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JAN 20 2011

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
63-33446	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: CENTERVILLE HEIGHTS WATERSYSTEM
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): LOWER NINE WATER USERS ASSOCIATION
   Name of each new owner as listed on the conveyance document

   New owner continued Name connector ☐ **and** ☐ **or** ☐ **and/or**

   22 VIEW DR.
   Mailing address

   CENTERVILLE, | ID | 83631
   City | State | ZIP

   392-9537 | Email
   Telephone

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

5. Date you acquired the water rights and/or claims listed above: _____.

6. This form must be signed and submitted with the following **REQUIRED** items:
   - A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

7. Signature: ✓ _____ | Managing Member | 1-17-11
   Signature of new owner/claimant | Title, if applicable | Date

   Signature: _____ | _____ | _____
   Signature of new owner/claimant | Title, if applicable | Date

For IDWR Office Use Only:

Receipted by SB Date 1/20/11 Receipt No. W038947 Receipt Amt. $50.00

Approved by _____ Processed by _____ Date 3-25-11

Form 42-248/42-1409(6) Rev. 07/10

FILED EFFECTIVE

10 SEP 23 AM 8:17

SECRETARY OF STATE
STATE OF IDAHO

UNINCORPORATED NONPROFIT ASSOCIATION
APPOINTMENT OF AGENT FOR SERVICE OF PROCESS

Assoc. # U1914
(Assigned by the Secretary of State Office)

To the Secretary of State of the State of Idaho:

1. The name of the nonprofit association is:

   Lower Nine Water Users Association

2. The principal address of the nonprofit association is:

   22 View Drive, Idaho City, ID 83631

3. The name and street address of the agent authorized to receive service of process for the association are: *(Registered agent must be located at a street address in Idaho – PO, PMB, and addresses outside Idaho are not acceptable.)*

   Michael B. Fisher, 22 View Drive, Idaho City, ID 83631

Signature of agent: [signature]

Dated 9-16-10

Signature of a member of the nonprofit association: [signature]

Dated: Sept. 16, 2010

Mail to:
Idaho Secretary of State
450 N 4th Street
PO Box 83720
Boise ID 83720-0080

Secretary of State use only

NO FEE REQUIRED

FILE ONE COPY

email Rcvd.
10.15.10 kw

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DEC 23 2010

WATER RESOURCES
WESTERN REGION

Via E-mail

State of Idaho

Department of Water Resources

Transfer of Water Right(s)

RECOMMENDATION FORM

Transfer Application No.: 76671 **Water Right No(s).:** 63-10167

Transfer Applicant's Name: CENTERVILLE HEIGHTS WATER SYSTEM
C/O KENT LAMBERSON
79 VIEW DR
CENTERVILLE, ID 83631

Recommendation:

a) __X__ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) __X__ Additional comments:

The Centerville Heights Water System has recently decided to split their system to avoid regulation under the Idaho Rules for Public Drinking Water Systems. They have done so by both physically and legally splitting their systems so the two are not tied in any way relating to drinking water.

Our records now show two completely separate legal entities that control two separate water systems. There is the "Centerville Heights Upper Water System," and the "Lower Nine Water Users Association." Our understanding was that each system would control its own water right so there was not a link between the two systems. The way the application is structured it appears that the Centerville Heights Property Owners Association is in control of both water rights, therefore tying the two systems together under one association.

Our recommendation would be to request from the system if this is their intent, and to determine if the water rights should actually be transferred to and controlled by the separate systems. If you have questions feel free to call me at (208) 373-0568.

Dated this 30th day of November, 2010

_____

Signature

Brandon Lowder - IDEQ

Printed Name

CHPOA
CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION
c/o P. O. Box 59
Centerville, ID 83631

RECEIVED
MAR 24 2011
WATER RESOURCES
WESTERN REGION

GRANT AND ASSUMPTION AGREEMENT
By and Among
CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION (CHPOA)
on behalf of the CENTERVILLE WATER USERS ASSOCIATION,
And
CENTERVILLE HEIGHTS UPPER WATER SYSTEM and
LOWER NINE WATER USERS ASSOCIATION

WHEREIN

CHPOA HEREBY AND HEREWITH GRANTS AND CONVEYS:

Water Right # 63-33445 to **CENTERVILLE HEIGHTS UPPER WATER SYSTEM**, an unincorporated Non-Profit Association duly registered and recorded with the Idaho Secretary of State's Office as Association # 41872; and,

Water Right # 63-33446 to **LOWER NINE WATER USERS ASSOCIATION**, an unincorporated Non-Profit Association duly registered and recorded with the Idaho Secretary of State's Office as Association # 41914.

AGREEMENT TO ASSUME:

CENTERVILLE HEIGHTS UPPER WATER SYSTEM does hereby and herewith agree to accept all rights, title, and obligations of **Water Right # 63-33445** and relinquishes all rights, title, and interest in and of **Water Right # 63-33446**;

AND,

LOWER NINE WATER USERS ASSOCIATION does hereby and herewith agree to accept all rights, title, and obligations of **Water Right # 63-33446** and relinquishes all rights, title, and interest in and of **Water Right # 63-33445**.

