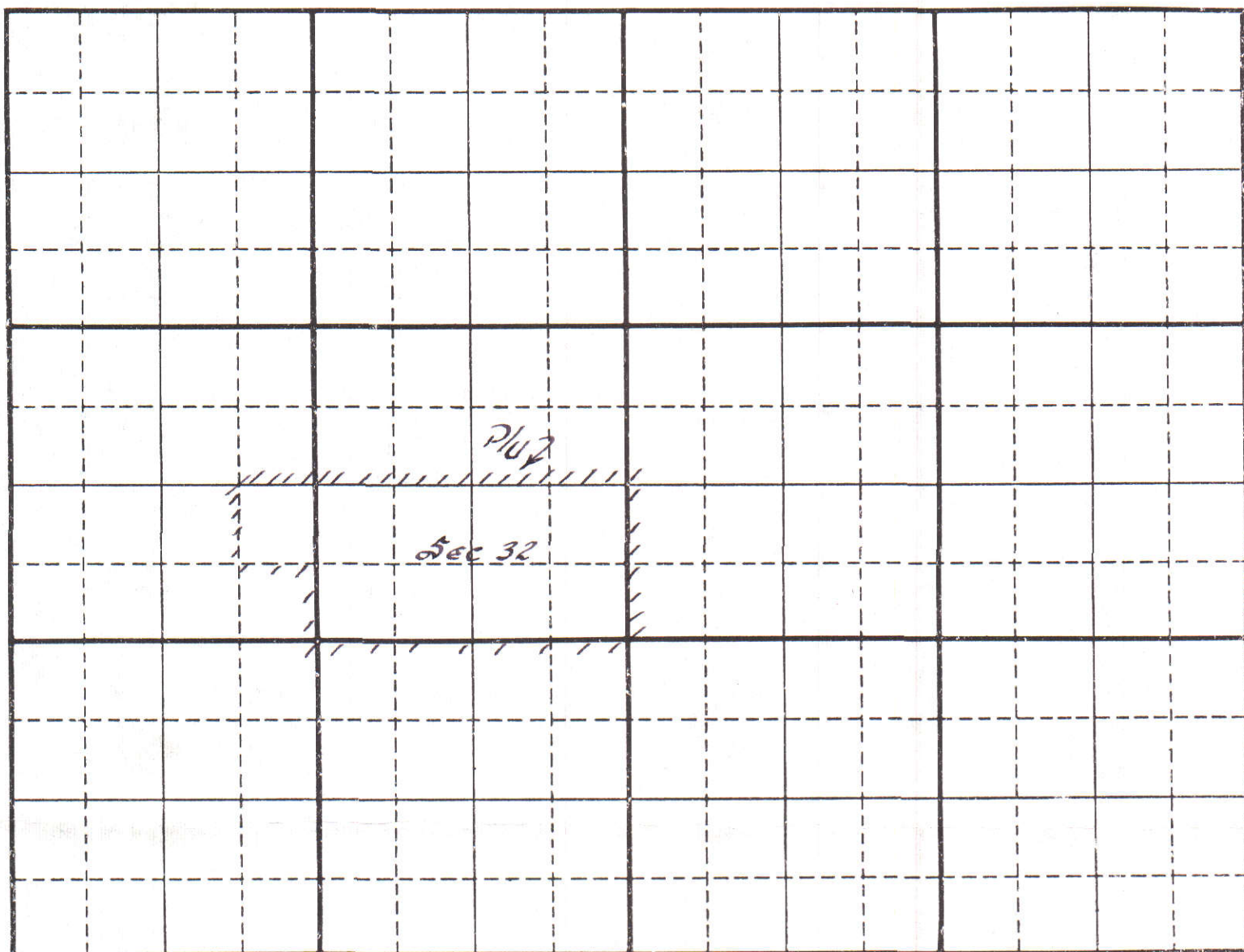


(8) Remarks For P.D.'s, See Exhibits C&D



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Idaho ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Walter A. Canada  
public works (Claimant) Supt.

Sworn to before me this 7th day of April, 19 82.

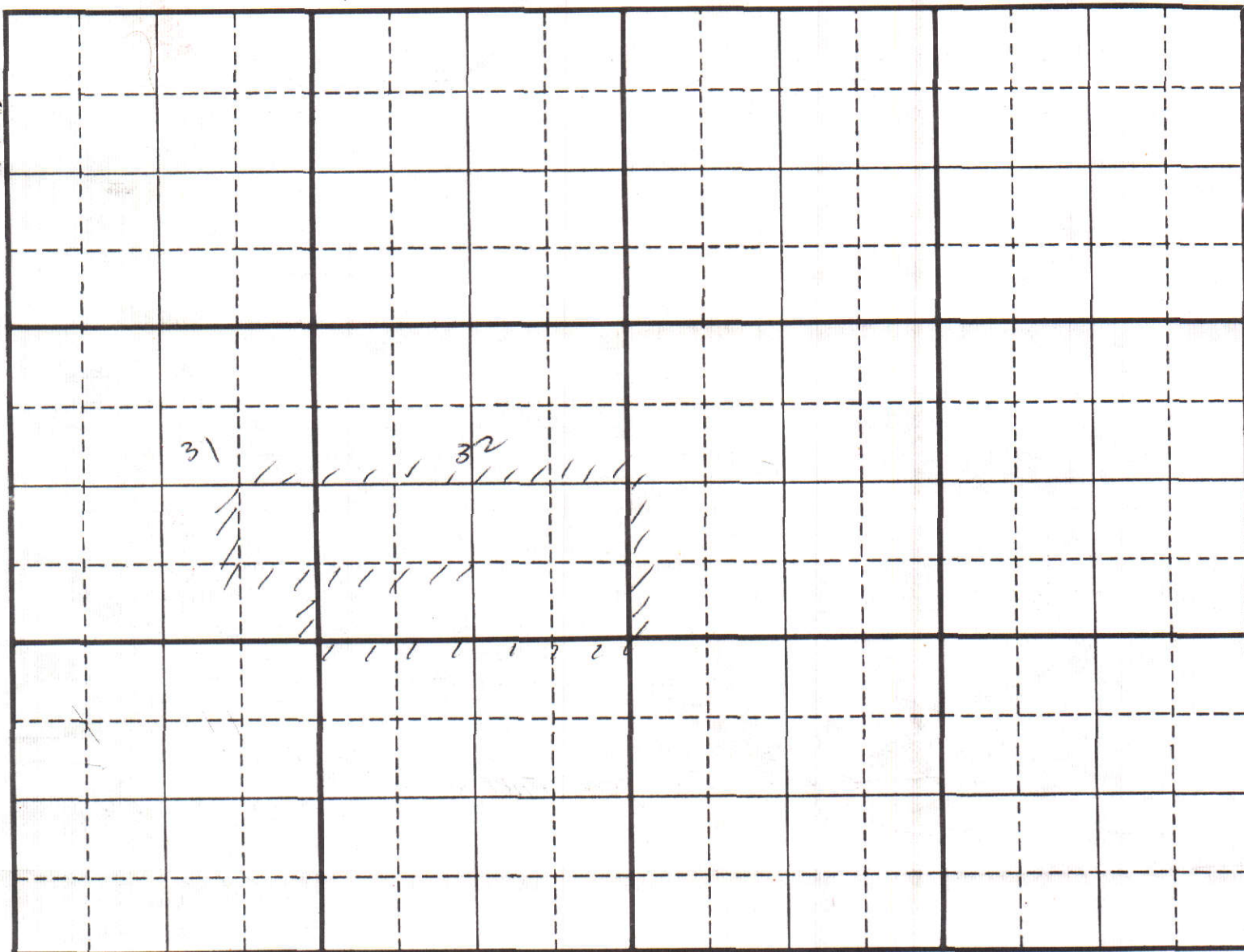
Dana Goodman  
Notary Public  
Residing at Grangeville, Idaho

