

AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 16 1977

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Wayne &/or Douglas &/or Wallace Meyer, Route 3, Box 533, Post Falls, Idaho, have applied to the Department of Water Resources for a change of the place of use of the water from a groundwater source. The rights sought to be changed are evidenced by License Nos. (a) 95-2165 and (b) 95-7094, and are recorded as follows: Amounts: 3.77 cubic feet per second; (b) 4.90 cubic feet per second. Priorities: (a) October 5, 1964; (b) February 5, 1970. Point of Diversion: (a) SW 1/4 NE 1/4, Sec. 8, Twp. 51N, Rge. 4W, B.M.; (b) SW 1/4 NE 1/4, Sec. 8, Twp. 51N, Rge. 4W, B.M., Kootenai County (one well). The water is used for the ir-

rigation of 465 acres within the E 1/2 NE 1/4, E 1/2 SE 1/4, Sec. 5; E 1/2, Sec. 8, Twp. 51N, Rge. 4W, B.M.

TO BE CHANGED AS FOLLOWS:

The place of use will be within the SE 1/4, Sec. 5; E 1/2, Sec. 8, Twp. 51N, Rge. 4W, B.M. No change is proposed for the amounts of water or for the point of diversion under these licensed rights.

Any protests against approval of the proposed change of water right application must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before February 21, 1977.

R. KEITH HIGGINSON
Director

Legal No. 782
Feb. 3, 10, 1977

STATE OF IDAHO,
County of Kootenai, } ss.

Department of Water Resources
Northern District Office
being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive weeks commencing on the 3 day of Feb, 1977, and ending on the 10 day of Feb, 1977, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this

10 day of February, 1977

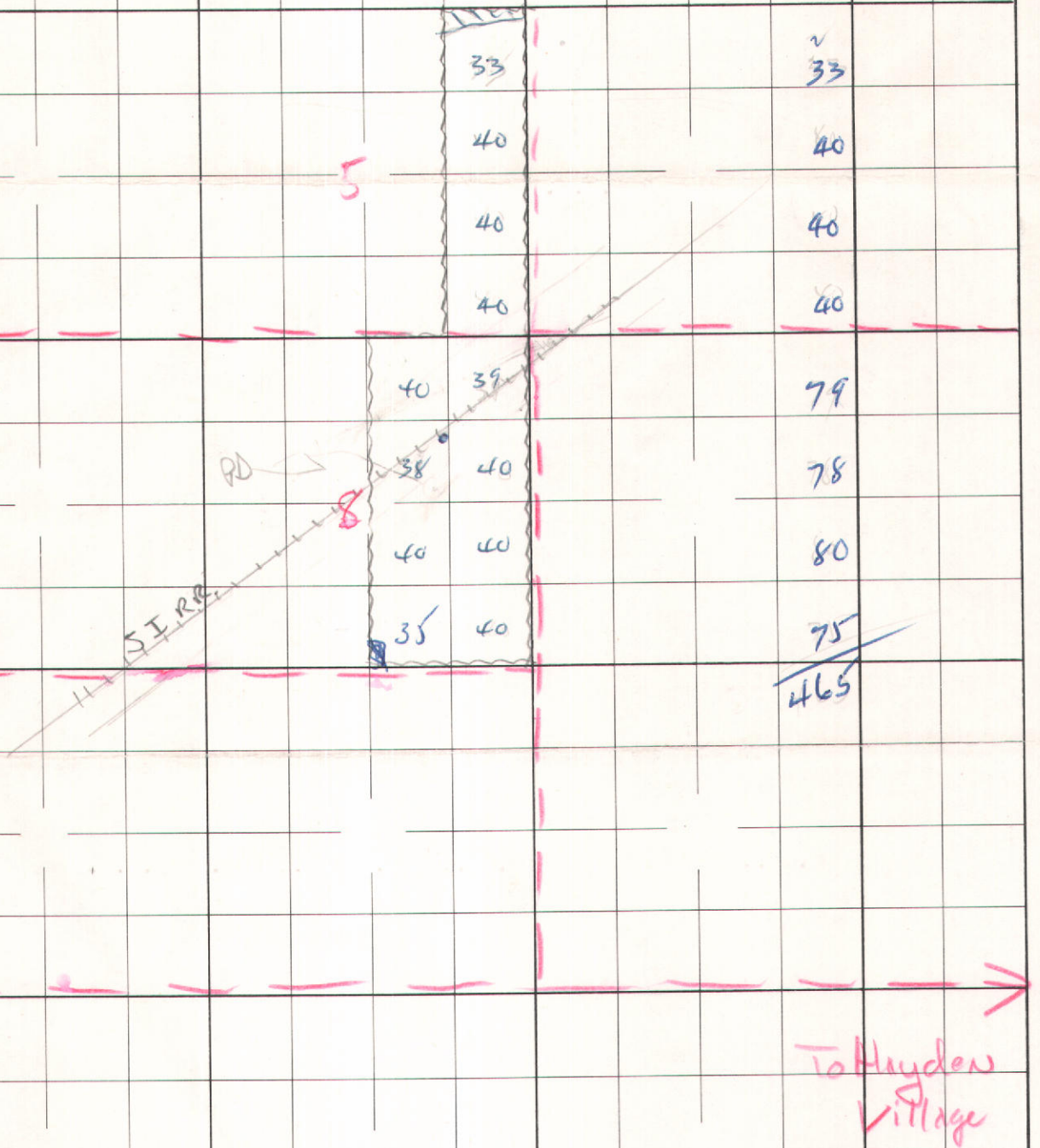
Roberta Stanley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MICROFILMED

LEADER

Rge 46

Twp 51N



Subdivisions

12

AREA

465 acres

Q

=

3.77 cts or 188 1/2 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32090

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Ronald L. Russell *of Mead Agency*

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8

T. 51N R. 4 W.B.M. County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: 300 HP GEM Motor
FAS 609004, Layne & Bowler Pump # D10549 (2200 GPM @ 150' &
1770 RPM 10" discharge to 10" Gate Valve and Check Valve
and Y's into 8" main line North & South

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E $\frac{1}{2}$ Sec. 8., E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 5., Twp. 51 N., Rge. 4 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Dick Meyer & Ken Sampson along

11 $\frac{1}{4}$ mile laterals with 33- $\frac{1}{4}$ " nozzles each @ avg psi 43[#] = 5.57 GPM
 $5.57 \times 304 = 3.77 \text{ cfs}$

Send Duplex to Dick Meyer - 16114 E Valley Way
Veradale, Wash 99307

This examination was made on the 13th day of August, 1965

(Signed) Layne Johnson Examiner.

32090

plat ✓
DW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Wayne &/or Douglas &/or Wallace Meyer Phone _____
Post office address Route 3, Box 533, Post Falls, Idaho 83854

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. (a) 95-2165 (b) 95-7094 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Right obtained by purchase of the land to which water is appurtenant.

3. Source of water Groundwater tributary to _____
4. Date of priority (a) 10-5-1964 (b) 2-5-1970

5. Water is used for the following purposes:
- (a) amount 3.77 cfs for Irrigation purposes from May 1 to Nov. 15
- (b) amount *4.90 cfs for Irrigation purposes from May 1 to Oct. 31
- amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. (a) 3.77 cubic feet per second *Not to exceed those amounts when 95-2165
b. *(b) 4.90 &/or and 95-7094 are combined.
*16275 acre feet per annum

7. Location of original point of diversion is One well within the SW 1/4 NE 1/4 of Section 8
Township 51N Range 4W, B.M., in Kootenai County
Additional points of diversion, if any _____

8. Lands irrigated or 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	
51N	4W	5	33			40									40			40	153
51N	4W	8	39	40	38	40									40	40	35	40	312

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B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (if the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
b. _____ acre feet per annum &/or

2. Point of diversion $\frac{1}{4}$ $\frac{1}{4}$, Section

Additional points

County

Township

3. Place of use:

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Change in point of diversion | NO CHANGE IN PART 1 |
|---------------------------------|---------------------|
|---------------------------------|---------------------|

- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet

- | b. Point(s) of diversion | | $\frac{1}{4}$ | $\frac{1}{4}$, Section | Township |
|--------------------------|--|---------------|-------------------------|----------|
|--------------------------|--|---------------|-------------------------|----------|

Additional points

- | c. | Description of diverting works |
|----|--------------------------------|
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- d. Describe the reasons for applying for a change in the point(s) of diversion

