

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 COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-461
Date Received: 9/22/2009
Receipt No: N022237
Received By: jm

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RAINBOWS END WATER ASSOCIATION, INC. Phone 208 772-3380
Mailing Address P.O. BOX 1662 HAYDEN, ID ZIP 83835
Street or Box City State
2. Date of Priority (Only one (1) per claim) 6/1/1947
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water ☒ or Other () (a) HAYDEN LAKE
which is tributary to (b) SINKS

4. a. Location of Point of Diversion is: Township 51N, Range 3W, Section 9,
NE, 1/4 of SE, 1/4 Govt. Lot 3, BM., County of KOOTENAI

Parcel (PIN) no. 51N03W-09-7840

Additional points of diversion if any: N/A

If available, GPS Coordinates N/A

- b. If instream flow, beginning point of claimed instream flow is: STM

Township 51, Range 3W, Section 9, 1/4 of _____, 1/4

Govt. Lot 3, BM., County of KOOTENAI

ending point is: Township _____, Range _____, Section STM, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

SUBMERSIBLE PUMP IN HAYDEN LAKE, WHICH PUMPS
TO ONSHORE STORAGE TANK OF 3,200 GALLON CAPACITY.
SYSTEM CONSISTS OF A TWO INCH LINE DISTRIBUTION
SYSTEM.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Domestic purposes from 01-01 to 12-31 amount .28 or 5.70

For Domestic purposes from 04-01 to 10-31 amount .28 or 1.6

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .28 ~~7.30~~ STM (cfs) and/or (b) 7.30 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use: TEN HOME 01-01 TO 12/31

Four HOMES

4-1 to 10-31

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>51</u>	<u>3W</u>	<u>9</u>													<u>D</u>	<u>D</u>	<u>D</u>	<u>CL</u>	
															<u>CL</u>	<u>3</u>			

Parcel (PIN) no(s). SEE REMARKS

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? KOOTENAI

11. Do you own the property listed above as place of use? Yes () No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: LOTS CURRENTLY SERVED ARE SHOWN ON EXHIBIT D,
ATTACHED (ALSO INCLUDES 51N-03W-09-8435)
TS1N 03W-09-8435 IN 600' LOT 4.

