STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82675

This is to certify that: BLACK ROCK UTILITIES INC
C/O ASSOCIATION SERVICES INC
1110 W PARK PL STE 101
COEUR D ALENE, ID 83814

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
95-9055	WR/LICENSE	11/13/2000	1.000 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
95-9055	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
95-9055	95-9055	1.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**1.000 cfs**	**N/A**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 10th day of October, 2018

Douglas Jones P.E.

Douglas Jones, Northern Regional Manager

WATER RIGHT NO. 95-9055

As Modified by Transfer No. 82675

In accordance with the approval of Transfer No. 82675, Water Right No. 95-9055 is now described as follows:

Right Holder: BLACK ROCK UTILITIES INC
C/O ASSOCIATION SERVICES INC
1110 W PARK PL STE 101
COEUR D ALENE, ID 83814

Priority Date: 11/13/2000

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	1.000 cfs
				1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 16 Twp 48N Rge 04W KOOTENAI County
GROUND WATER	L2 (SWNW)	Sec 16 Twp 48N Rge 04W KOOTENAI County
GROUND WATER	L2 (SWNW)	Sec 16 Twp 48N Rge 04W KOOTENAI County
GROUND WATER	L2 (SWNW)	Sec 16 Twp 48N Rge 04W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Coeur d'Alene-Spokane River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 95-9055

As Modified by Transfer No. 82675

CONDITIONS OF APPROVAL

7. Place of use is within the area served by the public water supply system of Black Rock Utilities LLC. The place of use is generally located within Sections 4,5,8,9,16,17, Township 48N, Range 04W and Section 33,Township 49N,Range 04W.

8. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.

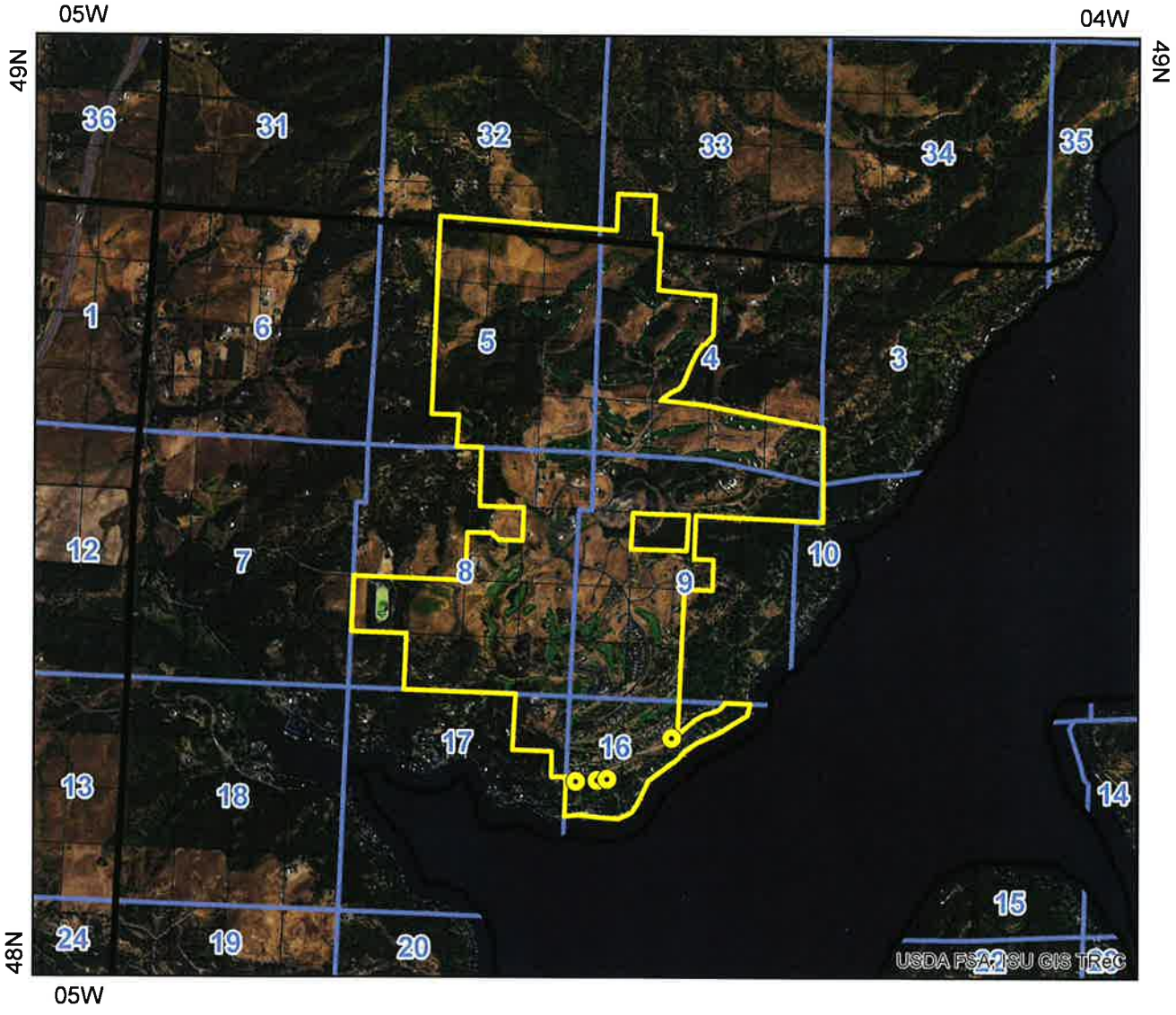
9. This right does not grant any right-of-way or easement across the land of another.

