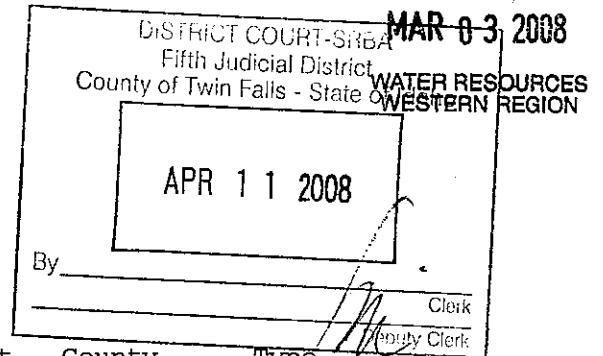
9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
30N	02E	25	SW NW	IRRIGATION	26
				Section Acres	26
30N	02E	26	SE NE	IRRIGATION	12
				Section Acres	12
				Total Acres	38

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes



13. Other Water Rights Used:

79-4288 from ground water

14. Remarks:

This claim is for the water diverted from Johns Creek that was combined with the water diverted from the well and claimed on SRBA Claim 79-4288. The purpose of filing of this claim for the Johns Creek water is to remove Johns Creek as a source of water on claim 79-4288, leaving ground water as the only source now claimed on claim 79-4288.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 - 3 pgs.

For Organizations:

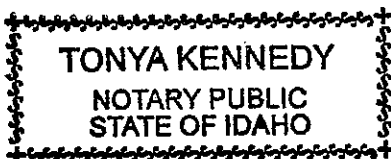
I do solemnly swear or affirm that I am Public Works Director of City of Grangeville, that I have signed the foregoing document in the space below as Public Works Director of City of Grangeville and that the statements contained in the foregoing document are true and correct.

Kenneth J. Antenna
Signature of Authorized Agent
Public Wks. Dir. Grangeville
Title and Organization
2/28/08
Date

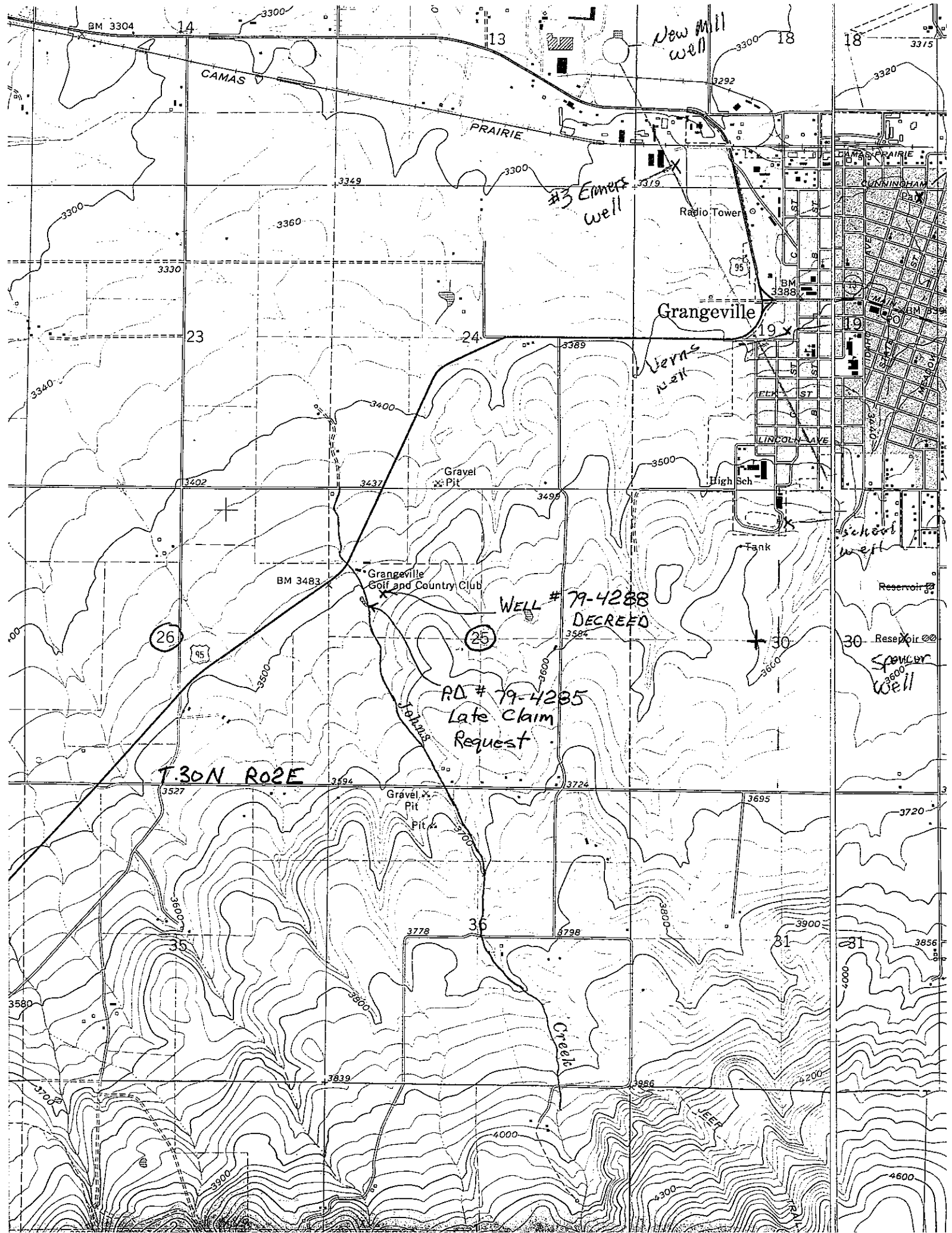
State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of February 2008