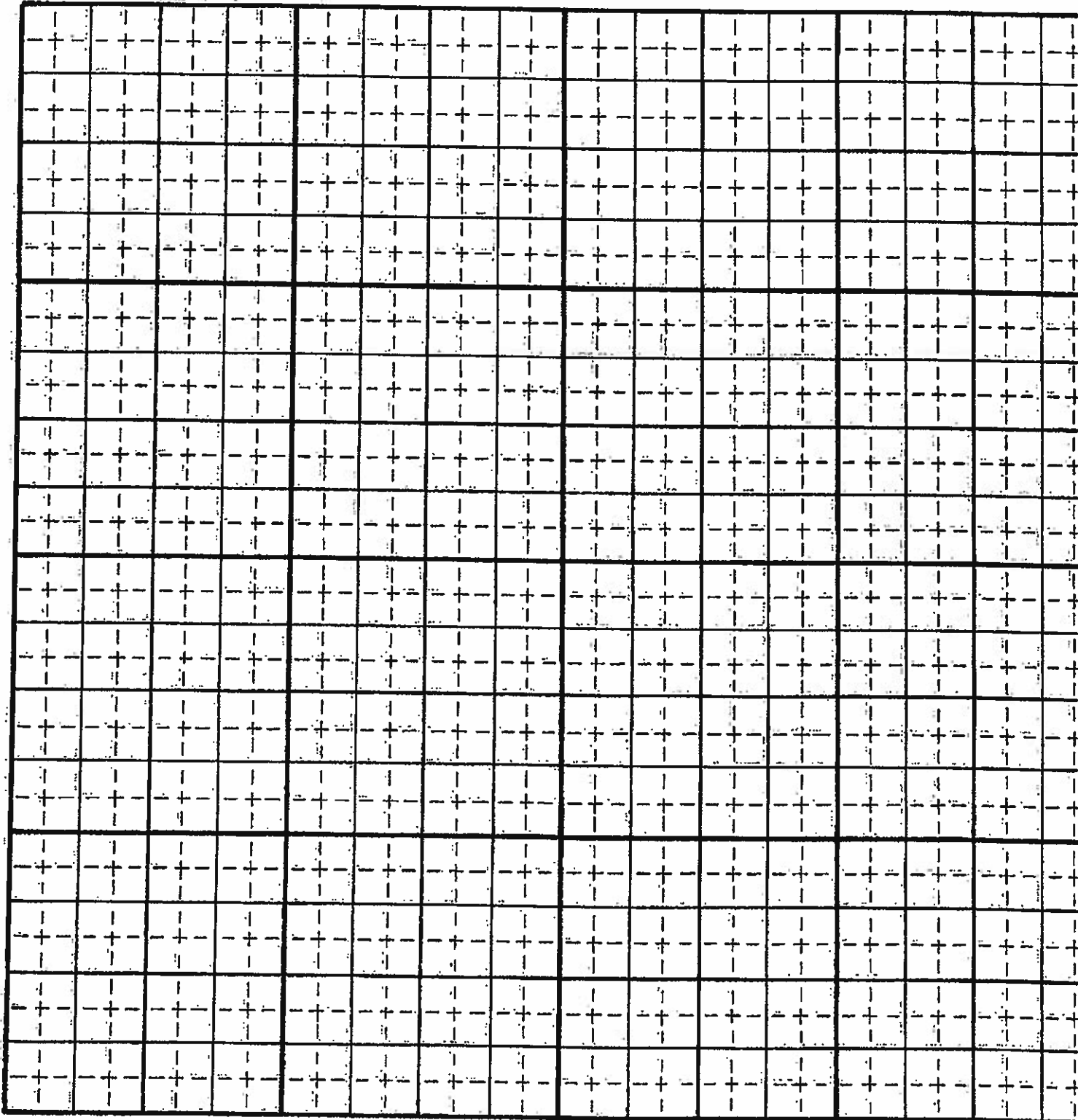
THREE TAX LOTS SHOWN ON EXHIBIT D ARE IN
THE SERVICE AREA, BUT NOT YET CURRENTLY RECEIVING
WATER.

FOR ANY QUESTIONS PLEASE CONTACT SHAWN McMAHON AT
208-660-6712

Last Name _____ Identification No. _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____ Identification No. _____

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree ☒

Court Kootenai Decree Date 3-23-1973 Plaintiff v. Defendant Hayden Lake ADJ

If applicable provide IDWR Water Right Number 95-461

15. Signature(s)

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

Number of attachments: 5 ATTACHMENTS / 6 PAGES

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Secretary/Treasurer of Rainbows End Water Assoc, Inc
Title Organization

that I have signed the foregoing document in the space below as

Secretary/Treasurer of Rainbows End Water Assoc. Inc
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Charlene M Boyd Date 9/22/09

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Identification No. _____

MC GOGNEY, Norma Jean, et al (continued)

Priority: 7/1/44

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 4/1 to 10/31

Quantity per year: 0.40 acre foot

Maximum rate of diversion: 0.02 c.f.s.

Type and point of diversion: Pump, Lot 7, Powell Tract, Govt. Lot 7,
Sec. 22, T. 51 N., R. 3 W.B.M.

Place of use: Lot 7, Powell Tracts, Govt. Lot 7, Sec. 22, T. 51 N.,
R. 3 W.B.M.

MC MAHON, Terence G., Route 2, Box 37-1, Hayden Lake, Idaho

File No.: 95-0461

Priority: 6/1/47

Source: Hayden Lake

Purpose: Domestic (10 houses) Period of use: From 1/1 to 12/31
Domestic (4 houses) From 4/1 to 10/31

Quantity per year: For 10 houses - 5.70 acre feet

For 4 houses - 1.60 acre feet

Total 7.30 acre feet

Maximum rate of diversion: 0.28 c.f.s.

Type and point of diversion: Pump, Govt. Lot 3, Sec. 9, T. 51 N.,
R. 3 W.B.M.

Place of use: Govt. Lot 3, Sec. 9, T. 51 N., R. 3 W.B.M.