Black Rock Utilities Inc

Attachment to Transfer # 82675

95-9055

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 11, 2018

BLACK ROCK UTILITIES INC
C/O ASSOCIATION SERVICES INC
1110 W PARK PL STE 101
COEUR D ALENE ID 83814

Re: Transfer No: 82675

Water Right No: 95-9055

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

Doug Jones, P.E.
Northern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82675
Water Right No(s).: 95-9055

BLACK ROCK UTILITIES INC
C/O ASSOCIATION SERVICES INC
1110 W PARK PL STE 101
COEUR D ALENE ID 83814

Tammy Alleman
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } SS.

Ashley Kinzer 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 Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive week commencing on the 20 day of September 20 18, and ending on the 27 day of September 20 18, and such publication was made as often during said period as said Daily 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 Ashley Kinzer

On this 27 day of September in the year of 2018, before me, a Notary Public, personally appeared Ashley Kinzer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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

KATRINA GEORGE NOTARY PUBLIC STATE OF IDAHO

MY COMMISSION EXPIRES 8/29/23

RECEIVED
OCT 01 2018
IDAHO/NORTH

PUBLICE NOTICE

The following application(s) have been filed to amend Permit to Appropriate Water:

95-12599
NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858
Point of Diversion SESE SESE SESE
S17 T52N R04W
Point of Diversion NENE NESE
S28 T52N R04W
Point of Diversion SWSW SWSW
S2 T51N R04W
Point of Diversion NWNE
S11 T51N R04W
Point of Diversion NWNE
S14 T51N R04W
Point of Diversion L7(SWSE)
S15 T51N R04W
Point of Diversion NESE NESE NESE SWSE SWSE
S23 T51N R04W
Point of Diversion NWSW
S24 T51N R04W
Point of Diversion SESE
S23 T51N R05W
Point of Diversion NESW
S32 T51N R05W
Point of Diversion SESW
S32 T51N R05W
Point of Diversion SWNW SWNW
S8 T52N R03W
Point of Diversion NWSE NWSE
S18 T52N R03W
Point of Diversion L1(NENE)
S6 T52N R04W
Point of Diversion SENE
S33 T52N R04W
Point of Diversion NENW
S28 T53N R04W
KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL
01/01 to 12/31 5.48 CFS
Total Diversion: 5.48 CFS
Date Filed: 8/30/2018
Place Of Use: MUNICIPAL
T51N R03W S5 NWSW SWSW SESW SWSE SESE