My commission expires April 1, 1984

FOR DEPARTMENT USE ONLY

Received by NN / PMS Date 1/5/82 Exception filed by: 12-10-81 Forwarded to: 12-4-82 Date  
Prelim. check by JB Date 4/13/82 claimant by:  
\$30.00 fee received by J.P. Date 12-15-81 (#21818) - Fm Original - 12-4-82  
Published in Mr. C. J. J. Chase  
Dates 4/2 1982 8/82

(8) Remarks In lieu of the drawing of the map shown hereto, see Exhibit "C" and "D" with Exhibit "C" being an overview of the Three Mile Creek water system located in Sections 5 and 6, 7 and 8 of Twp. 29 N., Rge. 3 E., B.M. and Sections 31, 32, 30 and 29 within Twp. 30 N., Rge. 3 E., Boise Meridian, Exhibit "D" being a sketch of greater detail for the



Scale: 2 inches equal 1 mile. largest portion of the distribution system being located in the W $\frac{1}{2}$  of Sec. 8, Twp. 29 N., Rge. 3 E., indicating the various points of diversion, diverting the same into Three Mile Creek thereafter into pipes and into a reservoir. Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system. voir to be constructed under the terms of Exhibit "B".

State of Idaho )  
County of Idaho ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 8th day of December, 1981.

(Claimant) Donna Forsman  
City Clerk

Notary Public for the State of Idaho,  
Residing at Grangeville, therein.

My commission expires July 1, 1982

FOR DEPARTMENT USE ONLY

Received by Mr. [Signature] Date 12-10-81 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by AB Date 12/14/81 Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_  
\$30.00 fee received by Id. Div. [Signature] Date 12-15-81 # 21818  
Published in Id. Div. [Signature] \_\_\_\_\_  
Dates 4/21-28/82 \_\_\_\_\_

RECEIVED

DENNIS L. ALBERS  
ATTORNEY AT LAW

P. O. BOX 314  
GRANGEVILLE, IDAHO 83530

MICHAEL J. GRIFFIN  
Associate

KAMIAH OFFICE  
BOX 185 — 311 MAIN  
PHONE (208) 935-2161

GRANGEVILLE OFFICE  
204 W. NORTH  
PHONE (208) 983-2310

8 December 1981

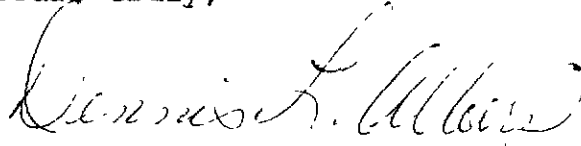
Idaho Dept. of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Gentlemen:

Re: City of Grangeville  
Claim to a Water Right

Enclosed please find a Claim to a Water Right concerning the City of Grangeville, along with the City's check in the amount of \$30.00.

Yours truly,



DENNIS L. ALBERS  
City Attorney

DLA:law

Enclosures

RECEIVED

DEC 10 1981

Department of Water Resources  
Western Regional Office

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The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

(4) 0.16 cfs TOTAL QUANTITY USED.  
(cfs, af)

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. 10 Developed Springs with pipeline to place of use

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location

[illegible]