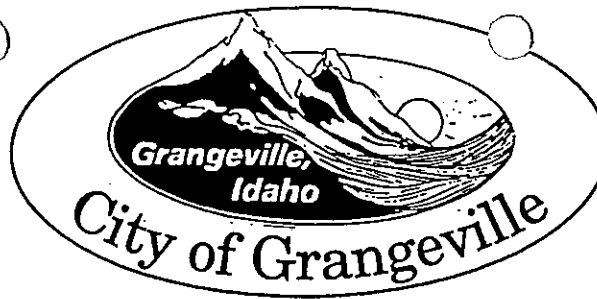
Tonya Kennedy
Notary Public



Residing at Grangeville
My commission Expires 3/31/12



Mayor: Terry Vanderwall
City Clerk: Tonya Kennedy
tkennedy@grangeville.us
Public Works: Ken Gortsema
pwken@grangeville.us



Council Members:
Bruce Walker
Jane Kissinger
Georgia DeHaas
Brian Lorentz
Wes Lester
James Zehner

County Seat Of Idaho County

February 25, 2005

Ken Gortsema
Public Works Director

Gregory J. Taylor, Sr. Water Agent
Idaho Dept. of Water Resources
1118 "F" Street
Lewiston, ID. 83501

Dear Greg,

I have enclosed with this letter all the pertinent information from my files as well as some Idaho County Light & Power electrical billing ledgers for both the well pump and the irrigation pump. The information that Wayne Cole compiled on the irrigation system indicates that at one time there were two water rights, one for the well (#79-04288) and one for the creek (#79-04285). These were combined for some reason in 1988; however the total was reduced from 1.50 cfs to 0.76 cfs. The incorrect diversion quantity may have been an error by my predecessor when he filed the water rights for the SRBA adjudication process in 1988. The City would like the opportunity to correct the diversion quantity if possible.

As I indicated on the phone the creek/pond water is used only for course irrigation, the well is used for potable water in the club house and also to supplement the pond if the creek is flowing too low for filling the pond. I believe the information enclosed will establish priority dates for both the well and the pond irrigation system. Again, hopefully the diversion quantity can be corrected, if you have questions or need additional information please call me.

