

4400' to U.S. 10

Chicago Mill & St Paul

Chicago Mill & St Paul

SW $\frac{1}{4}$ NW $\frac{1}{4}$

55.88

NW $\frac{1}{4}$ SW $\frac{1}{4}$

10.13 Ac

Dheanens

4.78 Ac

Ashton

1030

30 30

SOUTH MCGUIRE ROAD

$\frac{1}{4}$ Corner

Great Northern RR.

6.89 Ac

Chicago Mill, & St Paul R.R.

Proposed
Well Location

SE $\frac{1}{4}$ NW $\frac{1}{4}$

Govt.
Lot (6)

Northerly edge of canal

55.88
6.89
62.77

20 scale

1200
60
12000

Center Section
4 T50N R5W

95-7117

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

ORIGINAL8-5-02 *J*

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
95-7117		0			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Harold Lundy
18700 E Trent Otis Orchards, Wa. 99027
4. New Owner/Claimant(s) McGuire Estates Water Users Assn., Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2037 W. Cannon Post Falls, Id. 83854-9406
- City, State and ZIP Code _____
- New Telephone Number (208) 773 2009
5. Date you acquired the property October 1, 2001

MICROFILMED
OCT 17 2002

ORIGINAL

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) McGuire Estates Water Users Assn., Inc.
(include title if applicable)

x *Paul O. Eastman* President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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For Office Use Only

Received by <u><i>JD</i></u>	Date <u><i>8/8/02</i></u>	Fee <u><i>\$25.00</i></u>	Receipt No. <u><i>N015201</i></u>
Received by <u><i>JD</i></u>	Date <u><i>8/8/02</i></u>	WR _____	
Processed by _____	AJ Date _____	Date _____	

OCT 17 2002

COPY

WHEN RECORDED RETURN TO

TRUNKENBOLZ | ROHR | DRISKELL PLLC
12704
Spokane, WA 99216

B

QUIT CLAIM DEED

THE GRANTOR: PAULINE N. LUNDY, a widow, for and in consideration of
ONE DOLLAR (\$1.00) and other valuable consideration, conveys and quit claims to

THE GRANTEE: MCGUIRE ESTATES WATER USERS ASSOCIATION, INC., a non-profit corporation;

the following described real estate, situated in the County of Kootenai, State of Idaho;

The East 35 feet of the North 52 feet of LOT 8, BLOCK 2, MCGUIRE ESTATES, as per plat thereof recorded in Volume E of Plats, Page 17, records of Kootenai County, State of Idaho, TOGETHER with an Easement for ingress and egress to said property over the Easterly 20 feet of said Lot 8, Block 2, MCGUIRE ESTATES, ALSO TOGETHER WITH Easements for all existing water lines and hydrants in, around and under the roads and lots within the plat in the approximate location as is depicted on the attached Exhibit "A" map.

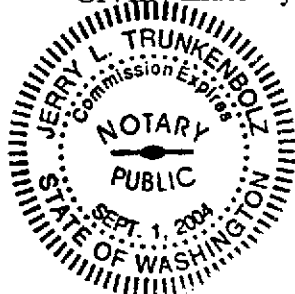
DATED: September 27, 2001

Pauline N. Lundy
PAULINE N. LUNDY

STATE OF WASHINGTON)
COUNTY OF SPOKANE)

On the day personally appeared before me PAULINE N. LUNDY to me known to by the individual described in and who executed the within and forgoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand official seal this 27 day of September 2001.



[Signature]
Notary Public for the State of Washington
Residing in: SPOKANE
My commission expires: 9/1/04

MICROFILMED

OCT 17 2002

*For Michelle Q. Kootenai County
advisory office Sept 15th, 2001, 8:50 AM, S 4
S 1/2 NW, N 1/2 SW - Kari Lynn 8.12.02*

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7117 Priority June 16, 1970 Amount 0.44 cfs
(late proof)

THIS IS TO CERTIFY, that Harold Lundy
of Spokane, Washington, has complied with the terms and conditions of Permit
No. 95-7117 issued pursuant to Application for Permit dated June 4, 1970,
and has submitted proof to the Department of Water Resources on August 1, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.44 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(55 units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.44</u> cfs and	<u>66.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.44 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
66.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Twp.
50N, Rge. 5W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50N	5W	4							X	X	X	X							