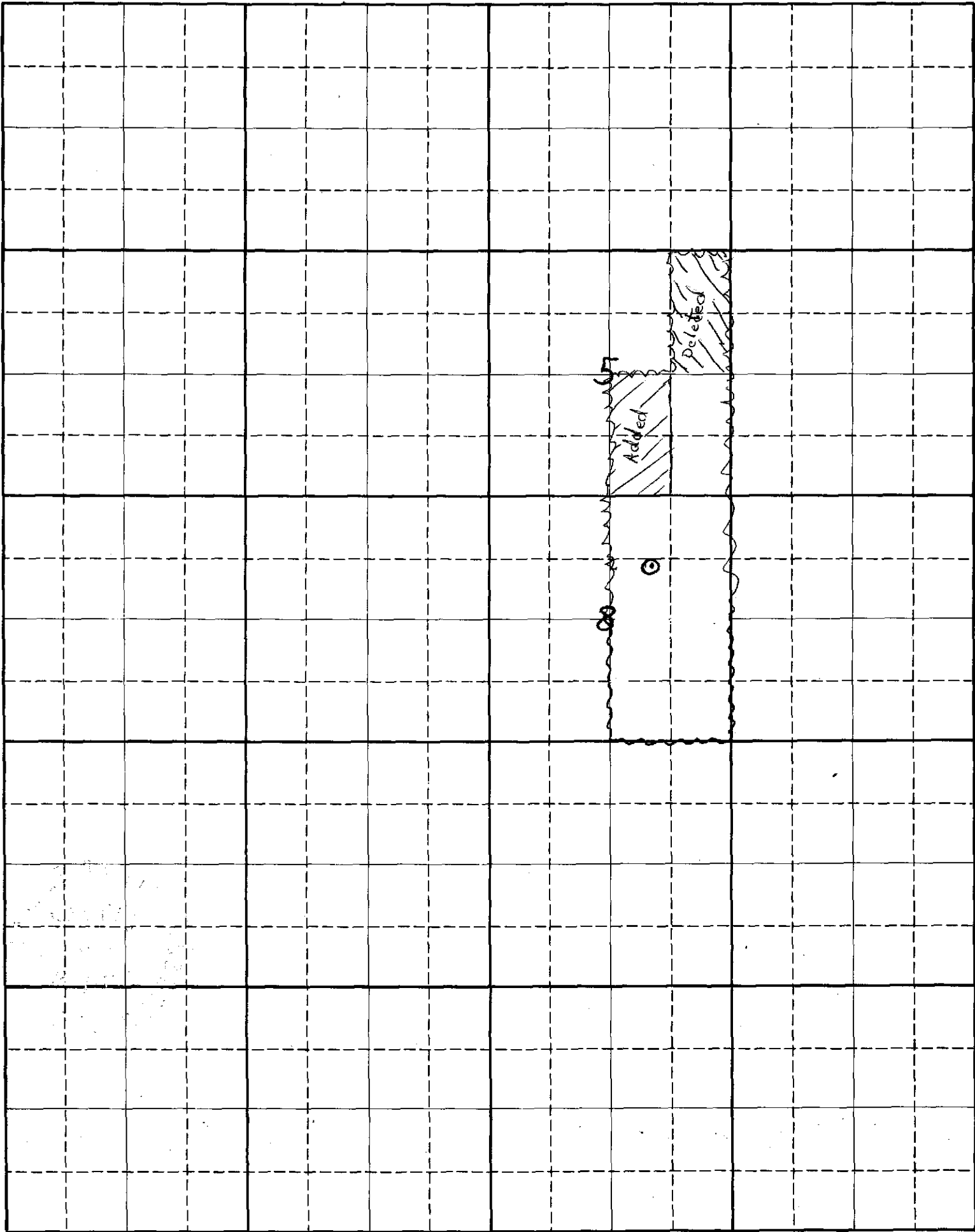
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 465

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Wayne Meyer Wallace Meyer Douglas Meyer
(Signature of applicant)

Subscribed and sworn to before me this 27 day of January, 19 77

Robert G. Hays
(Notary public)

My commission expires 11-20-78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 95-2165, and said application is hereby APPROVED.

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

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

Witness my hand this 14 day of March, 19 77

R. K. Higgins

FOR DEPARTMENT USE ONLY

Received by RST Date 1-27-77

Prelim. check by _____ Fee \$30.00

Receipted by cp Date 1-27-77 (#4881)

Published in Coeur d'Alene Press

Pub. dates 2-3 & 2-10-77

Watermaster recommendation requested on _____
rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial
by RST jo

PARTIAL RELEASE OF REAL ESTATE MORTGAGE

(FLB No. 139486)

THIS CERTIFIES that THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the laws of the United States, for and in consideration of the sum of ONE DOLLAR and other good and valuable consideration, hereby releases from the lien of that certain mortgage, executed by Robert C. Maher and Betty D. Maher, husband and wife; Charles L. Gates and Bertha M. Gates, husband and wife; and Robert J. Davis and Jeanette D. Davis, husband and wife,

to THE FEDERAL LAND BANK OF SPOKANE, dated December 1, 1969, and recorded as instrument No. 556811 in Book 114 of Mortgages on page 5, in the office of the County Recorder of Kootenai County, State of Idaho, that part of the property covered by said mortgage, described as follows:

Township 51 North, Range 4 West of the Boise Meridian
Section 5: E $\frac{1}{2}$ NE $\frac{1}{4}$
Kootenai County, Idaho.

It is expressly understood that this release shall not in any way affect or impair the right of THE FEDERAL LAND BANK OF SPOKANE to hold under the said mortgage and as security for the sum remaining due thereon the remainder of the premises therein conveyed and not hereby released.

IN TESTIMONY WHEREOF, said corporation has caused its name to be signed hereto and its corporate seal to be affixed this 19th day of January, 1977

Attest:

James H. Ormiston

Assistant Secretary

THE FEDERAL LAND BANK OF SPOKANE

By

Herb Spencer

Assistant Vice President

STATE OF WASHINGTON, }
COUNTY OF SPOKANE. } ss.

On this 19th day of January, 1977, before me, a notary public in and for the above named county and state, personally appeared Herb Spencer, to me known to be the Assistant Vice President of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

Approved

Elaine Rule
Notary Public, residing at Spokane.

STATE OF _____ }
County of _____ } ss.

Document No. _____

I hereby certify that the within instrument was filed for record in the office of the County _____ of said County on the _____ day of _____ A.D. 19____, at _____ o'clock and _____ minutes, _____ M., at the request of _____, and recorded as instrument No. _____ in Book _____ of Mortgages on page _____

County _____

By _____, Deputy

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REAL ESTATE CONTRACT

This real estate contract is made this 24 day of June, 1973, by and between ROBERT C. MAHER and BETTY D. MAHER, husband and wife; CHARLES L. GATES and BERTHA M. GATES, husband and wife; and ROBERT J. DAVIS, hereinafter called the "Sellers", and WAYNE MEYER and KARLEEN MEYER, his wife; DOUGLAS MEYER and KATHRYN MEYER, his wife; and WALLACE MEYER, a single man, hereinafter called the "Purchasers".

1. Purchase and sale. The Sellers agree to sell to the Purchasers and the Purchasers agree to purchase from the Sellers all of that real estate described in Exhibit "A" attached hereto and incorporated herein by this reference subject to encumbrances set forth in Exhibit "B" attached hereto and incorporated herein by this reference, together with any interest the Sellers may have in growing crops and further, pumps and wells located on the premises. To the extent that any of the foregoing property may be subject to the provisions of the Uniform Commercial Code, this contract is a security agreement, granting to Sellers, as secured property, a security interest in any such property.

2. Mortgage, Deed of Trust, and existing encumbrances. The parties hereto expressly confirm that the real estate and personal property are encumbered as described in Exhibit "B". It is agreed that the Purchasers will not assume these encumbrances, but that said encumbrances shall remain the obligation of the Sellers. The Sellers agree to pay said encumbrances according to their terms, and upon default, the Purchasers shall have the right to make any payments necessary to remove the default, and any payment so made shall be applied to the payments next falling due the Sellers under this contract upon deposit of receipts for such mortgage payments with the escrow agent. Any reference to an encumbrance hereinafter contained in this agreement refers to the encumbrances set forth in Exhibit "B". Purchasers acknowledge that their duly authorized representative has examined the terms of the encumbrances and Purchasers are fully familiar with the terms thereof and Purchasers agree they will not violate said terms and that if they do violate any of the terms of the underlying encumbrances, said violation shall be a default under this contract and subject to remedies set forth in paragraph 14 of this contract.

If Sellers' title to the real estate is subject to any other encumbrance or obligation which the Sellers are to pay other than those specifically covered in Exhibit "B", the Sellers agree to make such payments in accordance with the terms thereof, and upon default, the Purchasers shall have the right to make any payments necessary to remove the default, and any payments so made shall be

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applied to the payments next falling due the Sellers under this contract.

3. Purchase price and payment. The total purchase price of the real estate and personal property is Five Hundred Thousand Dollars (\$500,000.00). The total purchase price shall be paid as follows:

(a) The sum of Fifty Thousand Dollars (\$50,000.00) upon the execution of this contract.

(b) The sum of Two Hundred Twenty Thousand Three Hundred Sixty-Two Dollars and Seventy-Five Cents (\$220,362.75) payable as follows:

Interest shall be payable on the first day of January, 1974, and annually thereafter; the principal shall be payable in 14 installments of \$4590.89 each, the first such installment being payable on the first day of January, 1974, and an installment being payable on each succeeding interest payment date to and including the first day of January, 1985, and a final installment of the balance unpaid on the first day of January, 1986, unless this debt shall be matured sooner by extra payments. Interest shall be computed on the unpaid balance and shall be at the rate then in effect on that mortgage loan between Sellers and The Federal Land Bank of Spokane which rate is governed by Variable Interest Agreement, dated April 20, 1971, a copy of which is attached as Exhibit "C" hereto and incorporated herein by this reference; Provided, however, interest pursuant to this agreement shall never exceed that amount allowed by law.

Interest on this sum shall commence on January 1, 1973.

(c) The sum of Two Hundred Twenty-Nine Thousand Six Hundred Thirty-Seven Dollars and Twenty-Five Cents (\$229,637.25) payable in annual installments, the first in the sum of Ten Thousand Dollars (\$10,000.00), plus interest, payable December 31, 1973, thereafter the sum of Twenty Thousand Dollars (\$20,000.00), including interest commencing December 31, 1974, and each December 31 thereafter until paid in full. The declining unpaid balance of said sum shall bear interest from June 18, 1973, at the rate of seven and one-half percent (7 1/2%) per annum until paid in full. Each payment shall be

applied first upon accrued interest and then upon principal. It is understood and agreed that in any event, the whole sum of principal and interest required pursuant to this paragraph 3(c) then unpaid shall be paid on or before the 31st day of December, 1993.

The Purchasers shall have the privilege of prepaying any portion or all of the purchase price on any installment date and interest shall immediately cease on all payments so made. However, any such additional payments shall be deemed to be payment of the last maturing installments of principal.