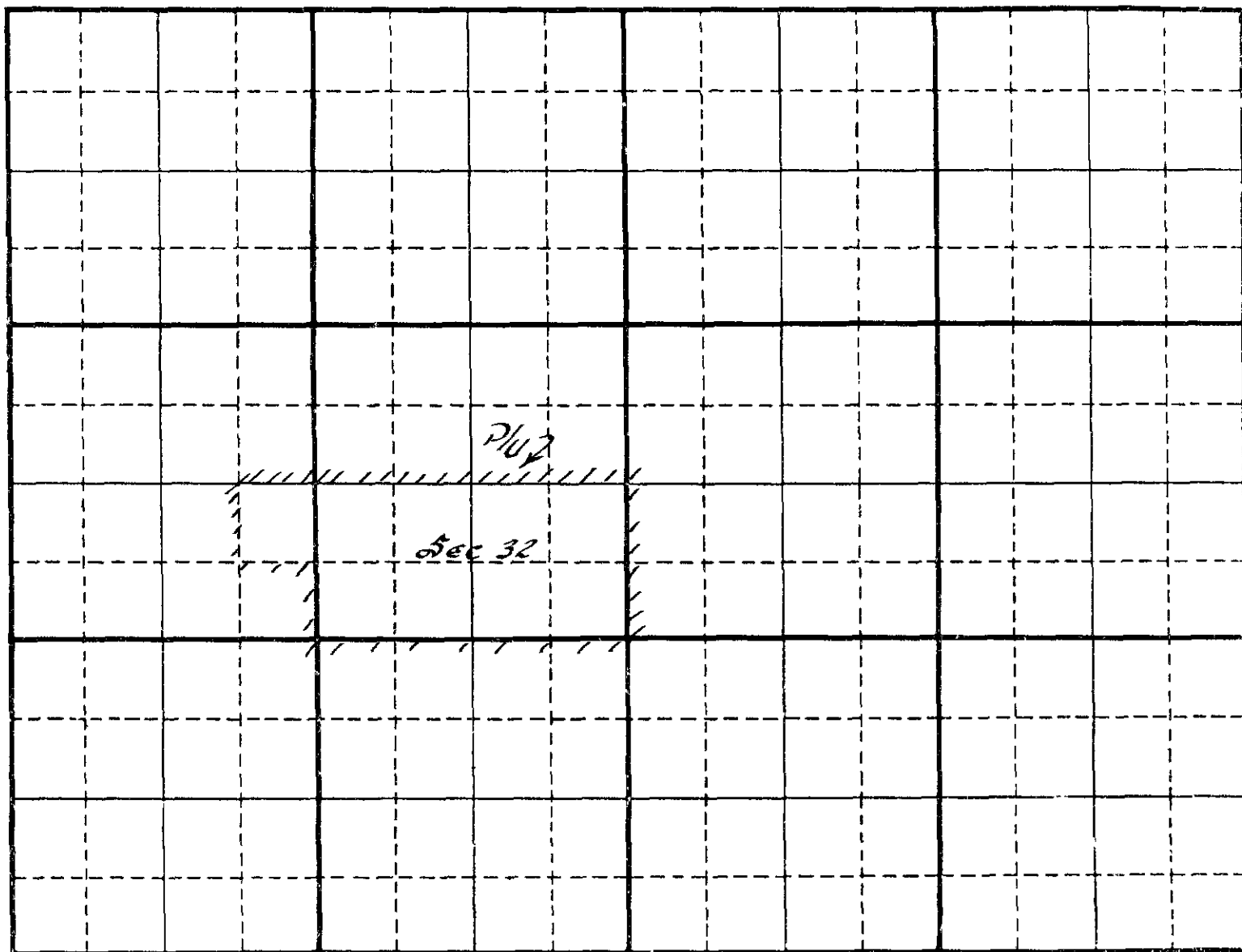
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible \_\_\_\_\_  
Water for 10 homes outside city limits

Include here the type and number of stock watered: \_\_\_\_\_  
 If you are claiming water as a member of an organization, list name of organization City of Grangeville

(7) If you are claiming water as a member of an organization, list name of organization City of Grangeville

(8) Remarks For P.D.'s, See Exhibits C & D



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
 ) ss.  
County of Idaho )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Walter A. Casady  
public works (Claimant) Supt.

Sworn to before me this 7th day of April, 19 82.

Don Smith  
Notary Public  
Residing at Grangeville, Idaho

My commission expires April 1, 1984

FOR DEPARTMENT USE ONLY

Received NN / PMS Date 1/5/82 <sup>FM</sup> Exception filed by 1-12-47-82 Date  
Prelim. check by JK Date 4/14/82 claimant by  
\$30.00 fee received by J.P. Date 12-15-81 (#21818)-Fm Original-1247-82  
Published in Ann. City. Sun. Press  
Fees 42.00 5/82

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that City of Grangeville Idaho County  
(Name of Claimant)  
City Hall, Grangeville, Idaho 83530 Telephone No 983-1380  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

(1) Date of priority: (When was the water first applied to a beneficial use) Prior to 1920

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
Various springs tributary to Three Mile Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

| (cfs, gpd, AFA)                  | (Domestic, Irrigation, Stock, Etc)          | (Mo., Day)                       | (Both dates inclusive) |
|----------------------------------|---------------------------------------------|----------------------------------|------------------------|
| Quantity <u>at least .16</u> CFS | Use <u>Domestic irrigation stock waters</u> | Period of Use From <u>Jan. 1</u> | To <u>Dec. 31</u>      |
| Quantity <u>0.16</u>             | Use <u>Municipal</u>                        | Period of Use From <u>1-1</u>    | To <u>12-31</u>        |
| Quantity _____                   | Use _____                                   | Period of Use From _____         | To _____               |
| Quantity _____                   | Use _____                                   | Period of Use From _____         | To _____               |

(4) 0.16 TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source) The West 1/2 of NW 1/4 NW 1/4, Sec 8 Twp. 29 N. Rge. 3 E., B.M., County of Idaho  
Additional points of diversion: in the NW 1/4 of the SW 1/4 of Section 5, Twp. 29 N., Rge. 3 E., B.M. NW 1/4, Sec 5, SE 1/4, Sec 6 and NW 1/4, (pts), SW 1/4 (pts), SE 1/4, Sec 8.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. water line description and delivery system for catching spring water as is shown in Exhibit "A", and also as pursuant to a contract which is Exhibit "B" for the place of use within Sections 30, 29, 31, & 32

