

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Rathdrum Prairie Project, Idaho

QUITCLAIM DEED AND RELEASE

WHEREAS, by deed of January 4, 1977, the East Greenacres Irrigation District (District) transferred its right, title and interest in and to certain water rights, dam and outlet facilities, and appurtenant right-of-way interests to the United States of America (United States); and

WHEREAS, Article 25 of the June 1, 1972, repayment contract between the District and the United States authorized transfer of the District's water right and damsite to an entity approved by the United States; and

WHEREAS, the Twin Lakes-Rathdrum Creek Flood Control District No. 17, a local governmental organization authorized under Idaho law, has been determined by the United States to be properly constituted to give assurance that the facility will be perpetually and adequately operated and maintained.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the UNITED STATES OF AMERICA, in pursuance of the provisions of the Act of June 17, 1902 (332 Stat. 388), and acts amendatory thereof or supplementary thereto, does hereby remise, release and forever QUITCLAIM unto the TWIN LAKES-RATHDRUM CREEK FLOOD CONTROL DISTRICT NO. 17, all its right, title and interest in and to the following described property situated in the County of Kootenai, State of Idaho, to-wit:

1. All its water, storage, and flowage rights in Twin Lakes (formerly Fish Lakes) including Water License No. 14757.
2. Twin Lakes Dam, damsite, outlet works, and all other facilities and interests appurtenant thereto and rights-of-way therefore located in Section 17, Township 52 N., Range 4 W., B.M.

TOGETHER WITH ALL AND SINGULAR tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining thereto, issues and profits thereof; and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said United States.

Subject to the following reservations:

1. The reservation of a right-of-way for ditches and canals constructed or to be constructed by the authority of the United States, this reservation being

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of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 371), as it has been or may hereafter be amended; and

2. The reservation of presently used rights-of-way for canals, ditches, flumes, pipelines, railroads, highways, roads, telephone, telegraph, and power transmission lines created in favor of the public or public utilities.

RELEASE:

The Twin Lakes-Rathdrum Creek Flood Control District No. 17 hereby agrees to indemnify and hold harmless the United States and its assigns, from any loss or damage and from any liability on account of personal injury, death, or damage, or property damage, or claims for personal injury, death, or property damage of any nature whatsoever and by whomsoever made that may occur or result in any way from the transfer of the water rights, dam facilities, and appurtenant right-of-way as provided herein.

IN WITNESS WHEREOF, the United States of America and the Twin Lakes-Rathdrum Creek Flood Control District No. 17 have executed this document as of the 8th day of September, 1992.

UNITED STATES OF AMERICA
Department of the Interior

By Felix A. Cook, Jr.
Acting Regional Director, Bureau of Reclamation
Pacific Northwest Region, Boise ID

TWIN LAKES-RATHDRUM CREEK FLOOD CONTROL DISTRICT NO. 17

By John E. Eichenberger
Title Chairman of Flood Control District
Address 1910 N.W. Blvd. Clatsop, OR 97114