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
December, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
< LICENSING >
APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
OCT 26 1981
Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Harold Lundy

of (address) Spokane, WA, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 95-7117, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NW 1/4, Section 4, Township 50N, Range 5W, B.M.,
County of Kootenai. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

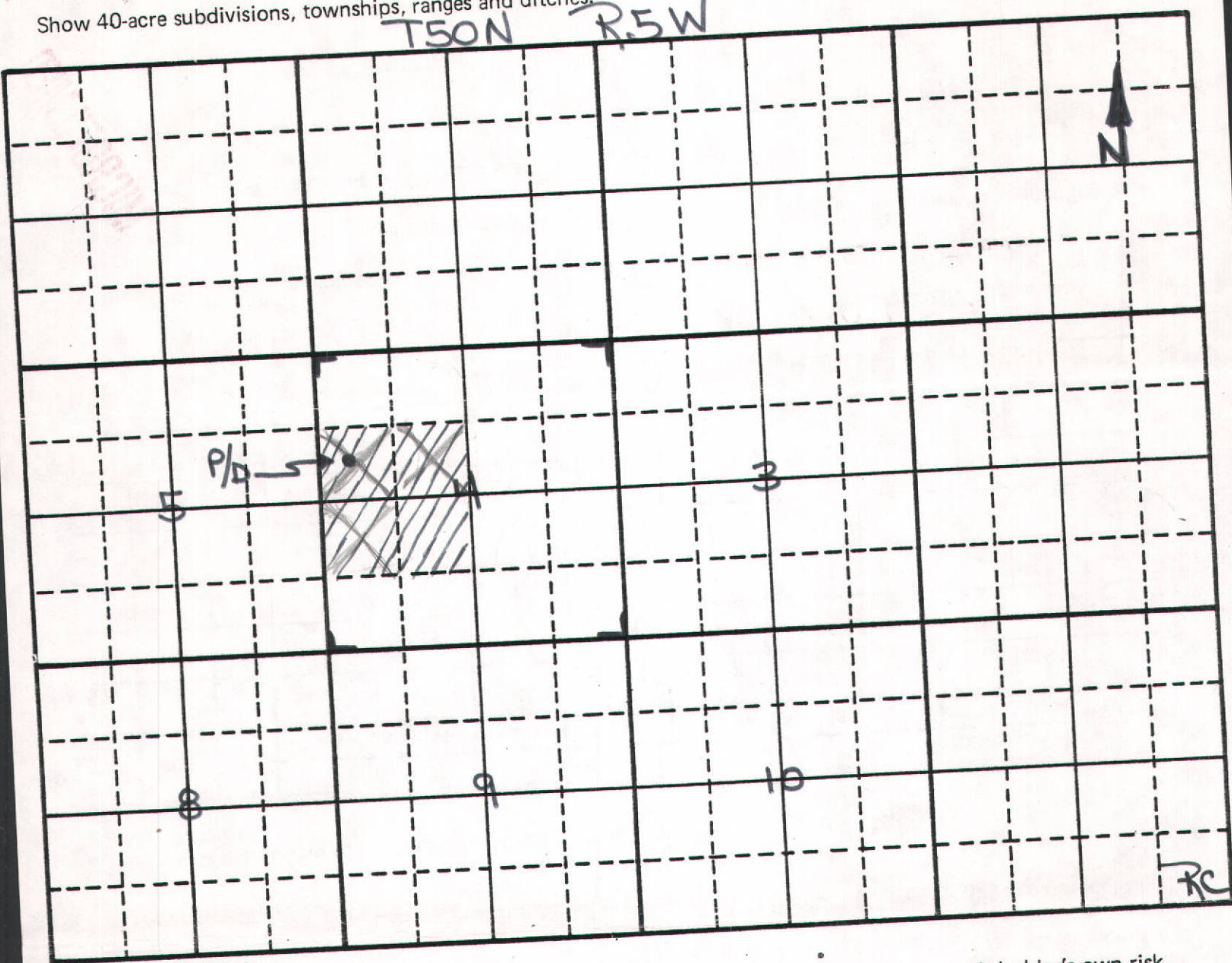
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
50N	5W	4							X	X	X	X							

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Harold C Lundy
- b. Who owns the land to be irrigated or the place of use? Customers - let owners
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Spokane, Wn., this 22 day of Oct, 19 81.
[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jmi Fee = \$20.00

Received by [Signature] Date 10-28-81 # 20535

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 95-7117. ok
Jmi

Witness my hand this 24 day of December, 19 81.