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is of Twp. 29 N., Rge. 3E. (Boise Meridian).  
not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|---|---|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|   |   |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
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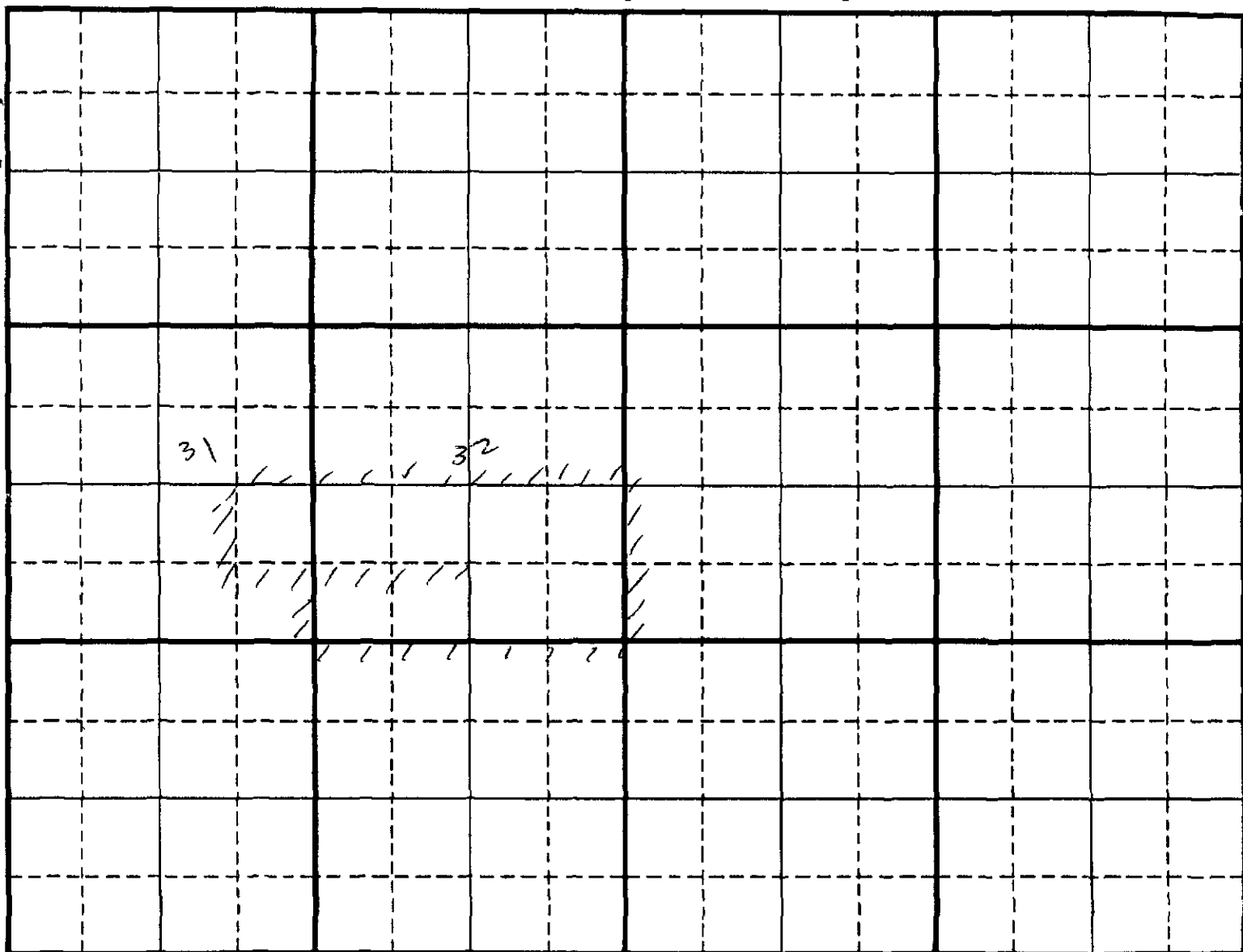
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
See Exhibit "B" for explanation, this is part of the previous Grangeville Municipal water system, now being leased to approx. 10 families for continued water source outside of the City of Grangeville.

E. Include here the type and number of stock watered. Misc. livestock, no commercial use.

(7) If you are claiming water as a member of an organization, list name of organization City of Grangeville, Idaho County, Idaho.

(8) Remarks In lieu of the drawing of the map shown hereto, see Exhibit "C" and "D" with Exhibit "C" being an overview of the Three Mile Creek water system located in Sections 5 and 6, 7 and 8 of Twp. 29 N., Rge. 3 E., B.M. and Sections 31, 32, 30 and 29 within Twp. 30 N., Rge. 3 E., Boise Meridian, Exhibit "D" being a sketch of greater detail for the



Scale 2 inches equal 1 mile. largest portion of the distribution system being located in the W $\frac{1}{2}$  of Sec. 8, Twp. 29 N., Rge. 3 E., indicating the various points of diversion, diverting the same into Three Mile Creek thereafter into pipes and into a reser-

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system. voir to be constructed under the terms of Exhibit "B".

State of Idaho )  
County of Idaho ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 8th day of December, 1981.

(Claimant) Donna Forsman  
City clerk

James E. Emswiler  
Notary Public for the State of Idaho,  
Residing at Grangeville, therein.

My commission expires July 1, 1982

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 12-10-81 Exception filed by: [Signature] Forwarded to [Signature] Date [Signature]  
Prelim. check by [Signature] Date 12-14-81 claimant by [Signature]  
\$0.00 fee received by [Signature] Date 12-15-81 21818  
Published in [Signature]  
Dates 1/21/82 8/82

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

81-4038

HENDREN, JEFF &/or  
NINA

RT. 1 BOX 70A, KOOSKIA,  
ID 83539

Source: SPRING tributary  
to SINKS

Priority Date: 01/01/1914

Amount: 0.08 CFS 1.0 AC-FT

Diversion Point: NESE Sec  
27 T 32N R 05E, IDAHO Co.

Use: STOCKWATER

STORAGE (1.0 AC-FT) from

01/01 to 12/31 DOMESTIC

(0.04 CFS) from 01/01 to

12/31 RECREATION

STORAGE (1.0 AC-FT) from

01/01 to 12/31 DIVERSION

TO STORAGE (0.04 CFS)

from 01/01 to 12/31

Place of Use: NESE NWSE

Sec 27 T 32N R 05E

81-4039

WELBORN, FLOYD L.

WINCHESTER, ID 83555

Source: UNNAMED

STREAM tributary to BIG

CEDAR CREEK

Priority Date: 01/01/1961

Amount: 3.0 AC-FT

Diversion Point: NESW Sec

21 T 32N R 05E SWNE SENW

Sec 22 T 32N R 05E SESW Sec

21 T 32N R 05E NWNW Sec 28

T 32N R 05E, IDAHO Co.

Use: STOCKWATER

STORAGE (3.0 AC-FT) from

01/01 to 12/31 STOCK-

WATER FROM STORAGE

(3.0 AC-FT) from 01/01 to

12/31

Place of Use: SESW NESW

Sec 21 T 32N R 05E SWNE

SESW Sec 22 T 32N R 05E

NWNW Sec 28 T 32N R 05E.

81-4040

WELBORN, FLOYD L.

WINCHESTER, ID 83555

Source: UNNAMED

STREAMS tributary to

CLEARWATER RIVER,

MIDDLE FORK

Priority Date: 01/01/1961

Amount: 2.0 AC-FT

Diversion Point: SENW

NESW SESW Sec 14 T 32N R

05E, IDAHO Co.

Use: STOCKWATER

STORAGE (2.0 AC-FT) from

01/01 to 12/31 STOCK-

WATER FROM STORAGE

(2.0 AC-FT) from 01/01 to

12/31

Place of Use: SENW NESW

SESW Sec 14 T 32N R 05E.

82-4052

PAYTON, RICHARD

P.O. BOX 355, KOOSKIA, ID

83539

Source: GROUNDWATER

Priority Date: 11/18/1969

Amount: 0.04 CFS

Diversion Point: NENE Sec

08 T 32N R 04E, IDAHO Co.

Use: IRRIGATION (0.02

CFS) from 04/01 to 11/01

DOMESTIC (0.02 CFS) from

01/01 to 12/31

Place of Use: NENE Sec 08 T

32N R 04E FOR 1 ACRES.