MERKLIN, George L., 927 E. Mission, Spokane, Washington

File No.: 95-0253

Priority: 8/1/35

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 1/1 to 12/31

Quantity per year: 0.57 acre foot

Maximum rate of diversion: 0.02 c.f.s.

Type and point of diversion: Pump, Lot 32, Wrights Park, Govt. Lot 8,
Sec. 18, T. 51 N., R. 3 W.B.M.

Place of use: Lot 32, Wrights Park, Govt. Lot 8, Sec. 18, T. 51 N.,
R. 3 W.B.M.

MEYERS, Norman H., 11295 S. W. Muirwood Dr., Portland, Oregon

File No.: 95-0254

Priority: 5/1/52

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 3/1 to 10/31

Quantity per year: 0.44 acre foot

Maximum rate of diversion: 0.02 c.f.s.

Type and point of diversion: Pump, Lot 6, Hayden Haven, Govt. Lot 3,
Sec. 10, T. 51 N., R. 3 W.B.M.

Place of use: Lot 6, Hayden Haven, Govt. Lot 3, Sec. 10, T. 51 N.,
R. 3 W.B.M.

Nov 21 10 51

SHIRLEY DE
Cal

FEES 9

1166578

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QUITCLAIM DEED

FOR VALUE RECEIVED, SHIRLEY R. PETERSON, the "Grantor", does hereby grant, bargain, sell and convey unto RAINBOWS END WATER ASSOCIATION, INC., an Idaho Corporation, the "Grantee", of 102 Poplar, Coeur d'Alene, Idaho 83814, all present and future rights, title and interest in the existing water system including pumps, pump house, reservoirs, water distribution lines and any and all easements of record for the water distribution to parcels of property so served by the water system, together with all interest in the water right permit from the Idaho Department of Water Resources dated June 1, 1987, Permit No. 95-0461, as presently is located on the property located in the County of Kootenai, State of Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE FULLY INCORPORATED HEREIN

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever.

D A T E D this 25th day of September, 1989.

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
Shawn M

Shirley R. Peterson
SHIRLEY R. PETERSON Nov 11 2 36

STATE OF IDAHO)

ss.

County of Kootenai)

SHIRLEY DEIT:
Shawn M
BY
FEES 3.00

On this 25th day of September, 1989, before me, SHAWN T. McMAHON, a Notary Public for the State of Idaho, personally appeared SHIRLEY R. PETERSON, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal the day and year in this certificate first above written.

Shawn T. McMahon
Notary Public for Idaho
Residing in: HAYDEN LAKE
Commission Expires: 7-14-94

1. QUITCLAIM DEED

EXHIBIT B

Water Right Number - 35-00461

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***
MC HANON
TERENCE G.
1 - RT. 2 BOX 37-1
3 -
City- HAYDEN LAKE
Phone -
State- ID Zip- 81135

Priority Date - 06/01/1947
Region - 18
Stage - D - DECREED
Status -

Source - HAYDEN LAKE
SINKS

Trn Ang Sec Tract Lot Rptg County Point of Diversion
Stream Index (Blank if no Index Code)

SLN 03W 9 3 (55) KOOTENAI

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		0.283	5.70
43 - DOMESTIC		04/01	10/31		0.283	1.60

Total Div. Rate - 0.280
Total Div. Volume - 7.30
Total Div. Capacity -
Total Consumptive Use -
KW Usage -

Trn	Ang	Sec	Tract	Lot	Acres	Place of Use	Description	County
SLN	03W	9		3		43 DOMESTIC		(55) KOOTENAI

Total Acres:

- Diversion Means - PUMP.

- Non-Irrigation Use - D/10 YEAR AROUND HOMES & 4 SUMMER HOMES.

- Other Rights for Same Use -

Remarks -
No Remarks found.

Conditions of Approval -
No Conditions of Approval found.