Sincerely yours,

A handwritten signature in black ink that reads "Ken Gortsema". The signature is fluid and cursive, with the first name "Ken" being more prominent.

Ken Gortsema
Public Works Director

Cc: Terry Vanderwall, Mayor
Craig Spencer, Board President

Note:

*Information attached to establish priority date for
creek diversion, # 79-04285.*

Well water right # 79-04288 has been decreed.

MONTH	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	DATE	AMOUNT
JAN.							
FEB.							
MAR.							
APRIL							
	0401 - 4-15-61						
MAY	1,149	748		11.66		JUN 15'61	11.66*
JUNE	1,898	749		11.67	11.66 23.33	JUN 15'61 JUN 19'61	23.33* .00*
					23.33 -		
JULY 2718 - 7/20	2,718	820		12.27	12.27	JUL 31'61 AUG 18'61	12.27* .00*
					12.27 -		
AUG.				11.73		OCT 10'61	11.73*
	3,475	757					
SEPT.	4,232	757		11.73	11.73	OCT 10'61	23.46*
OCT. 4990 - 10/10	4,990	758		11.74	23.46 35.20	OCT 10'61 OCT 27'61	35.20* .00*
					35.20 -		
NOV.	5,947	957		13.43		DEC 28'61	13.43*
DEC. 6904 - 12/29	6,904	957		13.43	13.43	DEC 28'61	26.86*
				97.66			

CURRENT YEAR'S BILLING	METER NO.	SIZE	DATE SET	DATE REMOVED
	16 268 117	240	4-15-61	

IDAHO COUNTY LIGHT & POWER
Cooperative Association, Inc.
Grangeville, Idaho

IDAHO COUNTY FREE PRESS-2742-1M

15 CSP
R.T & E - Double Bushing
Rank of 2 trans. 480

Irrigation Pump
(11)

METER DEPOSIT DATA

NUMBER	AMOUNT	RECEIVED	REFUNDED

NAME: GRANGEVILLE COUNTRY CLUB
Box 64
ADDRESS: GRANGEVILLE, IDAHO 83530

Irrigation pump

Pond

MEMBERSHIP RECORD

See house act.

15 H.P. Motor

READING	USED	ELECTRICITY	SECURITY LIGHT	OTHER	PENALTY	CREDITS	PATRONAGE	DATE	BALANCE
---------	------	-------------	----------------	-------	---------	---------	-----------	------	---------

BROUGHT FORWARD

JAN.	15x25 = 3.75 - 1.25 2.50	June (no extra charge) July 1.25				30.00 31.25 31.25			
FEB.									
MAR.									
APRIL									
MAY									
JUNE	0751 starting reading (see 1975 card) 1385 10x634 = 80.72 1385-7/1/76 6,340						80.72	JUN 30'76	80.
JULY	2,072 10x687 = 99.95 2072-7/28/76 6,870						180.67	JUL 30'76 AUG 11'76	180.
AUG.	2,629 10x557 = 86.95 2629-8/30/76 5,570						267.62	AUG 31'76 SEP 13'76	86.
SEPT.	3,087 10x458 = 45.80 3087-9/28/76 4,580						313.42	SEP 30'76 OCT 12'76	45.
OCT.	3,153 10x66 = 6.60 3153-11/1 660						320.02	OCT 29'76 NOV 11'76	6.
NOV.									
DEC.									
	24020								

1976 IRRIGATION PUMP
METER HAS 10 MULTIPLIER ON IT15 H.P. Motor x 6 = 9000 -
7/1 15x6.25 = 93.75
- 90.00
3.75 = 22

June - 3 = 30.00 = 60.00

Burroughs
BUSINESS FORMS 11

CURRENT YEAR'S BILLING

IDAHO COUNTY LIGHT & POWER
Cooperative Association, Inc.
Grangeville, Idaho

METER NO.	SIZE	DATE SET	DATE REM
10 241 142	480	1976	