In the event that the sum set forth in paragraph 3(c) is fully paid prior to the sum set forth in paragraph 3(b), the Purchasers shall have the right to close the escrow and receive the warranty deed from the escrow agent provided the Purchasers assume the indebtedness due The Federal Land Bank of Spokane, obtain a substitution of obligors upon said indebtedness including a complete release of the Sellers from any liability to The Federal Land Bank of Spokane, and purchase the stock held by Sellers in The Federal Land Bank of Spokane.

4. Taxes, assessments and insurance. The Purchasers assume and agree to pay before delinquency all taxes and assessments that may as between Sellers and Purchasers hereafter become a lien on the real estate until the principal and interest on this contract are paid in full. Further, Purchasers agree, until the purchase price is fully paid, to keep the improvements now or hereafter placed on the real estate insured against loss or damage by fire and other perils covered by extended coverage in a company acceptable to the Sellers and for the Sellers' benefit as their interest may appear, and to pay all premiums therefor and to deposit all policies and renewals thereof with the Escrow Agent. Purchasers further agree to name the lien holders as additional insureds as their interests may appear.

5. Closing. This agreement shall be closed on June 18, 1973, at Witherspoon, Kelley, Davenport & Toole, 1114 Old National Bank Building, Spokane, Washington, or at such other time and place as the parties may agree.

6. Possession. The Purchasers shall have possession of the real estate on closing and shall continue in such possession as long as the terms of this agreement are fully complied with. Taxes, rents, insurance, utilities and similar items shall be prorated as of January 1, 1973.

7. Condition of the premises. The Purchasers have inspected the real estate and neither the Sellers nor their assigns shall be held to any covenant respecting the condition of any

improvements thereon nor shall the Purchasers or Sellers or their assigns be held to any covenant or agreement for alterations, improvements or repairs unless the covenant or agreement relied on is contained herein or is in writing and attached to and made a part of this contract.

8. Damage; condemnation. The Purchasers assume all hazards of damage to or destruction of any improvements now on the real estate or hereafter placed thereon, and of the taking of the real estate or any part thereof for public use; and agree that no such damage, destruction or taking shall constitute a failure of consideration. In case any part of the real estate is taken for public use, the portion of the condemnation award remaining after payment of reasonable expenses of procuring the same shall be paid to the Sellers and applied as payment on the purchase price herein unless the Sellers elect to allow the Purchasers to apply all or a portion of such condemnation award to the rebuilding or restoration of any improvements damaged by such taking. In case of damage or destruction from a peril insured against, the proceeds of such insurance remaining after payment of the reasonable expenses of procuring the same shall be paid to the Sellers and applied as payment on the purchase price herein unless the Sellers elect to allow the Purchasers to apply all or a portion to the restoration or rebuilding of the improvements. Said rebuilding or restoration shall be completed within a reasonable time.

9. Use and maintenance. The Purchasers agree to keep the improvements on the premises in good repair, and in the same condition as they now are, ordinary wear excepted; to permit the Sellers or their agents to enter upon the premises at any reasonable time to inspect the same.

10. Title insurance. The Sellers agree to deliver to the Escrow Agent within fifteen (15) days of the date of closing, a Purchaser's policy of title insurance in standard form issued by a reputable title insurance company authorized to do business in the State of Idaho, insuring the Purchasers to the full amount of said purchase price against loss or damage by reason of defect in Sellers' title to said real estate as of the date of closing and containing no exceptions other than the following:

(a) Printed general exceptions appearing in said policy form;

(b) Covenants, easements, conditions and restrictions of record;

(c) Those encumbrances set forth in Exhibit "B" attached hereto.

(d) Those encumbrances set forth in Exhibit "D" attached hereto.

11. Warranty deed. Sellers have executed and will deliver to the Escrow Agent hereinafter designated statutory warranty deeds conveying the real estate and bills of sale to the Purchasers free and clear of encumbrances as of the date hereof, except those encumbrances set forth in Exhibit "B" and Exhibit "D" attached hereto.

12. Escrow Agent. Old National Bank of Washington, Main Office, West 428 Riverside Avenue, Spokane, Washington, is hereby designated the Escrow Agent. The warranty deeds, bills of sale and title insurance policy, together with a copy of this agreement, shall be delivered to the Escrow Agent. The Escrow Agent is authorized to receive monies under the terms of this agreement, to issue receipts therefor, and when the terms of this agreement are fully complied with, to deliver the deeds and other escrow papers to the Purchasers. Each of the parties agree to pay one-half of the escrow fee charged by the Escrow Agent. Escrow Agent is to purchase revenue stamps if applicable.

13. Default and forfeiture. Time is of the essence of this agreement, and if the Purchasers shall fail or refuse to pay any of the installments of principal or interest as they severally become due, or shall fail to keep and perform any of the other covenants and agreements herein contained on the part of the Purchasers to be performed, the Sellers shall have the following options:

(a) The Sellers may elect to declare this contract null and void, and may declare such forfeiture by written notice to the Purchasers, and at the expiration of twenty (20) days after service of notice of forfeiture, the terms of this agreement meanwhile not having been complied with and the Purchasers not having also paid to the Sellers the sum of Fifty Dollars (\$50.00) as compensation for the expenses incurred by the Sellers in serving such notice of forfeiture, the Sellers may without further demand or notice enter into the real estate and take possession of it and this agreement shall be at an end and null and void, and the Purchasers shall forfeit to the Sellers as liquidated damages all payments made hereunder including all payments for reserves and shall immediately surrender possession of the real estate to Sellers. Service of notice of forfeiture upon the Purchasers shall be deemed

to have been given if such notice is deposited in the United States mail, postage prepaid, return receipt requested, directed to the Purchasers at their address last known to the Sellers.

(b) Or the Sellers may elect to bring an action, or actions, upon any intermediate overdue installment, or any payment or payments made by the Sellers and repayable by the Purchasers on Sellers' demand, it being stipulated that the covenant to pay intermediate installments or to repay items repayable by the Purchasers on Sellers' demand, is independent of the covenant to make a deed, and that every action is an action arising on contract for the recovery of money only, as if the promise to pay had been expressed in a different instrument; and no such action shall constitute an election not to proceed otherwise as to any subsequent default; and no waiver by the Sellers of any default on the part of the Purchasers shall be construed as a waiver of any subsequent default.

14. Stock of Land Bank. Purchasers acknowledge Sellers' own stock in The Federal Land Bank of Spokane and agree that said stock shall remain property of Sellers except as otherwise provided herein.

15. Existing lease. Purchasers acknowledge that Sellers are leasing the premises to Richard Meyer. Purchasers agree that upon closing they assume said lease contract and agree to fulfill each and every obligation of said lease to be performed by the Lessors.

16. Attorneys' fees. In any suit or action to repossess the property or to enforce any covenant of this contract or to collect any installment payment or any charge arising therefrom, the prevailing party shall be entitled to a reasonable sum as attorneys' fees and all court-allowable costs and expenses in connection with such default, including the reasonable cost of searching records, which sums shall be included in any judgment or decree entered in such suit.

17. Benefit. This contract shall be binding upon and inure to the benefit of the parties hereto, their heirs, administrators, executors and assigns.

18. Paragraph titles. The paragraph titles are for convenience of reference only and shall not be used to construe any provision.

IN WITNESS WHEREOF, the parties have executed this agreement as of the date first above written.

Robert C. Maher

Robert C. Maher

Betty D. Maher

Betty D. Maher

Charles L. Gates

Charles L. Gates

Bertha M. Gates

Bertha M. Gates

Robert J. Davis

Robert J. Davis

SELLERS

Wayne Meyer

Wayne Meyer

Karleen Meyer

Karleen Meyer

Douglas Meyer

Douglas Meyer

Kathryn Meyer

Kathryn Meyer

Wallace Meyer

Wallace Meyer

PURCHASERS

STATE OF WASHINGTON)
County of Spokane) ss.

On this day personally appeared before me ROBERT C. MAHER and BETTY D. MAHER, husband and wife, to me known to be the individuals described in and who executed the within and foregoing

instrument, and acknowledged they signed the same as their free and voluntary act and deed, for purposes therein mentioned.

GIVEN under my hand and official seal this 21st day of June, 1973.

Mary Blackburn
NOTARY PUBLIC in and for the State
of Washington, residing at Spokane.

STATE OF Washington) ss
County of Spokane)

On this day personally appeared before me CHARLES L. GATES and BERTHA M. GATES, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21st day of June, 1973.

Mary Blackburn
NOTARY PUBLIC in and for the State of
Washington, residing at Spokane.

STATE OF Washington) ss
County of Spokane)

On this day personally appeared before me ROBERT J. DAVIS, to me known to be the individual described in and who executed the within and foregoing 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 and official seal this 21st day of June, 1973.

Mary Blackburn
NOTARY PUBLIC in and for the State of
Washington, residing at Spokane.

STATE OF Washington)
County of Snohomish) ss.

On this day personally appeared before me WAYNE MEYER and KARLEEN MEYER, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21 day of June, 1973.

Ned M. Barnes
Notary Public in and for the State
of Washington, residing at Snohomish

STATE OF Washington)
County of Snohomish) ss.

On this day personally appeared before me DOUGLAS MEYER and KATHRYN MEYER, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21 day of June, 1973.

Ned M. Barnes
Notary Public in and for the State
of Washington, residing at Snohomish

STATE OF Washington)
County of Snohomish) ss.

On this day personally appeared before me WALLACE MEYER, to me known to be the individual described in and who executed the within and foregoing 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 and official seal this 21 day of June, 1973.

Ned M. Barnes
Notary Public in and for the State
of Washington, residing at Snohomish

EXHIBIT "A"

PARCEL 1:

Township 51 north, Range 4 West, Boise Meridian

Section 5: Lot 1, $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$

Section 8: $E\frac{1}{2}$, excepting a right of way 100 feet wide across the $NE\frac{1}{4}$ as conveyed to the Spokane International Railway Company by deed dated May 29, 1906, recorded in Book 18, Deeds, page 518, records of Kootenai County, Idaho.