85-4195

SPENGLER, HEYRY L.

RT. 1 BOX 31,  
GRANGEVILLE, ID 83530

Source: STOCKNEY

CREEK tributary to COT-

TONWOOD CREEK,

COTTONWOOD CREEK

tributary to CLEARWATER

RIVER, SOUTH FORK

Priority Date: 01/01/1910

Amount: 0.06 CFS

Diversion Point: NWSE

SESE Sec 12 T 31N R 01E

NWSW Sec 05 T 31N R 02E,

IDAHO Co.

Use: STOCKWATER (0.06

CFS) from 01/01 to 12/31

Place of Use: NWSE SESE

Sec 12 T 31N R 01E NWSW

Sec 05 T 31N R 02E.

85-4200

SCHUMACHER, JAMES A.

&/or BETTIE

RT. 1 BOX 131, COT-

TONWOOD, ID 83522

Source: UNNAMED

STREAM tributary to RED

ROCK CREEK

Priority Date: 06/01/1900

Amount: 0.02 CFS

Diversion Point: NENE

NWNE Sec 35 T 32N R 02E,

IDAHO Co.

Use: STOCKWATER (0.02

CFS) from 01/01 to 12/31

Place of Use: NENE NWNE

Sec 35 T 32N R 02E

85-4201

TERHAAR, RALPH &/or

CELINE

GREENCREEK, ID 83533

Source: LAWYER CREEK

tributary to CLEARWATER

RIVER, UNNAMED

STREAMS tributary to

LAWYER CREEK

Priority Date: 01/01/1954

Amount: 0.05 CFS

Diversion Point: NENW

SESW SWSW Sec 20 T 32N R

01W NENE SENE Sec 19 T

32N R 01W SWSW SESW Sec

17 T 32N R 01W, IDAHO Co.

Use: STOCKWATER (0.05

CFS) from 01/01 to 12/31

Place of Use: SWSW SESW

Sec 17 T 32N R 01W NENE

SENE Sec 19 T 32N R 01W

NENW SESW SWSW Sec 20

T 32N R 01W.

85-4202

TERHAAR, THOMAS &/or

IRENE M

RT. 1 BOX 85,

GRANGEVILLE, ID 83530

Source: STOCK CREEK

tributary to COTTONWOOD

CREEK, UNNAMED

STREAM tributary to

STOCK CREEK

Priority Date: 01/01/1900

Amount: 0.05 CFS

Diversion Point: SWSE

SESE Sec 05 T 31N R 02E

NWNW SWNW NWSW

NESW SWSW SESW Sec 04 T

31N R 02E, IDAHO Co.

Use: STOCKWATER (0.05

CFS) from 01/01 to 12/31

Place of Use: SWSE SESE

Sec 05 T 31N R 02E NWNW

SWNW NESW NWSW SWSW

SESW Sec 04 T 31N R 02E.

85-4205

WAGNER, JR., AL

D/B/A SUNSET AUTO

VUE, P.O. BOX 33,

GRANGEVILLE, ID 83530

Source: GROUNDWATER

Priority Date: 01/01/1956

Amount: 0.10 CFS

Diversion Point: NWNE Sec

29 T 30N R 03E, IDAHO Co.

Use: COMMERCIAL (0.10

CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 29

T 30N R 03E.

**AFFIDAVIT OF PUBLICATION**

Nona Donaldson

being first duly

sworn, says he is the Office Manager

of the IDAHO COUNTY FREE PRESS a weekly newspaper which

is published and issued weekly at Grangeville, Idaho County,

State of Idaho, and which is of general circulation in said county

and state, that the said notice, of which the one hereto attached

is a true copy, was published in said paper for 2 weeks,

being published 2 times, the first publication being

on the 21st day of April, 1982,

and the last publication on the 28th day of

April, 1982, and that the said notice

was published in the newspaper proper and not a supplement,

that said newspaper has been continuously and uninterruptedly

published in said county during a period of more than seventy-

eight consecutive weeks prior to the first publication of said

notice or advertisement

Subscribed and sworn to before me this 30th day

of April, 1982

Notary Public

for State of Idaho, residing at Grangeville, Idaho

84-4159

NIMS, LAWRENCE R.

STAR RT. BOX 85A1,

KAMIAH, ID 83530

Source: LINDER CREEK

tributary to TOM TAHA

CREEK

Priority Date: 04/01/1971

Amount: 0.12 CFS

Diversion Point: NWNW

NENW Sec 31 T 34N R 04E

IDAHO Co.

Use: IRRIGATION (0.08

CFS) from 04/01 to 12/31

STOCKWATER (0.02 CFS)

from 01/01 to 12/31

DOMESTIC (0.04 CFS) from

01/01 to 12/31

Place of Use: NENW

NWNW Sec 31 T 34N R 04E

FOR 2 ACRES.

84-4160

HAUNTZ, DALE W.

HIGHWAY 12 RT. 2,

KAMIAH, ID 83536

Source: GROUNDWATER

Priority Date: 06/01/1956

Amount: 0.08 CFS

Diversion Point: NWNE Sec

30 T 33N R 04E, IDAHO Co.

Use: DOMESTIC (0.08 CFS)

from 01/01 to 12/31

Place of Use: NWNE Sec 30

T 33N R 04E.

85-4193

CITY OF GRANGEVILLE

CITY HALL,

GRANGEVILLE, ID 83530

Source: SPRING tributary

to SINKS, SPRINGS

tributary to THREEMILE

CREEK

Priority Date: 01/01/1920

Amount: 0.16 CFS

Diversion Point: NWSW Sec

05 T 29N R 03E SESE Sec 06

T 29N R 03E NWNW, NWSW

SWSW SESW Sec 08 T 29N R

03E, IDAHO Co.

Use: MUNICIPAL (0.16

CFS) from 01/01 to 12/31

DOMESTIC (0.16 CFS) from

01/01 to 12/31

Place of Use: NESE Sec 31 T

29N R 03E NESW NWSW

SWSW SESW NESE NWSE

SWSE SESE Sec 32 T 29N R

03E: Place of Use located

within the city limits of

Grangeville.

Any exception to any claim  
of water right may be filed  
with the Director of the  
Idaho Department of Water  
Resources, 4055 Gov't Way,  
Boise, Idaho, 83714.

A. KENNETH DUNN

Director

Published 4/21 & 4/28/82.

