

EXHIBIT "D"

This code relates to deep water wells, which shall provide as follows:

Section I:

(A) It shall be unlawful for any person to dig, drill or to have dug or drilled a well or otherwise procure domestic waters for consumption of themselves or others or irrigation, within the Area of Impact, after the effective date of this ordinance.

(B) For purposes of this ordinance "Domestic Water" means water for household needs, watering of animals and water for irrigation purposes.

(C) Any person owning property upon which there exists, an already existing domestic water well will at no time connect any piping from that well to piping which is connected to the City of Grangeville Municipal Water System.

(D) Any person Violating the terms of this Ordinance after it becomes effective shall be guilty of a misdemeanor and shall be punished in accordance with the punishment terms as are specified in the Idaho Code for general misdemeanors. Furthermore, the county shall be permitted to seek injunctive relief to prohibit continued use of any cross—connected well, or to stop the use of any newly dug well; or to stop continued digging thereof; and to require mandatory capping and sealing of any well dug in violation of the terms of this ordinance.

(E) This ordinance shall be applicable in the area of city impact.

1. However, within the area of city impact upon a showing of extraordinary circumstances and financial hardship, a property owner may apply to both the city and the county for a permit to drill a well. Any application for a well under these circumstances shall make a showing, demonstrating to the city and the county all pertinent information regarding the proposed project of the individual including location, testing, construction or development, methods of extraction, disposal of debris, purification control, grant of right to use water by the State of Idaho, approval of plans by the State of Idaho, Department of Health, and Department of Water Resources and any and all other matters required or requested by the City Council and by the County Commission. Any such plan shall additionally show where all the water will be used. At the time of the filing of the Application a filing fee of \$100.00 shall be submitted therewith to defray the costs of the City Council and the County in their investigation of the application. If any such permit is granted by the City Council and the County, a bond of \$ 10,000, shall be furnished to the city of Grangeville, who shall hold the same which shall guarantee the strict compliance with the permit as granted.

Any permit that is granted in writing, shall set forth with particularity the requirements that must be met by the property owner.

2. Should an applicant desire to sell or give away water and change the place to which the water would be distributed a further application for the granting of a franchise shall be submitted to the City Council and to the County, setting forth the proposed amounts of water to be sold or given away. That proposed additional application shall show what charges or consideration will be paid for the water and all of those matters must be fully approved by the City Council and by the County. In granting any such franchise the city shall establish the rates that may be paid to the city for the granting of the franchise and may establish a reasonable minimum charge for the franchise, whether the same is used or not. The city and the county reserve the absolute right to enter upon the premises of a permit holder or franchise holder to make such examinations and investigations as to conditions and sanitation as may be deemed reasonable and necessary by the city and the county and to revoke any such permit and/or franchise herein before granted for the violation of any City, County, State, or Federal Laws or regulations pertaining thereto.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.