PARCEL 2:

Township 51 North, Range 4 West, Boise Meridian

Section 9: $NE\frac{1}{4}$

Section 10: $N\frac{1}{2}$, except a tract of land described as follows: Commencing at the West quarter corner of said Section 10, thence East along the East-West quarter line of Section 10, 1320 feet to a point; thence at right angles North, 170 feet; thence at right angles West along a line parallel with the East-West quarter line of said section, 1320 feet to a point on the West line of said section; thence at right angles South, 170 feet to the point of beginning. ALSO excepting a tract of land described as follows: Commencing at the quarter corner common to Sections 9 and 10, thence East 570 feet; thence at right angles North 170 feet to a point of beginning; thence North 160 feet; thence at right angles East 750 feet to a point on the quarter line of Section 10; thence at right angles South along said quarter line, 160 feet; thence at right angles West 750 feet to the point of beginning.

PARCEL 3:

Township 51 North, Range 4 West, Boise Meridian

Section 9: $SE\frac{1}{4}$, excepting therefrom the following parcel which has been deeded to Kootenai County, Idaho, to-wit: Commencing at a point being the Southeast corner of said Section 9; thence North along the East line of the section, 1320 feet; thence West 990 feet; thence South 1320 feet to a point on the South line of said Section 9; thence East 990 feet to the point of beginning.

Together with all pumps, motors, and other irrigation equipment now or hereafter used with said property, which are hereby declared appurtenant thereto. -----

RECORDED

EXHIBIT "B"

1. Mortgage to The Federal Land Bank of Spokane dated December 1, 1969, and recorded in the office of the County Recorder for Kootenai County as Document No. 556811.

RECEIVED

THIS AGREEMENT, Made this 20th day of April, 1971, between Robert C. Maher and Betty D. Maher, husband and wife; Charles L. Gates and Bertha M. Gates, husband and wife; and Robert J. Davis and Jeanette D. Davis, husband and wife hereinafter designated as Mortgagors, and The Federal Land Bank of Spokane, a corporation, in the City of Spokane, Washington, hereinafter designated as Mortgagee. WITNESSETH:

THAT, WHEREAS, by mortgage recorded as instrument No. 556811 in Book 114 of Mortgages, at page 5, records of Kootenai County, State of Idaho, Mortgagors, or their predecessors in interest, mortgaged to The Federal Land Bank of Spokane the real property described therein to secure the payment of the indebtedness evidenced by the promissory note described in said mortgage, reference to which mortgage as so recorded and promissory note are hereby made for the terms thereof and the description of said property; and

WHEREAS, There is owing mortgagee on the debt secured by said mortgage, principal in the sum of \$ 229,544.53, as of March 1, 1971, being the date as of which this agreement is effective, plus accrued interest thereon at the rate provided in said note to said effective date; and

WHEREAS, said mortgage and note provide that mortgagors will pay interest at the rate of 8 1/2 % on the unmatured principal owing; and

WHEREAS, Mortgagors desire that said mortgage contract and note be amended to provide for a variable interest rate commencing with a 7 3/4 % rate as of the effective date of this agreement.

NOW, THEREFORE, In consideration of the premises and the mutual promises of the parties hereto it is agreed:

That said principal sum now owing under said mortgage as hereinabove set forth with accrued interest as above recited and with interest from said effective date at the rate of 7 3/4 % per annum shall be paid as follows: Interest shall be payable on the first day of January, 1972, and -- annually thereafter; the principal shall be payable in 14 instalments of

Four thousand five hundred ninety and 89/100 ----- DOLLARS

each, the first such instalment being payable on the first day of January, 1972, and an instalment being payable on each succeeding interest payment date to and including the first day of January 1985, and a final instalment of the balance unpaid on the first day of January, 1986, unless this debt shall be matured sooner by extra payments.

The interest rate specified above shall remain in effect until the next interest instalment date; but on said date, and on any subsequent instalment date, the bank, at its option, may establish a higher or lower rate of interest which shall apply to the unmatured balance of the debt evidenced hereby and shall remain in effect until a different rate of interest is established hereunder. Such different rates shall be established in accordance with the provisions of the Federal Farm Loan Act and the regulations of the Farm Credit Administration as then existing; and shall not be applied retroactively.

The said mortgage and the lien thereof (except as to any property heretofore released therefrom of record) and the Note secured thereby, including the variable interest rate to which the note is hereby converted, are continued in full force and effect in each of the covenants and agreements therein contained.

This agreement is for the benefit of and binding upon the heirs, representatives, successors and assigns of all parties executing the same, respectively.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

THE FEDERAL LAND BANK OF SPOKANE

By Wayne Parns
Assistant Vice President

Attest: Al D. Haselbacher
Assistant Secretary
Mortgagee

State of Washington) ss.
County of Spokane)

On April 20, 1971, before me personally appeared

Robert C. Maher and Betty D. Maher, husband and wife; Charles L. Gates and Bertha M. Gates, husband and wife; and Robert J. Davis and Jeanette D. Davis, husband and wife, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that (he)(she)(they) executed the same as (his)(her)(their) free act and deed.

Notary Public

EXHIBIT "D"

1. Financing statement recorded February 24, 1972, under Instrument No. 596847, executed by Richard W. Meyer and Helen E. Meyer, husband and wife, to Owen F. Kolber. Affecting Section 5, 9 and 10, Township 51 North, Range 4 West B.M.
2. Financing Statement recorded October 25, 1972, under Instrument No. 588286, executed by Wayne Meyer and Karleen Meyer, husband and wife, to Interstate Production Credit Association. Affecting Section 9, Township 51 North Range 4 W.B.M. Amendment recorded October 25, 1972, under Instrument No. 612560.
3. Financing statement recorded January 16, 1973, under Instrument No. 617445, executed by Richard W. Meyer and Helen E. Meyer, husband and wife, to Owen Kolber. Affecting Sections 5, 9 and 10, Township 51 North, Range 4 W.B.M.
4. Lease to Richard Meyer and Helen E. Meyer, his wife, dated May 12, 1964, as amended.
5. Covenants, easements, conditions and restrictions of record.

AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 16 1977

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Wayne &/or Douglas &/or Wallace Meyer, Route 3, Box 533, Post Falls, Idaho, have applied to the Department of Water Resources for a change of the place of use of the water from a groundwater source. The rights sought to be changed are evidenced by License Nos. (a) 95-2165 and (b) 95-7094, and are recorded as follows: Amounts: 3.77 cubic feet per second; (b) 4.90 cubic feet per second. Priorities: (a) October 5, 1964; (b) February 5, 1970. Point of Diversion: (a) SW 1/4 NE 1/4, Sec. 8, Twp. 51N, Rge. 4W, B.M.; (b) SW 1/4 NE 1/4, Sec. 8, Twp. 51N, Rge. 4W, B.M., Kootenai County (one well). The water is used for the ir-

rigation of 465 acres within the E 1/4 NE 1/4, E 1/4 SE 1/4, Sec. 5; E 1/2, Sec. 8, Twp. 51N, Rge. 4W, B.M.

TO BE CHANGED AS FOLLOWS:

The place of use will be within the SE 1/4, Sec. 5; E 1/2, Sec. 8, Twp. 51N, Rge. 4W, B.M. No change is proposed for the amounts of water or for the point of diversion under these licensed rights.

Any protests against approval of the proposed change of water right application must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before February 21, 1977.

R. KEITH HIGGINSON
Director

Legal No. 782
Feb. 3, 10, 1977

STATE OF IDAHO,
County of Kootenai,

ss.

Department of Water Resources
Kootenai County

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *2* consecutive *Weeks* commencing on the *3* day of *Feb*, 1977, and ending on the *10* day of *Feb*, 1977, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this *10* day of *February*, 1977.

Roberta M. Marley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

1872
LEADER

State of Idaho

License and Certificate of Water Right

Water License No. G-32090 Priority October 5, 1964 Amount 3.77 c.f.s.

THIS IS TO CERTIFY that RONALD L. RUSSELL-Assignee-ROBERT C. MAHER, CHARLES L. GATES & ROBERT J. DAVIS of Spokane, Washington, made application for a permit to appropriate the public waters of the State of Idaho, dated October 5, 1964; that Permit No. G-32090 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.77 second feet, was issued thereunder on February 13, 1968, showing that said works were completed on the 15 day of December, 1965; and that on the 15 day of December, 1965 RONALD L. RUSSELL

of Spokane, State of Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-32090 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in ~~Volume~~ ~~xxx of Licenses, xxx Page~~ xxx of Licenses, xxx Page, on the 13 day of February, 1968.

The right hereby confirmed dates from October 5, 1964.

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 8, Twp. 51 N, R. 4 W, B.M. Kootenai County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.77 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described In Permit	No. Acres Actually Irrigated			
51 N	4 W	5	NE $\frac{1}{4}$	NE $\frac{1}{4}$	40	33		
			SE $\frac{1}{4}$	NE $\frac{1}{4}$	40	40		
			E $\frac{1}{2}$	SE $\frac{1}{4}$	80	80		
		8	NE $\frac{1}{4}$	NE $\frac{1}{4}$	40	39		
			NW $\frac{1}{4}$	NE $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$	NE $\frac{1}{4}$	40	38		
			SE $\frac{1}{4}$	NE $\frac{1}{4}$	40	40		
			N $\frac{1}{2}$	SE $\frac{1}{4}$	80	80		
			SW $\frac{1}{4}$	SE $\frac{1}{4}$	40	35		
			SE $\frac{1}{4}$	SE $\frac{1}{4}$	40	40		
Total number of acres irrigated:					465			

The right to the use of the water aforesaid 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 13 day of February, 1968.

R. Keith Higgins
State Reclamation Engineer.

95 2165

32090

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40226
Permit No. G- 32090
District No.