T51N R03W S6 L1(NENE) L2(NWNE) SWNE SENE L3(NENW) L4(NWNW) L5(SWNW) SENW NESW L6(NWSW) L7(SWSW) SESW NESE NWSE SWSE SESE
T51N R03W S7 NENE NWNE SWNE SENE NENW L1(NWNW) L2(SWNW) SENW NESW L3(NWSW) L4(SWSW) SESW NESE NWSE SWSE SESE
T51N R03W S8 NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE L1(SESE)
T51N R03W S17 L2(NWNE) L3(NENW) NWNW L4(SWNW) L3(SENW)
T51N R03W S18 NENE L8(NWNE) L7(SWNE) L9(SENE) NENW L1(NWNW) L2(SWNW) SENW NESW L3(NWSW)
T51N R03W S19 L1(NWNW) L2(SWNW) L2(SENW) L5(NESW) L3(NWSW) L4(SWSW) SESW L7(NESE) L6(NWSE) SWSE SESE
T51N R03W S20 L1(NENE) L2(NWNE) L2(SWNE) L4(SENE) L3(SENW) L5(NESW) L6(NWSW) L7(SWSW) SESW NESE NWSE
T51N R03W S21 L4(SWNW) L3(NESW) L4(NWSW) SWSW SESW
T51N R03W S29 L1(NWNW)
T51N R03W S30 NENE NWNE NENW L1(NWNW)
T51N R04W S1 L1(NENE) SENE L4(NWNW) SWNW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S2 L1(NENE) SENE SWSW SESW NESE SWSE SESE
T51N R04W S3 SESE
T51N R04W S10 NENE
T51N R04W S11 NENE NWNE NENW NWNW SESW SWSE
T51N R04W S12 NENE NWNE SWNE SENE NENW NWNW NESE NWSE SWSE SESE
T51N R04W S13 NENE SENE NESE
T51N R04W S14 NWNE NENW
T51N R04W S15 NESW SESW NWSE SWSE
T51N R04W S22 NWNE NENW SESE
T51N R04W S23 SENW NESW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S24 NENE SWNE SENE NESW SESW NESE NWSE SWSE SESE
T51N R04W S25 NENE NWNE NENW
T51N R04W S26 NENE NWNE SENE NENW NWNW
T51N R05W S23 NESE NWSE SWSE SESE
T51N R05W S32 NESW NWSW SWSW SESW NWSE SWSE
T52N R03W S4 L4(NWNW) L5(SWNW) NESW L6(NWSW)
T52N R03W S5 L1(NENE) SENE NESW SWSW SESW NESE NWSE SWSE SESE
T52N R03W S6 L3(NENW) L4(NWNW) L5(SWNW) SENW NESW L6(NWSW) L7(SWSW) L8(SESW) NESE NWSE L10(SWSE) SESE
T52N R03W S7 NENE NWNE SWNE SENE NENW L2(SWNW) SENW NESW L3(NWSW)
T52N R03W S8 NWNW SWNW
T52N R03W S17 SWNW NESW NWSW WSW SESW
T52N R03W S18 SWNE SENE SESW NESE NWSE SWSE SESE
T52N R03W S19 NENE NWNE SWNE
T52N R03W S20 NWNW
T52N R03W S31 NESW SESW NESE NWSE SWSE SESE
T52N R04W S5
T52N R04W S6
T52N R04W S8
T52N R04W S17

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-17512
DAVID CONLEY
NICOLE CONLEY
13467 E BUNCO RD
ATHOL, ID 83801
Point of Diversion NESESW
S19 T53N R02W
KOOTENAI County
Source SPRING
Tributary LEWELLEN CREEK
Point of Diversion SESW
S19 T53N R02W
KOOTENAI County
Source LEWELLEN CREEK
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.14 CFS
Date Filed: 4/17/2018
Place Of Use: IRRIGATION
T53N R02W S19 SESW
Place Of Use: STOCKWATER
T53N R02W S19 SESW
Total Acres: 6