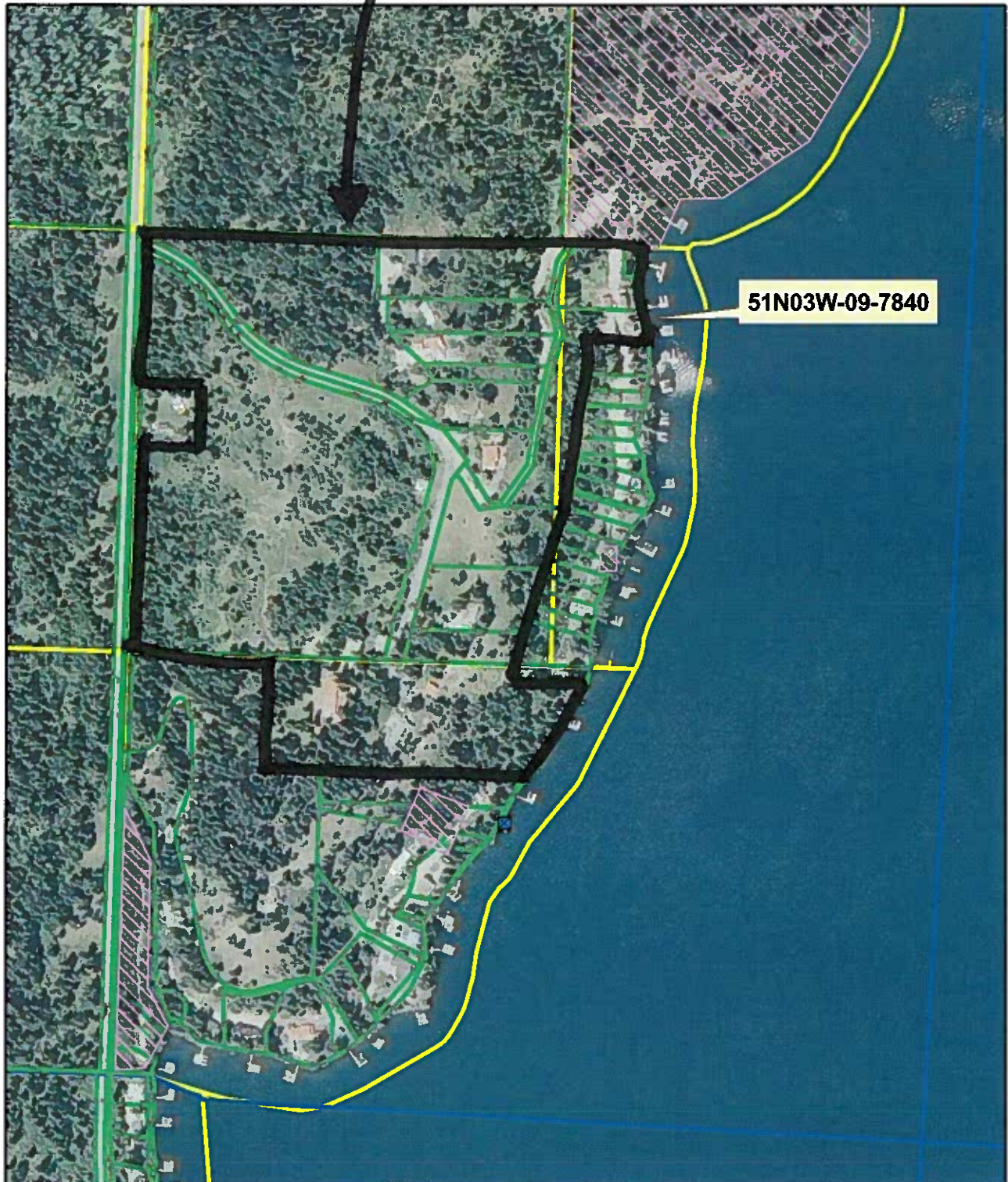
Decree Plaintiff -
AVONDALE IRRIGATION DIST., ET AL.
Decree Defendant -
NORTH IDAHO PROPERTIES, INC. ET AL.
Decree Date -
03/23/1973

- Microfilm Rolls -

EXHIBIT "A"

RAINBOWS END WATER ASSOC INC PIN 51N03W-09-7840 (95-461)

Service AREA BOUNDARY



RAINBOWS END WATER ASSOC INC PIN 51N03W-09-7840 (95-461)