95-9100
Robert E. Mahon -
Chas L. Gutes -
Robert J. Davis

1. Name of Applicant: Ronald L. Russell
609 W. 18th
Postoffice address: Spokane, Wash. County: Spokane State: Washington
2. Quantity of water claimed: 6 cfs
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8
Twp. 51 N., Rge. 4 W., B.M., County of Kootenai
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased, pump and motor, sprinkler irrigation system.
8. Estimated cost of works: \$ 36,765.
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.0 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By _____ Agent.

Corrected application received:

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51 N.	4 W.	8	40	40	40	40								40	40	40	40	320	
51 N.	4 W.	5	40			40								40			40	160	
																TOTAL		480	

A S S I G N M E N T

For value received, I hereby assign all of my right, title and, interest in and to permit to appropriate the Public Waters of the State of Idaho, Permit G-32090 to Robert C. Maher, Charles L. Gates and Robert J. Davis address: S. 427 Bernard, Spokane, Washington.

/s/ RONALD L. RUSSELL, Permit Holder
a divorced man

State of Washington)
 : ss
County of Spokane)

On this 18th day of September, 1967, before me, a Notary Public for the State of Washington, residing at Spokane, Washington, personally appeared Ronald L. Russell known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(S E A L)

/s/ WELLMAN CLARK,
Notary Public residing at Spokane

My commission expires: March 22, 1970

PERMIT NO. G-32090

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RONALD L. RUSSELL-Assignee-ROBERT C. MAHER, CHARLES L. GATES & ROBERT J. DAVIS of Spokane, County of Spokane, and State of Washington, the holders of Permit No. G-32090, issued upon Application No. G-40226 bearing date of priority of October 5, 1964, authorizing the diversion of 6 second feet of waters of a well, County of Kootenai, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.77 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 51 North, Range 4 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E $\frac{1}{2}$ E $\frac{1}{2}$ Section 5; E $\frac{1}{2}$ Section 8, Township 51 North, Range 4 West, Boise Meridian.

Proof of Completion of Works made: December 15, 1965

Witness my hand this 13 day of February, A.D. 1968

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 3.77 SEC. FT.
LICENSE PAG NO. 32090.

Handwritten signature

March 21, 1977

Re: License No. 95-2165

Wayne &/or Douglas &/or Wallace Meyer
Route #3, Box 533
Post Falls, Id 83854

Gentlemen:

Enclosed is a copy of your approved Transfer No. 2042 for License No. 95-2165 and 95-7094.

If you have any questions, please feel free to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief Water Rights

BDF/cah

Enclosure

ENCLOSURE

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source GROUNDWATER

Name MEYER

2. Right Being Transferred

Right No. 95-2165 + 95-7094

a. ☐ Decree

Transfer No. _____

☒ License

☐ Use

b. ☒ Priority

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

☐ All

☒ Part

3. ☒ Proof of Ownership of Right

Comment Sales Contract

4. ☒ Expansion of Right

Comment None

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments NA

9. Comments _____

10. Initial Review by RWH

Date _____

11. Recommended Action

☒ Approve

☐ Deny

☐ Conditions _____

By RWH

Date 2-23-77

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

January 28, 1977

Re: Change of Water Right No. 95-2151 Application No. 95-7692
 " " " " " 95-2182
 " " " " " 95-2165

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

MICROFILMED

Bill: 2-23-77.4

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Wayne &/or Douglas &/or Wallace Meyer, Route 3, Box 533, Post Falls, Idaho, have applied to the Department of Water Resources for a change of the place of use of the water from a groundwater source. The rights sought to be changed are evidenced by License Nos. (a) 95-2165 and (b) 95-7094, and are recorded as follows: Amounts: (a) 3.77 cubic feet per second; (b) 4.90 cubic feet per second. Priorities: (a) October 5, 1964; (b) February 5, 1970. Point of Diversion: (a) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 51N, Rge. 4W, B.M.; (b) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 51N, Rge. 4W, B.M., Kootenai County (one well). The water is used for the irrigation of 465 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$, Sec. 8, Twp. 51N, Rge. 4W, B.M.

TO BE CHANGED AS FOLLOWS:

The place of use will be within the SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$, Sec. 8, Twp. 51N, Rge. 4W, B.M. No change is proposed for the amounts of water or for the point of diversion under these licensed rights.

Any protests against approval of the proposed change of water right application must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before February 21, 1977.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho, on Feb. 3 and Feb. 10, 1977.

MICROFILMED

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT**

Notice is hereby given that Wayne &/or Douglas &/or Wallace Meyer, Route 3, Box 533, Post Falls, Idaho, have applied to the Department of Water Resources for a change of the place of use of the water from a groundwater source. The rights sought to be changed are evidenced by License Nos. (a) 95-2165 and (b) 95-7032, and are recorded as follows: Amounts: 3.77 cubic feet per second; (b) 4.90 cubic feet per second. Priorities: (a) October 5, 1964; (b) February 5, 1970. Point of Diversion: (a) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 51N, Rge. 4W, B.M.; (b) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 51N, Rge. 4W, B.M., Kootenai County (one well). The water is used for the ir-

rigation of 405 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$, Sec. 8, Twp. 51N, Rge. 4W, B.M.

TO BE CHANGED

AS FOLLOWS:

The place of use will be within the SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$, Sec. 8, Twp. 51N, Rge. 4W, B.M. No change is proposed for the amounts of water or for the point of diversion under these licensed rights.

Any protests against approval of the proposed change of water right application must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before February 21, 1977.

R. KEITH HIGGINSON
Director

Legal No. 782
Feb. 3, 10, 1977

ck.
9-4-77
LF

X 95-2165

January 14, 1970

Robert C. Maher, M.D.
Spokane Eye Clinic
South 427 Bernard Street
Spokane, Washington 99204

Dear Dr. Maher:

Under our new statutes we can no longer issue a supplemental license for additional water. We would be glad to measure the present output of the well when our field crew arrive in North Idaho in the Spring. If you want to get a license for the additional water, you would have to file a new permit covering the same land and from the same well. We could then issue a new license for any additional water available from the well. Under the old license you could have had as much as 465 inches and the license is for only 188½ inches. We would recommend the filing of a new permit to get the additional 277 inches. It might be advisable to have the discharge of the well checked prior to filing a new application to be sure the new pump is capable of producing the additional water.

Enclosed is an application for your use. If we can be of further assistance and you would like to have the well measured, please let us know.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRS:ejw

Enclosure

32090
95-2165

C
O
P
Y

SPOKANE EYE CLINIC

PHONE MA 4-3181
SOUTH 427 BERNARD STREET
SPOKANE, WASHINGTON 99204

CHARLES L. GATES, M.D.
ROBERT C. MAHER, M.D.
ROBERT J. DAVIS, M.D.
WM. C. RICHTER, M.D.

January 7, 1970

O. W. JONES III, M.D.
DONALD A. ELLINGSEN, M.D.
MARILYN DODSWORTH, ORTHOPTIST
FOSTER O. RODDA, Bus. Mgr.

M. Russell Bosch
Administrative Assistant
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Bosch:

In your letter of December 3, 1969, you made reference to a water right we hold as follows;

95-2165 - date of priority October 5, 1964 for 3.77 cfs of water from a well located in the SW1/4NE1/4, Section 8, T 51 N, R 4 W, to be used on the E1/2NE1/4, Section 5, E1/2 of Section 8, T 51 N, R 4 W B. M., a total of 465 acres.

At the time of your original inspection, these facilities were not operating at peak efficiency. The faulty pump has since been replaced. At your earliest convenience we would like to request a re-inspection of the above mentioned water license to determine the new corrected water pumping capacity.

Sincerely,

Robert C. Maher

Robert C. Maher, M. D.

RCM/ays

cc: Glen Bruce
Federal Land Bank Assoc.
E 4305 Trent Avenue
Spokane, Washington 99211

32090
95-2165

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 7, 1970

Re: Permit No. G-32927 (New No. 95-2185), Permit No. G-32087 (New No. 95-2163) - Licensed, Permit No. G-32088 (New No. 95-2164) - Licensed, and Permit No. G-32090 (New No. 95-2165) - Licensed and Permit No. G-32089 (New No. 95-2190) Cancelled

Mr. Richard W. Meyer
Box 75,
Rathdrum, Idaho

Dear Mr. Meyer:

The following is the information which the Department has been able to locate concerning your telephone call of today's date:

Permit No. G-32927 for Richard W. Meyer for 4.02 cubic feet per second from a ground-water source to be used for irrigation in the S $\frac{1}{2}$, Sec. 35, T. 52 N, R. 4 W, B. M. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 52 N., R. 4 W, B. M with proof of beneficial use of the water having been submitted to the Department on July 10, 1967. The permit is now awaiting a field examination by a representative of the Department.

Permit No. G-32087 for Ronald L. Russell assigned to Robert C. Maher, Charles L. Gates and Robert J. Davis for 4.77 cubic feet per second from a ground-water source in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 51 N, R. 4 W, B. M. for irrigation use in the NE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$, Sec. 10, T. 51 N, R. 4 W, B. M. with a date of priority of October 5, 1964. This permit is licensed for this information.

Permit No. G-32088 for Ronald L. Russell assigned to William A. Tombari for 3.61 cubic feet per second from a ground-water source located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 51 N, R. 4 W, B. M. for irrigation use in the S $\frac{1}{2}$, Sec. 28, T. 51 N, R. 4 W, B. M. with a priority date of October 5, 1964. This is permit is also licensed for this information.

Permit No. G-32090 for Ronald L. Russell assigned to Robert C. Maher, Charles L. Gates and Robert J. Davis for 3.77 cubic feet per second from a ground-water source located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 51 N, R. 4 W, B. M. for irrigation use within the SE $\frac{1}{4}$, Sec. 8, T. 51 N, R. 4 W, B. M., and the E $\frac{1}{2}$ E $\frac{1}{2}$, the same section, township and range with a priority date of October 5, 1964.

