

M^CHUGH BROMLEY

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July 10, 2019

Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83702

RECEIVED
JUL 12 2019
DEPARTMENT OF
WATER RESOURCES

Hand Delivered

Re: *Notice of Change in Water Right Ownership, 95-2141*

Dear Clerk:

Enclosed is a *Notice of Change in Water Right Ownership*, and associated fee, regarding water right no. 95-2141. Once processed, please send the original to the City of Post Falls at the address referenced in the form. Please also send a copy to my office.

If you have any questions, please do not hesitate to let me know.

Sincerely,



CHRIS M. BROMLEY

Encls.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 12 2019

DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-2141	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Schneidmiller Brothers, Inc.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): City of Post Falls
New owner(s) as listed on the conveyance document

<u>408 N. Spokane St.</u> Mailing address	<u>Post Falls</u> City	<u>ID</u> State	<u>83854</u> ZIP
<u>208-773-3511</u> Telephone	<u>wwilson@postfallsidaho.org</u> Email		

4. If the water rights and/or adjudication claims were split, how did the division occur?
- The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
 - The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 3/9/2017

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.
 - If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] City Attorney 7/3/19
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:
 Received by [Signature] Date 7/12/19 Receipt No. 0107200 Receipt Amt. 25
 Active in the Water Supply Bank? Yes No If yes, forward to the State Office for processing W-9 received? Yes No
 Name on W-9 _____ Approved by [Signature] Processed by [Signature] Date 7-29-2019

JIM BRANNON 2 P 2588947000
KOOTENAI COUNTY RECORDER
MMS Date 04/05/2017 11:24 AM
REQ OF POST FALLS CITY
RECORDING FEE: \$0.00 DD
[Barcode]

WATER RIGHTS DEED

KNOW ALL MEN BY THESE PRESENTS, that SCHNEIDMILLER BROTHERS, INC. an Idaho corporation whose address is 1511 N. Chase Road, Post Falls, Idaho, 83854, the GRANTORS, for good and valuable consideration, hereby grant and convey unto City of Post Falls, a municipal corporation, the GRANTEE, whose address is 408 N. Spokane Street, Post Falls, Idaho 83854, all water rights associated with the real property described in Exhibit "A" attached hereto and incorporated herein by reference, which include the following:

Water Right No. 95-2141 located in Township 51 N, Range 5W, Boise Meridian.

SAID WATER RIGHTS ARE BEING CONVEYED SEPARATE FROM THE REAL PROPERTY.

IN WITNESS WHEREOF, the GRANTORS have caused this instrument to be executed this 9 day of MARCH, 2017.

SCHNEIDMILLER BROTHERS, INC., an Idaho corporation

BY: Gary Schneidmiller
GARY T. SCHNEIDMILLER, PRESIDENT

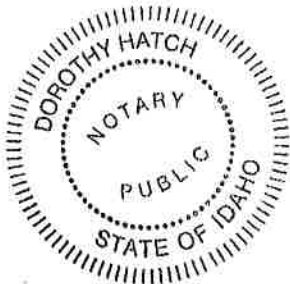
STATE OF IDAHO

ss

COUNTY OF KOOTENAI

On this 9 day of MARCH, 2017 before me, a Notary for the state of Idaho, personally appeared Gary T. Schneidmiller, known or identified to me to be the President of Schneidmiller Brothers, Inc., the person who executed this instrument on behalf of said corporation, and who acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.



Dorothy J. Hatch
Notary Public for the state of ID
Residing at: CREED, IDAHO
Commission Expires: 8/19/22

Attachment "A"