A21-22

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JS

Right Number 85-4193 Applicant City of Grangeville

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By JS Date 5/18/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 5/27/82

Microfilm

RECEIVED  
MAY 24 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH  
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH  
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH  
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH  
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH  
lot (R)

IDAHO STREAM CODE INDEX



85-4193.

CITY OF GRANGEVILLE

CITY HALL, GRANGEVILLE, ID 83530

Source. SPRINGS tributary to SINKS  
SPRINGS tributary to THREEMILE CREEK

Priority Date: 01/01/1920

Amount. 0.16 CFS

Diversion Point: NWSW Sec 05 T 29N R 03E SESE Sec 06 T 29N R 03E NWNW NWSW  
SWSW SESW Sec 08 T 29N R 03E, IDAHO Co.

Use: MUNICIPAL (0.16 CFS) from 01/01 to 12/31  
DOMESTIC (0.16 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 31 T 29N R 03E NESW NWSW SWSW SESW NESE NWSE SWSE SESE  
Sec 32 T 29N R 03E; Place of Use located within the city limits of  
Grangeville.

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

MAY 10, 1982

CITY OF GRANGEVILLE  
CITY HALL  
GRANGEVILLE ID 83530

RE: Claim No. 85-4193

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.  
Regional Supervisor

Enclosure

MICROFILMED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor  
A. Kenneth Dunn  
~~C. Stephen Elback~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

January 8, 1982

City of Grangeville  
City Hall  
Grangeville, Id. 83530

Gentlemen:

We have received your Claim to a Water Right and filing fee of \$30.00. The claim, however, is ambiguous and the exhibits are not legible. We are, therefore, returning Exhibits "C" & "D".

Please clearly identify on these exhibits each spring that is piped into the system and outline the area where the water is used. If the area of use is not covered by Exhibits "C" & "D", a smaller scale map should be used and labeled Exhibit "E".

On the claim, you also left out the number of homes using the water. Please indicate this number either on the exhibits or on a cover letter when you return the exhibits.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Exhibits "C" & "D"

MICROFILMED

## EXHIBIT "A"

**RECEIVED**  
DEC 10 1981

Department of Water Resources  
Western Regional Office

Across the West one half ( $W\frac{1}{2}$ ) of Section Thirty-Two (32) Township Thirty (30) North, Range Three (3) East of the Boise Meridian and the West one half ( $W\frac{1}{2}$ ) of Section Five (5), Township Twenty-Nine (29) North, Range Three (3) East of the Boise Meridian Idaho County, Idaho delineated in a survey done by H.A. Heron, August 1947 and more particularly described as beginning at the West one-quarter corner for said Section Thirty-Two (32); Thence North, 967.3 feet along the Section line to the true point of beginning; Thence S  $46^{\circ} 54'$  E, 1275.5 feet; Thence S  $68^{\circ} 07'$  E, 153.3 feet; Thence S  $64^{\circ} 55'$  E, 276.1 feet; Thence S  $25^{\circ} 08'$  E, 232.1 feet; Thence S  $15^{\circ} 23'$  E, 566.4 feet; Thence S  $21^{\circ} 40'$  E, 548.6 feet; Thence S  $31^{\circ} 44'$  E, 634.6 feet; Thence S  $17^{\circ} 47'$  E, 416.6 feet; Thence S  $04^{\circ} 21'$  W, 228.0 feet; Thence S  $30^{\circ} 28'$  W, 108.2 feet; Thence S  $17^{\circ} 43'$  W, 38.0 feet to the Township line between above Sections Thirty-Two (32) and Five (5) (from which the North one quarter corner for Section Five bears East, 228.0 feet); Thence continuing into said Section Five S  $17^{\circ} 43'$  W, 148.5 feet; Thence S  $02^{\circ} 48'$  W, 291.4 feet; Thence S  $04^{\circ} 33'$  E, 304.6 feet; Thence S  $17^{\circ} 09'$  W, 445.3 feet; Thence S  $50^{\circ} 59'$  W, 114.0 feet; Thence S  $23^{\circ} 59'$  W, 188.6 feet; Thence S  $14^{\circ} 00'$  W, 105.0 feet; Thence S  $02^{\circ} 04'$  E, 115.1 feet; Thence S  $16^{\circ} 32'$  E, 98.2 feet; Thence S  $26^{\circ} 39'$  E, 99.4 feet; Thence S  $07^{\circ} 34'$  W, 194.7 feet; Thence S  $30^{\circ} 30'$  W, 89.2 feet; Thence S  $15^{\circ} 01'$  W, 161.4 feet; Thence S  $00^{\circ} 10'$  W, 121.7 feet; Thence S  $10^{\circ} 30'$  W, 108.0 feet to the City of Grangeville Well.

Also that portion of the water supply system and water distribution system of the first party in the vicinity of the town of Grangeville (except cash on hand and bills receivable) including the main supply pipe line extending from the springs to the reservoir, together with all easements, rights-of-way and franchises owned or held by the first party in connection therewith, together with all pipes, mains, services meters, fittings, valves, hydrants, meter boxes and all appurtenances now in use by the first party in connection with said Grangeville Water System and more particularly that portion located in the East one-half ( $E\frac{1}{2}$ ) of Section Thirty-One (31) and the West one-half ( $W\frac{1}{2}$ ) of Section Thirty-Two (32) Township Thirty (30) North, Range Three (3) East of the Boise Meridian also that portion located in the West one-half ( $W\frac{1}{2}$ ) of Section Five (5); the East one-half ( $E\frac{1}{2}$ ) of Section Six (6); the North East one-quarter ( $NE\frac{1}{4}$ ) of Section Seven (7) and the West one-half ( $W\frac{1}{2}$ ) of Section Eight (8), Township Twenty-Nine (29) North, Range Three (3) East of the Boise Meridian, Idaho County, Idaho. As recorded in Book of Deeds Seventy-One (71), Page Three Hundred Thirty-Nine (339).

EXHIBIT "B"

1 LEASE

Between

CITY OF GRANGEVILLE, a  
municipal corporation,  
Grangeville, County of  
Idaho, State of Idaho, as

Party of the first part,

AND

FOOTHILLS INC., a non-profit  
corporation, of Idaho County,  
Idaho, as

Party of the second part

2  
3  
4  
5  
6  
7  
8 THIS LEASE, Made and Entered into on this 5<sup>th</sup> day of January  
9 1981, by and between the City of Grangeville, a municipal corporation,  
10 of Idaho County, Idaho, hereinafter referred to as party of the  
11 first part, and FOOTHILLS, INC., a non-profit corporation, duly  
12 organized and authorized to do business under the laws of the  
13 State of Idaho, with its registered office at Route two (2), Box  
14 530, Grangeville, Idaho, 83530, hereinafter referred to as the party  
15 of the second part.