32090
95-2165

Page 2

Mr. Richard W. Meyer
January 7, 1970

Permit No. G-32089 for Ronald L. Russell is for 4.5 cubic feet per second from a ground-water source in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 52 N, R. 4 W, B. M. for irrigation in the S $\frac{1}{2}$, Sec. 35, T. 52 N, R. 4 W, B. M. This permit has been cancelled by the Department and if you wish to divert the water that was to be diverted under this permit, you must file for a new permit.

Please contact us if we may be of further assistance.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:TG

Enc: none

32090
95-2165

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 13, 1968

Re: Permit Nos. G-32087 & G-32090

Robert C. Maher, Charles L. Gates & Robert J. Davis
S. 427 Bernard
Spokane, Washington

Gentlemen:

Enclosed are your Certificates of Completion of Works and Licenses and Certificates of Water Right on the above numbered permits.

Also enclosed is departmental receipt No. 34029 in the amount of \$58.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

32090

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that RONALD L. RUSSELL-Assignee-ROBERT C. MAHER, CHARLES L. GATES & ROBERT J. DAVIS
of Spokane, County of Spokane, and State of
Washington, the holder of Permit No. G-32090, issued upon
Application No. G-40226 bearing date of priority of October 5, 1964, authorizing the
diversion of 6 second feet of waters of a well

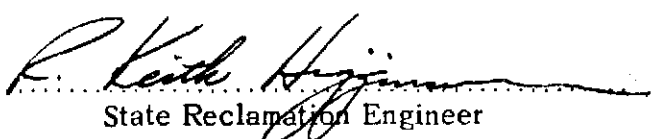
County of Kootenai, State of Idaho, for irrigation
purposes, have fully complied with the provisions of the laws of the State of Idaho
relating to the proof of completion of the works of diversion set out and described in said
Permit; that said works are adequate for diverting and conveying to the place of intended
use 3.77 second feet of the waters of a well from subterranean
flow,

that the point of diversion of said waters is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township
51 North, Range 4 West, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: E $\frac{1}{2}$ E $\frac{1}{2}$ Section 5; E $\frac{1}{2}$ Section 8, Township 51 North,
Range 4 West, Boise Meridian.

Proof of Completion of Works made: December 15, 1965

Witness my hand this 13 day of February, A. D. 19 68


State Reclamation Engineer

32090

October 3, 1967

RE: Permits G-32087, G-32088 and G-32090
Ronald L. Russell Original owner

Wellman Clark
Attorney at Law
310 South Monroe Street
Spokane, Washington 99204

Dear Mr. Clark:

Enclosed herewith are the copies of the assignments
you submitted to this department on behalf of Ronald L.
Russell. Please be advised these assignments have been
recorded and filed in our records.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRR:efw

Encl: Assignments (3)

32090

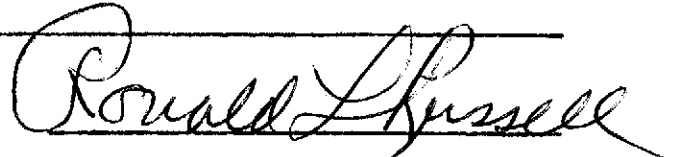
12

BY _____

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest
in and to Permit to appropriate the Public Waters of the State of Idaho, Permit
No. G 32090 to Robert C. Maher, Charles L. Gates and Robert J. Davis
Address: S. 427 Bernard, Spokane, Washington

* _____


Permit Holder

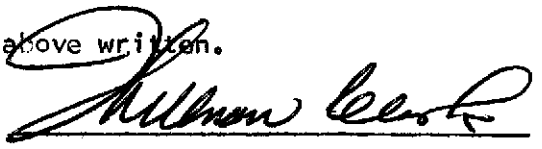
a divorced man

~~Wife of Permit Holder~~

STATE OF ~~IDAHO~~ WASH.)
 : ss
County of Spokane)

On this 18th day of September, 1967, before me, a Notary
Public for the State of ^{Wash.} ~~Idaho~~, residing at Spokane
personally appeared Ronald L. Russell
known to me to be the person _____ whose name ~~is~~ ^{is} subscribed to the within
instrument and duly acknowledged to me that he executed the same.

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


Notary Public
Residing at Spokane

My commission expires: March 22, 1970

Note:

* If fractional part of permit is to be assigned, the fractional part of the land
to which the assigned fraction is appurtenant should be described by legal sub-
divisions.

32090

September 14, 1967

Re: Permit G-32087 & G-32090 & B-32088
Ronald L. Russell

Wellman Clark
Attorney at Law
310 South Monroe Street
Spokane, Washington 99204

Dear Mr. Clark:

We are in receipt of your letter of August 28, 1967 on the above referenced permit.

Pursuant to your request, we are forwarding copies of fee letters and blank assignment forms.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Fee letters
Assignment forms

32090

LAW OFFICES OF
WELLMAN CLARK
310 SOUTH MONROE STREET
SPOKANE, WASHINGTON 99204
MADISON 4-2283

August 28, 1967

RECEIVED
AUG 30 1967
Department of Reclamation

Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: R. Keith Higgins

Re: Permit No. G-32090

Dear Mr. Higgins:

I acknowledge receipt of your letter of August 25, 1967 sent by certified mail. Through inadvertence the holder of the above permit failed to submit fees according to the terms and conditions of the permit. Would you please advise me as to the amount necessary in order to comply with the permit and avoid cancellation?

I understand there has been a change in ownership and I would appreciate your advising me or furnishing me with any forms required in order that the above permit may be transferred to the new owner.

Sincerely yours,

Wellman Clark

WC:ieb

DJ.
Send copy of fee letter &
Assignment form. D

32090

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

19438

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

9/28/67

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

32090

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

32090

August 25, 1967

Re: Permit No. G-32090

Ronald L. Russell
609 West 18th
Spokane, Washington

Dear Mr. Russell:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit ~~G-32090~~ to appropriate the public waters of the State of Idaho, have not been complied with as to non-payment of fees

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before October 4, 1967 why said permit should not be cancelled.

Permit G-32090 claims the use of 6.0 cubic feet per second of water. The point of diversion was to be located ~~SW 1/4, Section 8,~~
T. 51N. R. 4W. B. 14. Kootenai County and the permit was approved October 9, 1964.

State Reclamation Engineer

32090

Submitted

32087

April 13, 1967

RE: Permit No. G-32090

Ronald L. Russell
609 West 18th
Spokane, Washington

Dear Mr. Russell:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-32090 shows the well(s) is (are) capable of conveying 188.5 miner's inches, or 3.77 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 29.00, we will issue the Certificate of Completion of Works for 3.77 c.f.s. and the License and Certificate of Water Right for 3.77 c.f.s. confirming the right, with priority of October 5, 1964, to the use of subterranean water with the point of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 51 N, R. 4 W, B.M. for irrigation of 465 acres in E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 5; E $\frac{1}{2}$, Sec. 8, T. 51 N, R. 4 W, B.M.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWMinw

32090

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32090

REPORT ON PROOF OF Completion of Works & Beneficial Use

Page 40

Top	Left	Right
33		33
40		40
40		40
40		40
40		40
40	39	79
38	40	78
40	40	80
35	40	75
		<u>465</u>

T 00510

SIRE

8

Bladen
Village

Subdivisions 12

AREA 465 acres

Q = 3.77 cfs on 188 1/2 inches

32090

Renald L. Russell of Maca Agency
South 427 Bernard
Spokane, Washington

Permit No. G-32090

Examination for Completion of Works & Beneficial Use

County Kootenai

Sec. 8 T.51N R.4 WEM

Quantity: 6.00 cfs

Source: Subterranean

P.D.: SW 1/4 NE 1/4 Section 8

Top 51N. Rgc. 416

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: October 5, 1964

Due: October 9, 1969

Made: Dec. 15, 1965

Priority: October 5, 1964

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

32090

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32090

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Ronald L. Russell of Mech Agency
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 8
T. 51N R. 4 W.B.M. County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: 300 HP 66 Motor
FA5 609004, Layna 66 Motor Pump "D10549" (2200 GPM @ 450' S
1720 RPM 10" discharge to 10" Gate Valve and Check Valve
and Y's into 8" main line North & South.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E 1/2 Sec. 8., E 1/2 NE 1/4, E 1/2 SE 1/4 Sec. 5., Twp. 51 N., Rge. 4 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Dick Meyer + Ken Sampson along.

11 1/4 mile laterals with 33-1/4" nozzles each @ avg psi 43 = 5.57 GPM
5.57 x 304 = 3.77 cfs
448.8

This examination was made on the 13th day of August, 1966

(Signed) Layne Johnson Examiner.

32090

plat ✓

December 20, 1965

Re: Permit No. C-32087
C-32088 & C-32090

Ronald L. Russell of Moon Agency
Spokane 427 Bernard
Spokane, Washington

Dear Mr. Russell:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the COLUMBIA RIVER JOURNAL, all submitted in proof of completion of works and beneficial use on Permit Nos. C-32087, C-32088 & C-32090.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

32090

December 17, 1965

RE: Meca Agency, Inc.
Permits No. G-32087 - G-32088 - G-32090

Clark Jennings and Associates, Inc.
Mr. Kit L. Carson, Treasurer
301 I.B.M. Building
South 800 Stevens Street
Spokane, Washington 99204

Dear Mr. Carson:

Receipt is hereby acknowledged for the proofs of completion of works and beneficial use for the above referred permit.

The Idaho Statutes require a field examination be made prior to the issuance of a water license. Therefore, our field examiner will make arrangements to examine these works when in that part of the state and this should be during the Summer of 1966.

Upon completion of the field examination, which will determine the amount of water actually put to beneficial use, a license will be issued. The fee for the licenses are determined by the amount of water and the number of 40 acre subdivisions covered by each permit and are decided by the field examination.