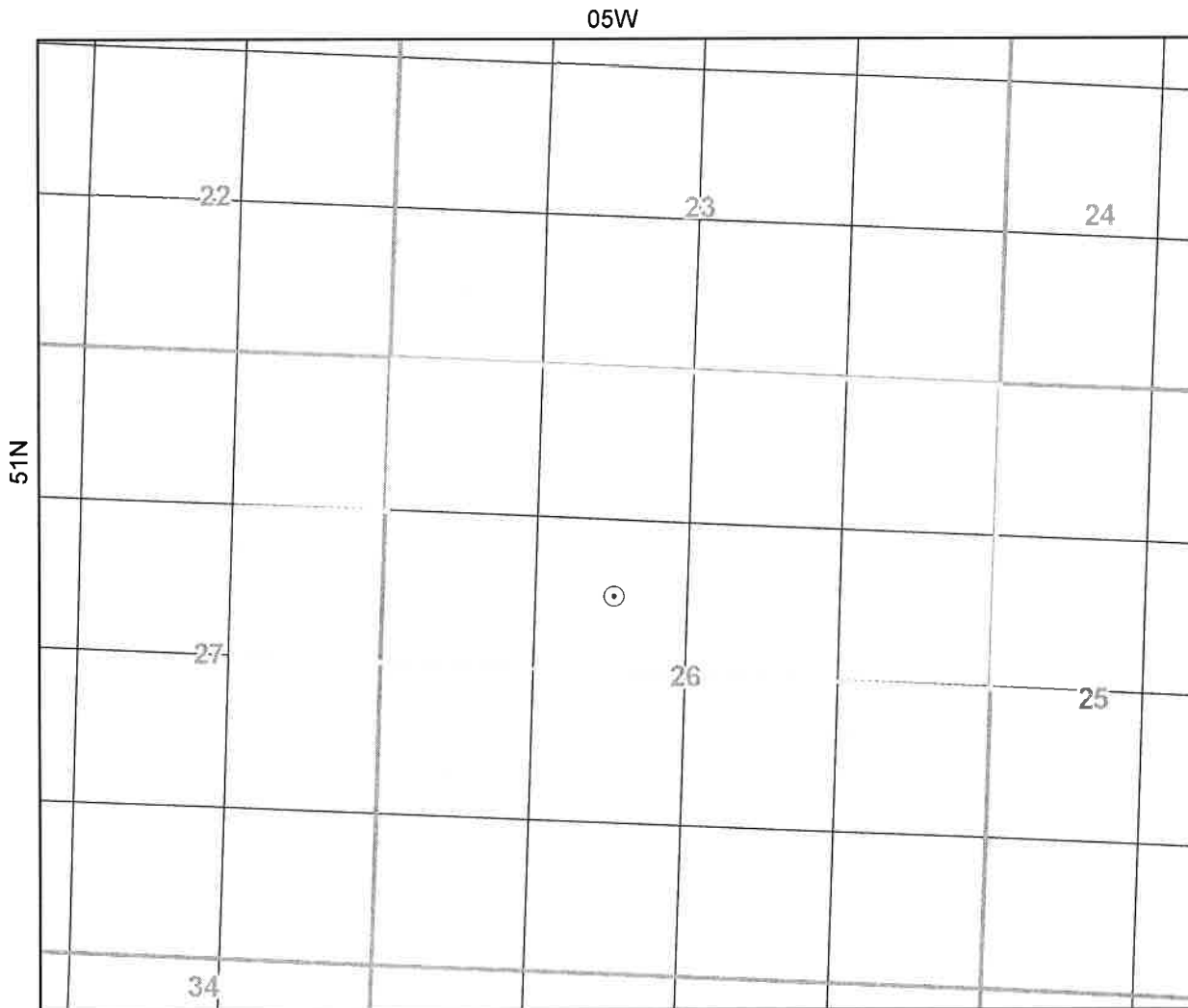
Tracts 2, 3, 4, 13, 14, 15, 18, 19, 20, 29,30 and 31 of Block 26 Post Falls Irrigated Tracts and the NW1/4 of Section 26, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, and the SE1/4 of the NE1/4 of Section 27, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

State of Idaho
Department of Water Resources

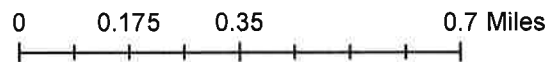
Water Right 95-2141

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



WATER LICENSE

Water License No. G-30389/95-2141 Priority May 31, 1966 Amount 3.34 c.f.s.

THIS IS TO CERTIFY, that (late proof) Schneidmiller Brothers, Inc.

of Post Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 16, 1962; that Permit G-30389/95-2141 was issued pursuant to said application; that the proposed works were completed on or about 1963, with a storage/or carrying capacity of 3.51 c.f.s., said works consisting of well, pump, motor, ditch, and sprinklers; and that on January 12, 1967 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,000 acre feet per season, with a maximum rate of diversion of 3.31 cubic feet per second of the waters of ground-water, tributary of _____, for the purpose of Irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SE 1/4 NW 1/4 Sec. 20 T. 61 N. R. 3 W. B.M., and other additional points _____, in the County of Kootenai; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1,000 acre feet per year.

Description and location of place of use:

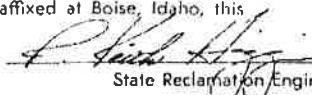
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51 N	5 W	26	20	39	40	20	39	38	39	40									275
		27				39													39

Total number of acres irrigated 314

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

5th day of May, 1970.


State Reclamation Engineer

95 2141

95-2141
30389

IDAHO DEPARTMENT OF WATER RESOURCES
 RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-2141
 NAME AND ADDRESS: SCHNEIDMILLER BROTHERS INC
 1511 N CHASE RD
 POST FALLS ID 83854-9225
 SOURCE: GROUND WATER TRIBUTARY:
 QUANTITY: 3.340 CFS
 1,099.00 AFY
 PRIORITY DATE: 05/31/1966
 POINT OF
 DIVERSION: T51N R05W S26 SENW Within KOOTENAI County
 PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	3.340 CFS 1,099.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in KOOTENAI County

T51N R05W S26	NENE	20.00	T51N R05W S26	NWNE	39.00
T51N R05W S26	SWNE	40.00	T51N R05W S26	SENE	20.00
T51N R05W S26	NENW	39.00	T51N R05W S26	NWNW	38.00
T51N R05W S26	SWNW	39.00	T51N R05W S26	SENW	40.00
T51N R05W S27	SENE	39.00			

314 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
 Parcel No. P705026002AA, P00000263200, P00000272170



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819
Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 29, 2019

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854-7538

Re: Water Right No. 95-2141

Dear Claimants:

Enclosed is a copy of the Notice of Completed Administrative Procedure and associated water right(s) that has been sent to the Coeur d'Alene-Spokane River Basin Adjudication Court, reflecting the ownership change for your water right(s). These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

This notification to the Court does not affect the previous approval of this water right(s). You will be notified of any future action on your water right(s) by the CSRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in blue ink that reads "Dawn R. Lenon". The signature is written in a cursive, flowing style.

Dawn R. Lenon
Technical Records Specialist 1