16 W I T N E S S E T H :

17 WHEREAS, the party of the first owns certain real property  
18 more particularly described as follows, to wit:

19 Township Twenty-nine (29) North, Range Three (3)  
20 East, B.M.,

21 Section Five (5): Northwest Quarter (NW $\frac{1}{4}$ ) of  
22 Grangeville-Salmon Road, Southwest Quarter (SW $\frac{1}{4}$ )

23 Section Seven (7): East half of the Northeast  
24 Quarter of the Southeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ),  
25 Northeast Quarter of the Southeast Quarter of the  
Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ), East 313 feet of  
the Northeast Quarter of the Northeast Quarter  
(NE $\frac{1}{4}$ NE $\frac{1}{4}$ )

26 Section Eight (8): Northwest Quarter (NW $\frac{1}{4}$ ),  
27 North half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ),  
28 North half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ ),  
less the East 2049.375 feet, North half of the  
29 southwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ),  
Northwest Quarter of the Southeast Quarter of the  
Southwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ )

30 WHEREAS, running through said property is Three-Mile  
31 Creek, and located thereon in the Southwest Quarter (SW $\frac{1}{4}$ )  
of Section Five (5), is a box reservoir retaining a portion of

DEE AND MACGREGOR  
ATTORNEYS AT LAW  
GRANGEVILLE, IDAHO 83830

1 Three-Mile Creek and feeding therefrom through pipes owned by the  
2 party of the first part a certain flow of water which in turn  
3 services certain members of the party of the second part with  
4 domestic and irrigation water, and

5 WHEREAS, there are certain springs in the Southwest Quarter  
6 (SW $\frac{1}{4}$ ) of Section Eight (8), and water from said springs is conveyed  
7 in pipes owned by the party of the first part which in turn services  
8 certain members of the party of the second part with domestic  
9 and irrigation water, and

10 WHEREAS, the amount of the water to service the members of  
11 the party of the second part is, at this time, approximately 0.16  
12 CFS of water, and

13 WHEREAS, it is the desire of the party of the second part  
14 to lease from the party of the first part the aforesaid amount of  
15 water for the domestic and irrigation use and needs of the members  
16 of the party of the second part, with the pipes, lines, boxes,  
17 reservoirs, and other equipment now owned by the party of the first  
18 part, and wherein the party of the first part has a water right  
19 upon said Three-Mile Creek and the aforesaid springs,

20 NOW, THEREFORE, for and in consideration of the mutual  
21 covenants and agreements hereinafter to be contained and the promises  
22 and agreements hereinafter entered, the parties hereto mutually  
23 agree as follows, to wit:

24 I.

25 That the party of the first part will lease, let and demise  
26 to the party of the second part, for the use of its members, 0.16  
27 CFS of the water from Three-Mile Creek and said springs as it  
28 flows through the property of the party of the first part, with the  
29 right to appropriate and put to beneficial use such water for  
30 domestic and irrigation uses; also the lease right to the pipes,  
31 lines, boxes, reservoirs and other equipment/owned by the party of <sup>except the mountain well pump or power system</sup> ~~the~~  
32 the first part which services said water system.

1 That said water lines and water being leased by the party of the  
2 second part from the party of the first part is over and upon  
3 the following described property, to wit:

4 Across the West one half ( $W\frac{1}{2}$ ) of Section Thirty-Two  
5 (32) Township Thirty (30) North, Range Three (3)  
6 East of the Boise Meridian and the West one half  
7 ( $W\frac{1}{2}$ ) of Section Five (5), Township Twenty-Nine (29)  
8 North, Range Three (3) East of the Boise Meridian  
9 Idaho County, Idaho delineated in a survey done  
10 by H.A. Heron, August 1947 and more particularly  
11 described as beginning at the West one-quarter  
12 corner for said Section Thirty-Two (32); Thence  
13 North, 967.3 feet along the Section line to the  
14 true point of beginning; Thence S  $46^{\circ} 54'$  E,  
15 1275.5 feet; Thence S  $68^{\circ} 07'$  E, 153.3 feet; Thence  
16 S  $64^{\circ} 55'$  E, 276.1 feet; Thence S  $25^{\circ} 08'$  E, 232.1  
17 feet; Thence S  $15^{\circ} 23'$  E, 566.4 feet; Thence S  $21^{\circ}$   
18  $40'$  E, 548.6 feet; Thence S  $31^{\circ} 44'$  E, 634.6 feet;  
19 Thence S  $17^{\circ} 47'$  E, 416.6 feet; Thence S  $04^{\circ} 21'$  W,  
20 228.0 feet; Thence S  $30^{\circ} 28'$  W, 108.2 feet; Thence  
21 S  $17^{\circ} 43'$  W, 38.0 feet to the Township line between  
22 above Sections Thirty-Two (32) and Five (5) (from  
23 which the North one quarter corner for Section Five  
24 bears East, 228.0 feet); Thence continuing into said  
25 Section Five S  $17^{\circ} 43'$  W, 148.5 feet; Thence S  $02^{\circ}$   
26  $48'$  W, 291.4 feet; Thence S  $04^{\circ} 33'$  E, 304.6 feet;  
27 Thence S  $17^{\circ} 09'$  W, 445.3 feet; Thence S  $50^{\circ} 59'$  W,  
28 114.0 feet; Thence S  $23^{\circ} 59'$  W, 188.6 feet; Thence  
29 S  $14^{\circ} 00'$  W, 105.0 feet; Thence S  $02^{\circ} 04'$  E, 115.1  
30 feet; Thence S  $16^{\circ} 32'$  E, 98.2 feet; Thence S  $26^{\circ}$   
31  $39'$  E, 99.4 feet; Thence S  $07^{\circ} 34'$  W, 194.7 feet;  
32 Thence S  $30^{\circ} 30'$  W, 89.2 feet; Thence S  $15^{\circ} 01'$  W  
33 161.4 feet; Thence S  $00^{\circ} 10'$  W, 121.7 feet; Thence  
34 S  $10^{\circ} 30'$  W, 108.0 feet to the City of Grangeville  
Well.