The licenses for these permits should be available during the irrigation season of 1966.

If we can be of any further assistance please feel free to contact us.

Very truly yours,

M. RUSSELL BOSCH
State Water Rights
and Records Clerk

MRB:efw

32090

301 I.B.M. BUILDING
S. 800 Stevens Street
Spokane, Washington 99204
Phone: MADison 4-5108

118 W. 4TH ST. - P. O. BOX 592
Moses Lake, Washington 98837
Phone: ROCKwell 5-7804

CLARK JENNINGS
AND
ASSOCIATES
INC.
FARM - COMMERCIAL - HOME
MORTGAGES

110 N. 2ND ST. - P. O. BOX 592
Yakima, Washington 98901
Phone: CHEstnut 8-5600

110 N. WASHINGTON
P. O. Box 232
Kennewick, Washington 99336
Phone: 582-8585

Spokane, Washington
December 15, 1965

G-32090

RECEIVED
DEC 17 1965

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

RE: MECA AGENCY, INC.
Kootenai County, Idaho

(CLANTON PLACE--DRECHSEL PLACE--WALLACE PLACE)

Enclosed please find the following exhibits in connection with the notice of proof of completion of works and application of water to beneficial use under the following permit numbers.

Permit # G 32087 - CLANTON PLACE

- Affidavit of Publication
- Deposition of Holder
- Deposition of Witness - Armstrong
- Deposition of Witness - Robison

Permit # G 32088 - DRECHSEL PLACE

- Affidavit of Publication
- Deposition of Holder
- Deposition of Witness - Armstrong
- Deposition of Witness - Robison

Permit # G 32090 - WALLACE PLACE

- Affidavit of Publication
- Deposition of Holder
- Deposition of Witness - Armstrong
- Deposition of Witness - Robison

We would appreciate notification of your further action pertaining to the issuing of the final water right.



32090

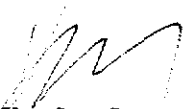
Mr. Carl E. Tappan
STATE OF IDAHO

Page - 2

December 15, 1965

We thank you for your cooperation and prompt attention.

CLARK JENNINGS & ASSOCIATES, INC.



Kit L. Carson
Treasurer

KLC:zah

Enclosures

3 2090

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

RECEIVED
DEC 17 1965

STATE OF IDAHO,

County of Kootenai,

ss.

Anna M. Neuman
deposes and says:

being first duly sworn,

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and

APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 15th day of December 1965, at Coeur d'Alene, County of Kootenai, State of Idaho before A. M. Hanson, Notary Public, at 102 Wallace, proof will be submitted of the completion of works for the diversion of 6.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 32090, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ronald L. Russell of Meca Agency Inc. South 427 Bernard - Spokane, Washington.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.0 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 6.0 cubic feet per second.

4. The point of diversion of said water is Southwest Quarter of Northeast Quarter of Section 8, Township 51 North, Range 4, W.B.M.

5. The place where said water is used is East Half of East Half of Section 5 and East Half of Section 8, Township 51 North, Range 4 W.B.M.

6. The date of priority which said user is prepared to establish is October 5, 1964.

Carl E. Tappan

State Reclamation Engineer

Nov. 10, 17, 24, Dec. 1, 1965.

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

*Nature of Proof of
Completion of Works and Application
of Water to Beneficial Use*

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for *four* consecutive weeks, commencing

on the *10th* day of *Nov*, 196*5*, and ending on the

1st day of *Dec*, 196*5*.

Anna M. Neuman

Subscribed and sworn to, before me, this *1st* day of *Dec*

196*5*.

E. Patrick King

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

32090

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 32090

RECEIVED
DEC 17 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: RONALD L. RUSSELL
1421 West 8th Avenue - Spokane, Washington -- REal Estate Sales & Development
% Meca Agency, Inc. -- South 427 Bernard -- Spokane, Washington.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business
(if foreign corporation, give name of postoffice of statutory agent), your
position with reference to same, and your authority for appearing in its behalf:
Meca Agency, Inc. - South 427 Bernard - Spokane, Washington (Scott W. Reed - Wiggett
Building - Coeur d' Alene, Idaho) Acting as duly appointed director of said corporation.

Ques. 3. State number, approval date of permit, and date of priority: _____
Permit # G 32090 October 9, 1964 October 5, 1964

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range
SW 1/4 NE 1/4 Section 8, Township 51 North, Range 4 W.B.M.

Ques. 5. Describe your works of diversion: _____
_____; state amount of water they are capable of con-
veying from point of diversion to place of use: _____; Give name of canal or ditch
or other works by which water is conducted to such place of use: _____
_____; if a well, state depth of well 315'; depth and size of
casing 293' of 16"; depth to water 264'; if pump is used,
state discharge of pump: 2400 Gallons/min; tell how it was measured or determined flow
from horizontal pipe; if sprinkler irrigation, give number and size
of nozzles and operating pressure: 363 11/64" nozzles @ 35 pounds at end of
laterals.

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:
East Half of Section 8, and East 1/2 E 1/2 of Section 5, Township 51 North, Range 4 W.B.M.
446 Acres

Log in

32090

State nature of all improvements which have been made as a direct result of said use:

446 cultivated and irrigated acres.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Holman Drilling Corporation - East 3410 - 9th. -- Spokane, Washington

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

NO OTHER PURPOSE.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

SAME PERSON TO CORPORATION.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: August 1, 1965 - Time used since first use:

From August 1, 1965 irrigation of new seeding of Marion Blue Grass.

Nov. 5th and Nov. 6, 1965 for final system and pressure tests.

Ques. 10. Describe all other water rights appurtenant to same place of use:

NONE

(sign) Ronald L. Russell
Ronald L. Russell

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Coeur d'Alene

~~State of Idaho~~, County of Kootenai

State of Idaho, on this 15th day of December, A. D. 1965.

Airt Hanson
Residing at Coeur d'Alene, Idaho

My commission expires: April 18, 1969.

32090

32090

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

NO OTHER USE

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

This land was agricultural land being operated as a dry land farm.

Estimate 3 to 3.5 acre feet of water required per acre per irrigation season.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? NO

Ques. 10. When did you first see this water used? November 5, 1965

Other times you have seen such use: _____

(Signed):

Lee S. Robinson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____

Coeur d'Alene, County of Kootenai, State of Idaho, on this 15th day of December, A. D. 1965.

Airt Hanson

Notary Public for the State of Idaho

Residing Coeur d'Alene, Idaho

My commission expires April 16, 1969.

32090

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G32090

* * * * *

RECEIVED
DEC 17 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

ROY A. ARMSTRONG -- Age 29 ----- Route 1 Box 203 Coeur d' Alene, Idaho

FARMER

Ques. 2 Are you acquainted with RONALD L. RUSSELL, the holder of Permit No. G 32090 ? How long have you known him and where does he reside?

YES ---- Known since 11-5-65 1421 West 8th Avenue ---- Spokane, Washington

Ques. 3. Have you read or heard said Permit No. G 32090 read, and are you familiar with its provisions and conditions: Yes ☒ No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW 1/4 NE 1/4 Section 8, Township 51 North, Range 4 W.B.M.

Describe works for conveying water to place of use: 300 Horsepower Electric Motor
and Deep Well Turbine.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: _____ How much water have you seen being so conveyed? 1,800 gallons per minute more or less

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

East Half of Section 8 and E 1/2 E 1/2 of Section 5, Township 51 North Range 4, W.B.M.

having 446 cultivated and irrigated acres.

32090

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

NO OTHER USE

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

This land was agricultural land being operated as a dry land farm.

Estimate 3 to 3.5 acre feet of water required per acre per irrigation season.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? NO

Ques. 10. When did you first see this water used? November 5, 1965

Other times you have seen such use:

(Signed):

Roy A. Armstrong

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Coeur d'Alene, County of Shoshone, State of Idaho, on

this 15th day of December, A. D. 19 65

Jim Hanson

Notary Public for the State of Idaho

Residing Coeur d'Alene

My commission expires April 18, 1969

32090

Re: Permit No. G-32090
Ronald L. Russell

Date: Nov. 4, 1965

Coeur d'Alene Press,
Coeur d'Alene, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to December 15, 1965 the date set for proof; the expense of the publication is to be paid by the applicant Ronald L. Russell, Meca Agency, Inc., of South 427 Bernard, Spokane, Washington to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

132090

November 4, 1965

Re: Permit No. G-32090

Mr. Ronald L. Russell,
Mesa Agency, Inc.,
South 427 Bernard,
Spokane, Washington.

Dear Mr. Russell:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-32090**. The proofs are to be made at **10:00** o'clock **A.M.**, on the **15th** day of **December**, 19 **65**, before **A. M. Hanson, 102 Wallace, Coeur d'Alene, Idaho** Notary Public.