[Signature]
Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 95-7117

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

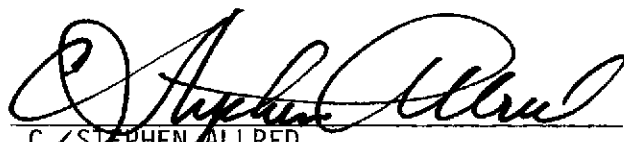
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7117)
)
 in the name of HAROLD LUNDY)
 _____)

ORDER

WHEREAS, on June 4, 1970, Harold Lundy applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.00 cubic feet per second of groundwater to be diverted from the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 50N, Rge. 5W, B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on August 4, 1970, the Department approved said application and issued Permit No. 95-7117 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before August 1, 1975; and,

WHEREAS, on August 1, 1975, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 6, 1975, the Department notified the permit holder that Permit No. 95-7117 had lapsed for failure to submit proof of beneficial use of water; and,

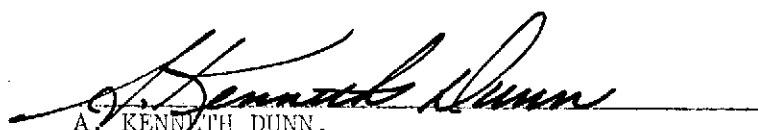
WHEREAS, on August 13, 1975, the Department received a request for the permit to be reinstated and an extension of time on the permit; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that the above referenced permit no. 95-7117 be REINSTATED and the priority be advanced to June 16, 1970. IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use of water be extended to August 1, 1980.

Dated this 15th day of August, 1975.


 A. KENNETH DUNN,
 Administrator, Operations Division

Identification No. 95-7117

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant HAROLD LUNDY
post office address 1115 So. Cedar, Spokane Wn.
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 50N
Range 5W B.M. Kootenai County; additional points of diversion if any: NONE
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1 cuf ft ^{per Sec municipal} for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cu. ft ^{cubic feet} per second and/or
~~500 gallons~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
12" Well
b. Height of storage dam _____ feet, active reservoir capacity 35000 gal ~~acre feet~~; total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 30,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 50N
Range 5W B.M. _____
(2) Amount of power to be generated: 30 hp under 190 feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 100.
(5) If water is to be used for other purposes describe: NONE

95-7117

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

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	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion Harold Lundy