Also that portion of the water supply system and  
water distribution system of the first party in the  
vicinity of the town of Grangeville (except cash  
on hand and bills receivable) including the main  
supply pipe line extending from the springs to the  
reservoir, together with all easements, rights-of-  
way and franchises owned or held by the first party  
in connection there with, together with all pipes,  
mains, services meters, fittings, values, hydrants,  
meter boxes and all appurtenances now in use by the  
first party in connection with said Grangeville  
Water System and more particularly that portion  
located in the East one-half ( $E\frac{1}{2}$ ) of Section Thirty-  
One (31) and the West one-half ( $W\frac{1}{2}$ ) of Section Thirty-  
Two (32) Township Thirty (30) North, Range Three (3)  
East of the Boise Meridian also that portion located  
in the West one-half ( $W\frac{1}{2}$ ) of Section Five (5);  
the East one-half ( $E\frac{1}{2}$ ) of Section Six (6); the North  
East one-quarter ( $NE\frac{1}{4}$ ) of Section Seven (7) and the  
West one-half ( $W\frac{1}{2}$ ) of Section Eight (8), Township  
Twenty-Nine (29) North, Range Three (3) East of the  
Boise Meridian, Idaho County, Idaho. As recorded  
in Book of Deeds Seventy-One (71), Page Three Hundred  
Thirty-Nine (339).

II.

That the party of the second part will maintain and service the said pipes, lines, boxes, reservoirs and other equipment ~~except the mountain well & pump or power system therefor,~~ for its use and that of its members, at its own expense; that to effectuate and further this purpose, the party of the first part grants to the party of the second part and its members the right of ingress and egress to the above described property and the right to go upon said property to maintain, construct, repair and operate said water system during the term of this lease.

III.

The party of the first part further, will permit the party of the second part and its members to construct, reconstruct and replace the pipes, lines, boxes, reservoirs and other equipment ~~except the mountain well & pump or power system, therefor,~~ now servicing the system, including but not limited to, new pipelines running over different areas of the party of the first part's property or on the property of others, so long as the construction, reconstruction or replacement is at least equal to the condition of the present facilities, and so long as the present termination point of the line is not changed.

IV.

That in the event that the party of the first part, during the term of this lease, should need the excess water, over and above 0.16 CFS to the party of the second part and its members, the party of the first part will take over the party of the second part's system with proper compensation to party of the second part for its improvements, and will operate and service said system, with reasonable pro-rata charges to the party of the second part for the amount used by the party of the second and its members, protecting and preserving the right of the party of the second part and its members to 0.16 CFS of the water.

V.

That the party of the first part will file claim to a water right on Three-Mile Creek and the springs, as they flow through its property setting forth specifically the 0.16 CFS leased to the party of the second part; that if the party of the first part ever decides to abandon or cancel said water

1 right, it will sell, assign, convey and transfer to the party  
2 of the second part and its members, 0.16 CFS of its water right,  
3 with the right of the party of the second part to service and said  
4 system as set forth herein; that further, in the event that the  
5 party of the first part sells, leases or otherwise transfers its  
6 interests in the above designated property, this lease will be  
7 binding upon the subsequent purchases lessor or party in interest  
8 for the purpose, at all times, to protect and preserve party of the  
9 second parts interest in the water leased herein, and party of the  
10 second part rights under this lease.

11 VI.

12 That the party of the first part has no responsibility for  
13 the quality or quantity of the water leased to the party of the second  
14 part and the party of the second and its members use said water at  
15 their own risk; that further, the party of the first has no  
16 responsibility for the operation of the system by the party of  
17 the second part, and the party of the second part agrees to hold  
18 the party of the first part harmless from any damage or injury  
19 to persons or property arising from its operation and maintenance  
20 of said system.

21 VII.

22 That this lease shall be for a term of twenty-five (25)  
23 years with the right of the party of the second part to renew the  
24 same for additional terms, at its option; that the rental to be  
25 paid by the party of the second part to the party of the first part  
26 will be in the sum of ten (10) dollars per year.

27 VIII.

28 That this lease can be terminated only by mutual agreement  
29 of the parties hereto, or by the happening of the contingency  
30 set forth herein.

31 IX.

That this lease agreement is binding upon the assigns and

successors of the parties hereto.

X.

It is agreed, that in the event in the discretion of the Board of Directors of Foothills Inc., an insurance policy shall be purchased for the protection of the Foothills Inc., concerning water quality and disease protection, the City of Grangeville in that event shall be a named insured on that policy. It is understood, however, that the decision to purchase such policy shall be in the sole discretion of Foothills Inc.

IN WITNESS WHEREOF, the parties hereto have approved this lease by resolution as duly entered upon their minutes and have authorized the proper officers to execute the same.

CITY OF GRANGEVILLE

By Ralph Bos  
RALPH BOS, Mayor

ATTEST:

Donna Forsman  
DONNA FORSMAN, City Clerk

FOOTHILLS, INC.

By John Schor

ATTEST:

Udda F. Bee  
Secretary

LEASE

RECORDED  
INDEXED

DEE AND MACGREGOR  
ATTORNEYS AT LAW  
GRANGEVILLE, IDAHO 83830

1 STATE OF IDAHO )  
2 County of IDAHO )<sup>ss.</sup>

3 On this 5th day of November, 1981, before me the under-  
4 signed Notary Public in and for said county and state, personally  
5 appeared RALPH BOS and DONNA FORSMAN, the Mayor and City Clerk  
6 of the City of Grangeville, respectively, known to me to be the  
7 persons whose names are subscribed to the within and foregoing  
8 LEASE and acknowledged to me that they executed the same for and  
9 on behalf of the City of Grangeville.

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
11 my official seal, the day and year first above written.

12 (SEAL)

13 Walter A. Curran  
14 Notary Public in and for the  
15 State of Idaho; Residing at  
Grangeville, therein.

16 STATE OF IDAHO )  
17 County of IDAHO )<sup>ss.</sup>

18 On this 6th day of November, 1981, before me, the under-  
19 signed Notary Public in and for said county and state, personally  
20 appeared Bruce Schow and Arlene Jell, president  
21 and secretary of the said Foothills, Inc., known to me to be the  
22 persons whose names are subscribed to the within and foregoing  
23 Lease and acknowledged to me that they executed the same for and  
24 on behalf of Foothills, Inc.

25 IN WITNESS WHEREOF, I have hereunto set my hand and  
26 affixed my official seal, the day and year first above written.

27 (SEAL)

28 William J. Deek  
29 Notary Public in and for the  
30 State of Idaho; Residing at  
Grangeville, therein.