As of this date, we have mailed the Notice to the **Coeur d'Alene Press** **Coeur d'Alene, Ida.**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

32090

301 E. BUILDING
S. 800 Stevens Street
Spokane, Washington 99204
Phone: MADison 4-5108

118 W. 4TH ST. - P. O. BOX 592
Moses Lake, Washington 98837
Phone: ROCKwell 5-7804

CLARK JENNINGS
AND
ASSOCIATES
INC.
FARM - COMMERCIAL - HOME
MORTGAGES

110 N. 2ND ST. - P. O. BOX 592
Yakima, Washington 98901
Phone: CHEstnut 8-5600

110 N. WASHINGTON
P. O. Box 232
Kennewick, Washington 99336
Phone: 582-8585

Spokane, Washington
November 3, 1965

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NOV 4 1965

Department of Reclamation

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

RE: MECA AGENCY INC. - Kootenai County, Idaho -- WALLACE PLACE - Permit # 32090

CLANTON PLACE - Permit # 32087

DRECHSEL PLACE - Permit # 32088

In connection with the above captioned permit numbers, we enclose the following exhibits:

PERMIT # G 32090

1. Original and one copy, Form No. 36 - 4M 1/65
2. Original Well Log & Report to the State Reclamation Engineer of Idaho, completed and executed.
3. Irrigation Field Layout, Copy
4. Well Test Log as completed by Farmore Distributing Company - Athena, Oregon

PERMIT # G 32087

1. Original and one copy, Form No. 36 - 4M 1/65
2. Original Well Log & Report of the State Reclamation Engineer of Idaho, completed and executed.
3. Irrigation System Layout, Copy
4. Well Test Log as completed by Farmore Distributing Company - Athena, Oregon

PERMIT # G 32088

1. Original and one copy, Form No. 36 - 4M 1/65
2. Original Well Log & Report of the State Reclamation Engineer of Idaho, completed and executed.
3. Field Irrigation System Layout, Copy
4. Well Test Log as completed by Farmore Distributing Company - Athena, Oregon



32090

Mr. Ralph W. Thomas, Deputy
STATE OF IDAHO
Boise, Idaho

Page - 2

November 3, 1965

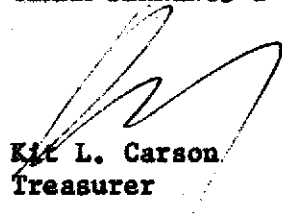
We enclose also original and one copy of Form No. 11 2 M 12-64 executed by President of Meca Agency, Inc. Robert C. Maher.

I call attention to the fact that the permits in connection with these cases were obtained by Ronald L. Russell as Secretary-Treasurer of Meca Agency, Inc., a Washington Corporation licensed to do business in the State of Idaho.

We would appreciate your notifying us immediately of any inaccuracies or discrepancies in the preparation of the above papers, which would be necessary to correct or change.

We would appreciate also your presenting us as soon as possible with the appropriate forms and instructions for the affidavit necessary to complete the action necessary to obtain the final water certificates.

CLARK JENNINGS & ASSOCIATES, INC.



Kit L. Carson
Treasurer

KLC:zah

Enclosures

32090

NAME OF APPLICANT

Mecca, Inc.

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NOV 4 1965

Department of Examination

Wallace Place

Range 4W

Sec 5

A. Location of Well and Pump House.

----- B. 1300'-9" Al lateral Complete.

----- C. Mointines as Noted.

wooded (out)

SI RR.

TWP 51N
Kootenai Co
Idaho.

Sec 8

Scale 4" = 1 Mile.

32090

**FARMORE DISTRIBUTING COMPANY
BOX 327 ATHENA, OREGON**

NOV 4 1965

Well Test Log

Test Number

MOCHA Agency

Well Size 1/6"

Well Depth 330'

Static Level 180

Date 7-21-65

Start Time	RPM	GPM	Airline		Orifice		Drop Pipe	Make	Size	Pump Installed		Water Conditioner
			Reading		Reading					Serial	Model	
4:30 PM		2780	280'								Pump & 1/2" SMAK	
5:00		2780	280'								Amount Sand	
5:30		2780	280'								Clear	
6:00		2780	281'									
6:30		2780	281'									
7:00		2780	281'									
7:30		2780	281'									
8:00		2780	281'									
8:30		2780	281'									
9:00		2780	281'									
9:30		2780	281'								Clear	
10:00		2780	281'									
10:30		2780	281'									
Well Tested by J. J. B. & Co.												
32090												

RECEIVED
NOV 4 1965

NOTICE OF PROOF OF COMPLETION OF WORKS
and

APPLICATION OF WATER TO BENEFICIAL USE **Department of Reclamation**

Notice is hereby given that at 10:00 A M., on the 15th day of December
19 65, at GOEUR D'ALENE, County of Kootenai, State of Idaho
before A.M. HANSON, Notary Public, at (address) 102 Wallace
_____, proof will be submitted of the completion
of works for the diversion of 6.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 32090, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is RONALD L. RUSSELL of MECA AGENCY, INC. South 427 Bernard - Spokane, Washington

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 6.0 cubic feet per second.

3. The use to which said water has been applied is Irrigation of
Agriculture and, purposes and the amount applied to beneficial use is
6.0 cubic feet per second.

4. The point of diversion of said water is Southwest Quarter of Northeast Quarter of
Section 8, Township 51 North, Range 4, W.B.M.

5. The place where said water is used is East Half of East Half of Section 3 and
East Half of Section 8, Township 51 North, Range 4 W.B.M.

6. The date of priority which said user is prepared to establish is October 9, 1964

Carl E. Haggan
State Reclamation Engineer
32090

Re: Permit No. G-32088, G-32089
and G-32090

Mr. Ronald L. Russell,
609 W. 18th,
Spokane, Washington.

Dear Mr. Russell:

We enclose Permit No. S. as noted in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-8921 which was issued covering payment in the amount of \$ 18.25 for the filing fee of the above mentioned permit S.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

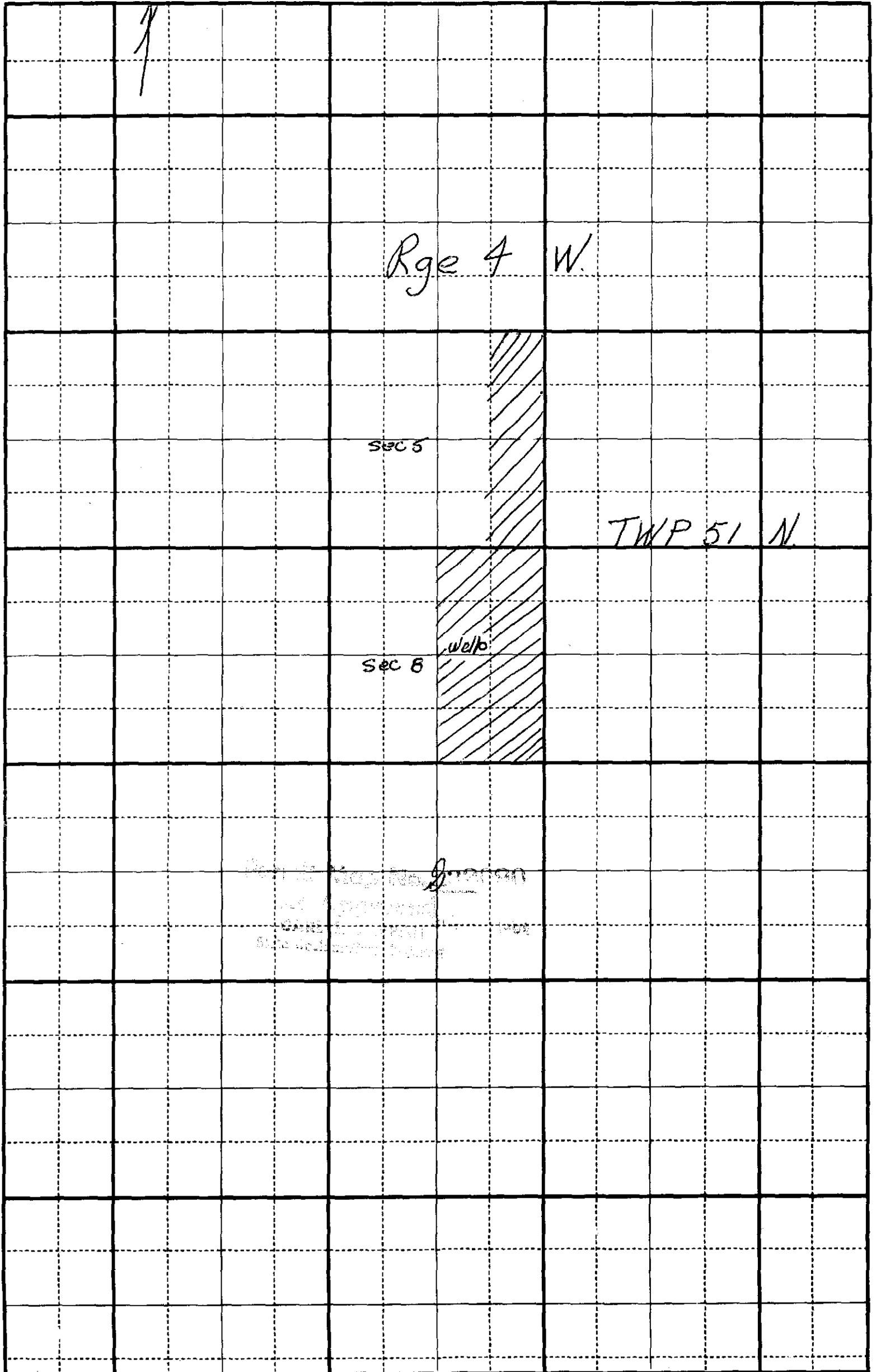
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete the application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

32090

Ronald L. Russell



NOTICE OF PROOF OF COM-
PLETION OF WORKS

and

APPLICATION OF PERMIT TO
BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 15th day of December 1965, at Coeur d'Alene, County of Kootenai, State of Idaho before A. M. Hanson, Notary Public, at 102 Wallace, proof will be submitted of the completion of works for the diversion of 6.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 32090, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ronald L. Russell of Meca Agency Inc. South 427 Bernard - Spokane, Washington.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 6.0 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 6.0 cubic feet per second.

4. The point of diversion of said water is Southwest Quarter of Northeast Quarter of Section 8, Township 51 North, Range 4, W.B.M.

5. The place where said water is used is East Half of East Half of Section 5 and East Half of Section 8, Township 51 North, Range 4 W.B.M.

6. The date of priority which said user is prepared to establish is October 5, 1964.

Carl E. Tappan J

State Reclamation Engineer C

Nov. 10, 17, 24, Dec. 1, 1965. N

See publication
on G-32087 for form 11

Edna

32096