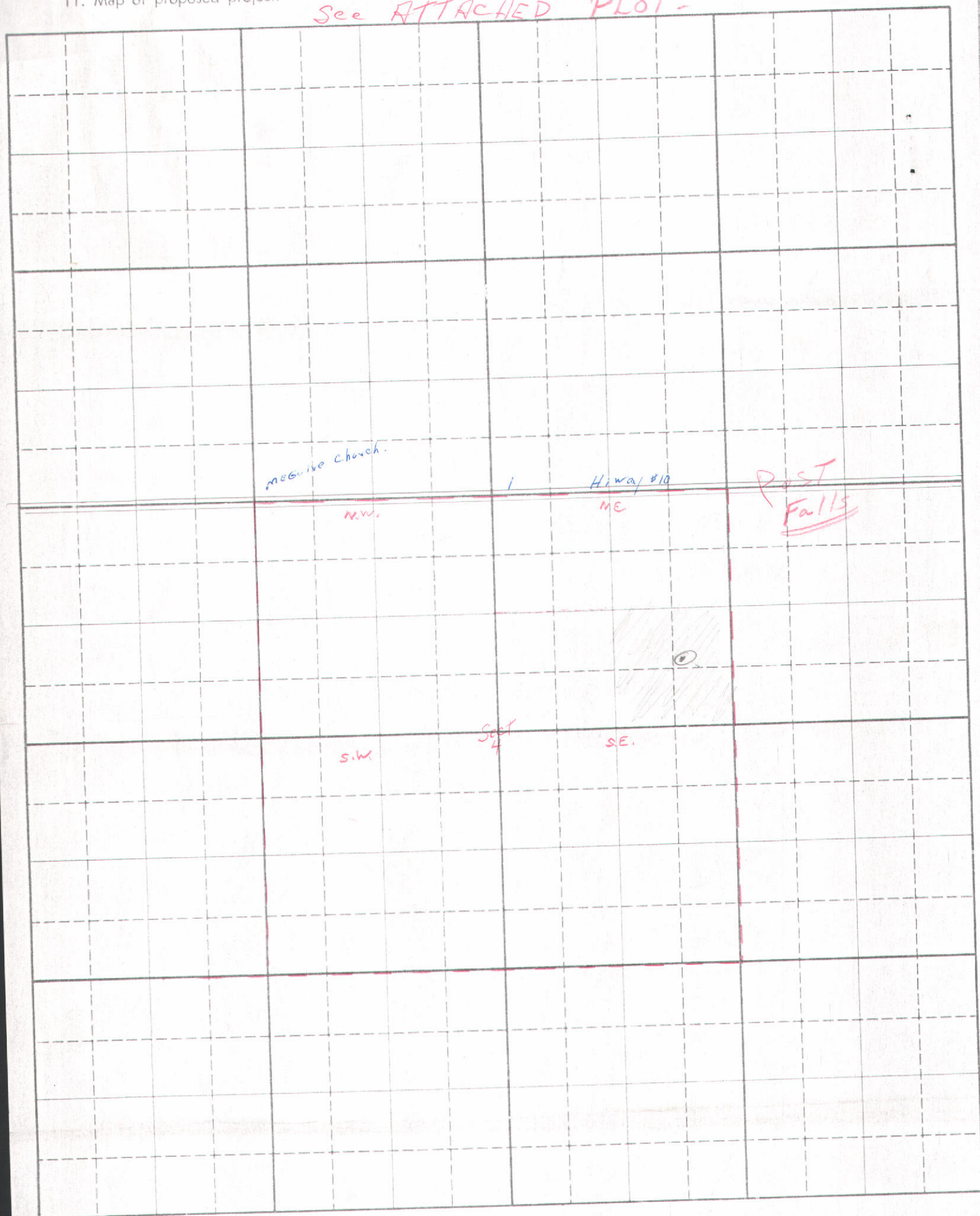
b. Who owns the land to be irrigated or place of use Harold Lundy

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:

See ATTACHED PLOT -



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Harold R. [Signature]
(Applicant)

95-7117

6-4-70 9:30 AM

Received by gj Date 6-4-70 Time 9:30 AM
Preliminary check by D Fee \$ 20.00
Receipted by gj Date 6-24-70
Publication prepared by de Date 7-2-70
Published in Post Falls Tribune
Publication dates 7-9+16-70
Publication approved de Date 7-22-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by De

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7117, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 4th day of August, 19 70.

P. Keith Higgs
State Reclamation Engineer

95-7117



5
4

10A

pH
pb

LUNDY BLVD

MICROFILMED

4
3

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

MICROFILMED

Point(s) of diversion: 2 ENW, Sec 4, ~~50N~~ T.50N, R5W

Place(s) of Use

[illegible]

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
- ☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Changes from Court house & on sight inspection

Examiner's Signature _____

Date 6-9-81

Checked by PSB Hausman

Date 6/10/80

Approved by Tolun

ate 1/16/61

UNRECORDED

IDENT. NO. 95-7117

WATER RIGHT
DATA ENTRY LOG

[illegible]

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Harold Lundy, 1115 So. Cedar, Spokane, Washington,

_____ has on June 4, 1970,
submitted Application No. 95-7117 to appropriate the public waters of
a ground-water source

~~THE PROPOSED DIVERSION~~

The application proposes a maximum diversion and appropriation of 1.0
cubic feet per second ~~approximately~~ of water to be diverted by a well

_____ within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4,
T. 50 N., R. 5 W., B.M., Kootenai County

and is to be used within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4, T. 50 N., R. 5 W., B.M. for multiple
domestic use from Jan. 1 to Dec. 31

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of **Water Administration** ~~Recreation~~ on
or before July 27, 1970.

R. KEITH HIGGINSON

Director

~~STATE OF IDAHO DEPARTMENT OF RECREATION~~

Published in the Post Falls Tribune, Post Falls, Idaho
on July 9 th and July 16th, 1970

95-7117