95-17627
VISTA BAY WEST INC
PO BOX 621
BAYVIEW, ID 83803
Point of Diversion L1(NWNW) S2 T53N R02W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: IRRIGATION
04/01 to 10/31 0.02 CFS
Total Diversion: 0.1 CFS
Date Filed: 8/27/2018
Place Of Use: DOMESTIC
T53N R02W S2 L1(NWNW)
Place Of Use: IRRIGATION
T53N R02W S2 L1(NWNW)
Total Acres: 0.5

95-17628
JT HOLDINGS INC
10063 NAVION DR
HAYDEN, ID 83835
Point of Diversion SWSW SWSW S11 T52N R04W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.16 CFS
Total Diversion: 0.16 CFS
Date Filed: 8/29/2018
Place Of Use: DOMESTIC
T52N R04W S11 SWSW SESW SWSE SESE
Total Acres: 6

95-17631
TERRY STULC
13928 N PEONY CT
HAYDEN, ID 83835
Point of Diversion SWNW S3 T51N R03W KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/7/2018
Place Of Use: DOMESTIC
T51N R03W S3 L4(SWNW)
T51N R03W S4 SENE
Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 10/9/2018. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 9/20/2018 and 9/27/2018

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82675
BLACK ROCK UTILITIES INC. C/O ASSOCIATION SERVICES INC
1250 IRONWOOD DR STE 226, COEUR D ALENE, ID 83814; has filed Application No. 82675 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-9055. For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see http://www.idwr.idaho.gov/water-rights/transfers/search.html. The purpose of the transfer is to change a portion of the above rights as follows: This transfer proposes to add a new point of diversion to the Black Rock Utilities Inc's existing ground water right in L2 (SWNW) of Section 16, Twp 48N, Rge 04W.
Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 10/9/2018. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
CDA LEGAL 352
AD# 227489
SEPTEMBER 20, 27, 2018

Rev. 02/14

For Office Use Only
Updated by AF
Date 10/11/18

RECEIVED
SEP 20 2018
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in address of the owners of record for the listed water rights.
(Please print or type)

Water Right Number(s): 95-9055 Transfer Number: 82675

Name(s): Black Rock Utility, Inc.
c/o Association Services, Inc.

Old Mailing Address: 1250 W. Ironwood Drive, Suite 226
Coeur d'Alene, ID 83814

New Mailing Address: 1110 W. Park Place, Suite 101
Coeur d'Alene, ID 83814

Telephone Number: (208) 676-8626

Email: slenarz@asi-hoa.com

Signature(s) of Owner(s) Sherry J. Kenary, Manager

(Include your title if on behalf of company or organization.)

Date: 09/18/18

Send a signed original to your closest regional office:

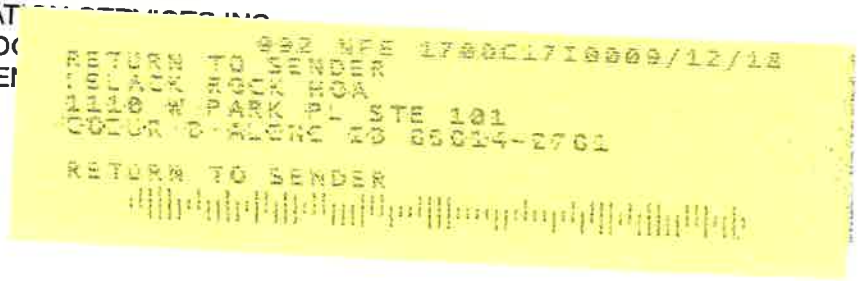
✳ IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
(208) 736-3033

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

Return Service Requested

BLACK ROCK UTILITIES INC
C/O ASSOCIAT
1250 IRONWOO
COEUR D ALEI