(Signature and Acknowledgement Pages Follow)

IN WITNESS WHEREOF, the parties have caused this Grant and Acceptance Agreement to be executed by their duly authorized officers/representatives, on the day and year first hereinabove written.

CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION, INC., GRANTOR,

By _____ Date 3-11-2011
Dennis Hanson, President

CENTERVILLE HEIGHTS UPPER WATER SYSTEM, GRANTEE,

By _____ Date _____

(Print Name to be Signed)

LOWER NINE WATER USERS ASSOCIATION, GRANTEE,

By _____ Date 3-11-2011
A. L. Wisdom

(Acknowledgements Follow)

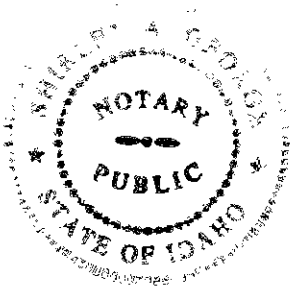
CHPOA

ACKNOWLEDGEMENTS

STATE OF IDAHO)
) ss.
County of Boise)

On this 11 day of March, 2011, before me, a Notary Public in and for said State, personally appeared **Dennis D. Hanson**, known or identified to me, and executed said instrument.

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



Shirley A. George
Notary Public for Idaho
Residing at Idaho City
My Commission Expires 6-23-2011

STATE OF IDAHO)
) ss.
County of Boise)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared _____, known or identified to me, and executed said instrument.

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

_____
Notary Public for Idaho
Residing at _____
My Commission Expires _____

(Continues)

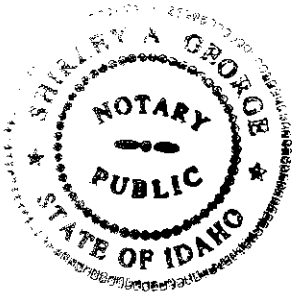
CHPOA

STATE OF IDAHO)
) ss.
County of Boise)

On this 11 day of March, 2011, before me, a Notary Public in and for said State, personally appeared **Allen L. Wisdom**, known or identified to me, and executed said instrument.

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

Shirley A. Groce
Notary Public for Idaho
Residing at Idaho City
My Commission Expires 6-23-2011



CHPOA

CHPOA
CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION
c/o P. O. Box 59
Centerville, ID 83631

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WESTERN REGION

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CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION (CHPOA)
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And
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CENTERVILLE HEIGHTS UPPER WATER SYSTEM does hereby and herewith agree to accept all rights, title, and obligations of **Water Right # 63-33445** and relinquishes all rights, title, and interest in and of **Water Right # 63-33446**;

AND,

LOWER NINE WATER USERS ASSOCIATION does hereby and herewith agree to accept all rights, title, and obligations of **Water Right # 63-33446** and relinquishes all rights, title, and interest in and of **Water Right # 63-33445**.

(Signature and Acknowledgement Pages Follow)

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CENTERVILLE HEIGHTS PROPERTY OWNERS ASSOCIATION, INC., GRANTOR,

By _____ Date 3-11-2011
Dennis Hanson, President

CENTERVILLE HEIGHTS UPPER WATER SYSTEM, GRANTEE,

By _____ Date _____

(Print Name to be Signed)

LOWER NINE WATER USERS ASSOCIATION, GRANTEE,

By _____ Date 3-11-2011
A. L. Wisdom

(Acknowledgements Follow)

CHPOA

ACKNOWLEDGEMENTS

STATE OF IDAHO)
) ss.
County of Boise)

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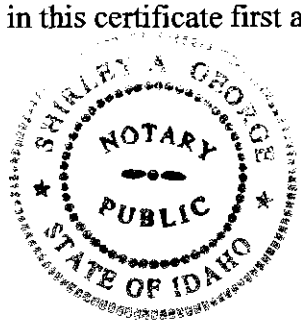

Shirley A. George
Notary Public for Idaho
Residing at Idaho City
My Commission Expires 6-23-2011

STATE OF IDAHO)
) ss.
County of Boise)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared _____, known or identified to me, and executed said instrument.

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

_____
Notary Public for Idaho
Residing at _____
My Commission Expires _____

(Continues)

CHPOA

STATE OF IDAHO)
) ss.
County of Boise)

On this 11 day of March, 2011, before me, a Notary Public in and for said State, personally appeared **Allen L. Wisdom**, known or identified to me, and executed said instrument.

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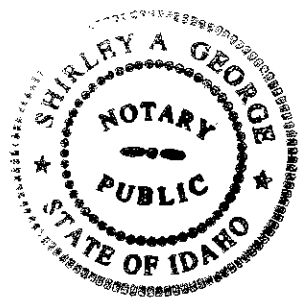
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