

Page 1 of 6

Transfer No. 71216

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 06 2004

PART 1

**WATER RESOURCES
WESTERN REGION.**

RESOURCES
IN REGION
Name of applicant Centerville Water System, Inc. Phone (208) 392-4459

Phone (208) 392-4459

Post Office address P. O. Box 182, Idaho City, Idaho 83631

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See Attachment A

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-15227</u>	<u>4/4/1936</u>	<u>1.59 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u> </u>	<u> </u>	<u>4.00 cfs</u>	<u>Fire Prot.</u>	<u>1/1</u> to <u>12/31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
2. Total amount of water being transferred		<u>1.59*</u>	(See Attachment A For explanation) cubic feet per second and/or acre-feet per annum.	
3. Source of water		<u>Grimes Creek</u>	tributary to <u>Mores Creek</u>	
4. Point(s) of Diversion:				

[illegible]

5. Lands irrigated or place of use: SEE ATTACHMENT A

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system 3 pumps; 60, 25, 7.5 hp; 8.5 miles of pipeline;
23 hydrants; sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? n/a Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
See Attachment A

d. Remarks:

See Attachment A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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MAY 11 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

(See copy of partial decree, attached)

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
☐ Tax Notice ☐ Warranty Deed ☒ Other n/a
3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

9. Describe any other water rights used for the same purpose as described above

Total acres None

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PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (See explanation, Attachment A)
 (If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) (See explanation, Attachment A)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

A large grid of graph paper, consisting of 10 columns and 10 rows of squares. The grid is formed by solid black lines. In the center of the grid, the text "SEE COPY OF ATTACHED MAP" is printed in a bold, sans-serif font. The text is centered horizontally and vertically within the grid. The grid is otherwise empty, with no other markings or text.

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

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PART 3**B. CHANGES IN NATURE OF USE** n/a

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that 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.

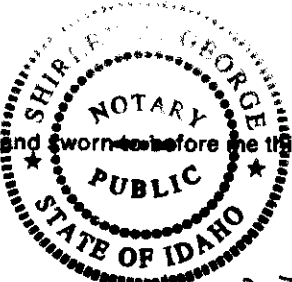
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 4th day of Feb., 192004.

SORRAINE SEVERNS
(Signature of Applicant)

Shirley A. George
(Notary Public)

My commission expires 6-23-2005

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 4 attachments

Received by KH Date 2/16/04 Protest filed by _____

Prelim. check by g Fee 29000 + \$160-5/3/04 by g

Received by KH Date 2/16/04 W031287, W031631

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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ATTACHMENT A
(Amended – May 3, 2004)

Part 1.A.2. (Reason for Transfer). To change the place of use to a generally described place of use pursuant to Idaho Code § 42-219(6).

Part 1.B.2 (Quantity Transferred). The Applicant requires a transfer of this water right to provide for a generally described place of use for irrigation and fire protection purposes pursuant to Idaho Code § 42-219(6).

Part 1.B.5. (Place of Use). The proposed generally described place of use is outlined in red on the attached map.

Part 1.B.6.c. (Effect on Land Now Irrigated). The proposed transfer will have no effect on the lands currently irrigated by the Applicant. The change to a generally described place of use is intended to give the Applicant Centerville Water System, Inc., the ability to authorize a change, subject to Idaho law, in the location of irrigated lands within its generally described place of use and thus more efficiently and effectively serve the irrigation needs of the lot owners who are served by the Centerville Water System, Inc.

Request for Service of Mailings. This application has been prepared with the assistance of legal counsel. The Applicant would request that correspondence and other mailings relating to this application be sent to Matt J. Howard, Attorney at Law, P. O. Box 190012, Boise Idaho 83719; phone (208) 333-0622; fax (208) 333-8409. The Applicant would also request that copies of correspondence and mailings be sent to its address: Centerville Water System, Inc., P. O. Box 182, Idaho City, Idaho 83631.

Attachment A
Application for Transfer of Water Right
In the Name of Centerville Water System, Inc.

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MAY 11 2004

ATTACHMENT A

ATTACHMENT A

Part 1.A.2. (Reason for Transfer). To change the place of use to a generally described place of use pursuant to Idaho Code § 42-219(6).

Part 1.B.2 (Quantity Transferred). The Applicant requires that it transfer only 1.59 cfs of this water right to provide for a generally described place of use for irrigation purposes pursuant to Idaho Code § 42-219(6); however, the Applicant recognizes that it would likely be more efficient for purposes of future administration of this water right if the same place of use were described for both decreed purposes: irrigation and fire protection. Therefore, to the extent IDWR determines it is within its authority to also approve a generally described place of use for fire protection purposes, the Applicant would request that such approval be given, provided the Applicant is not charged an additional filing fee for the quantity of water associated with the fire protection purpose of use.

Part 1.B.5. (Place of Use). The proposed generally described place of use is outlined on the attached map entitled "Centerville Water System Area of Interest." The underlying base map was obtained from IDWR (Michael Ciscell) and the outline of the proposed generally described place of use was prepared by the Applicant.

Part 1.B.6.c. (Effect on Land Now Irrigated). The proposed transfer will have no effect on the lands currently irrigated by the Applicant. The change to a generally described place of use is intended to give the Applicant Centerville Water System, Inc., the ability to authorize a change, subject to Idaho law, in the location of irrigated lands within its generally described place of use and thus more efficiently and effectively serve the irrigation needs of the lot owners who are served by the Centerville Water System, Inc.

Part 2.B and C. (Portions of Water Right Transferred/Unchanged). See response to Part 1.B.2, above. If IDWR determines that it is necessary to approve this application with two place of use descriptions, i.e., a generally described place of use for irrigation and a quarter-quarter place of use description for fire protection, the Applicant would request that Part 2.B. of the application be deemed to reflect the transfer of only the irrigation portion of the water right as described in the attached partial decree and that Part 2.C. of the application describe the fire protection portion of the water right as set out in the attached partial decree.

Request for Service of Mailings. This application has been prepared with the assistance of legal counsel. The Applicant would request that correspondence and other mailings relating to this application be sent to Matt J. Howard, Attorney at Law, P. O. Box 190012, Boise Idaho 83719; phone (208) 333-0622; fax (208) 333-8409. The Applicant would also request that copies of correspondence and mailings be sent to its address: Centerville Water System, Inc., P. O. Box 182, Idaho City, Idaho 83631.

*Replaced by amended
attachment 5/5/04*

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-15227

NAME AND ADDRESS: CENTERVILLE WATER SYSTEM
PO BOX 182
IDAHO CITY, ID 83631

SOURCE: GRIMES CREEK / TRIBUTARY: MORES CREEK /
QUANTITY: 5.59 CFS /
PRIORITY DATE: 04/04/1936 /
POINT OF DIVERSION: T07N R05E S31 / SESESE / Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation /	04-01 TO 10-31 /	1.59 CFS /
	Fire Protection /	01-01 TO 12-31 /	4.00 CFS /

PLACE OF USE:	Irrigation		Within Boise County
	T06N R04E S01 /	NENE 5.0 /	SENE 7.0 /
		NESE 9.5 /	SESE 9.0 /
	R05E S06	NWNE 2.5 /	NENW 4.0 /
		SWNW 1.5 /	SENE 2.0 /
		NESW 1.0 /	NWSW 2.0 /
		SWSE 11.0 /	
	T07N R05E S31	NESE 8.0 /	SWSE 13.0 /
		SESE 4.0 /	
	79.5 Acres Total /		
	Fire Protection		Within Boise County
	Same as Irrigation /		

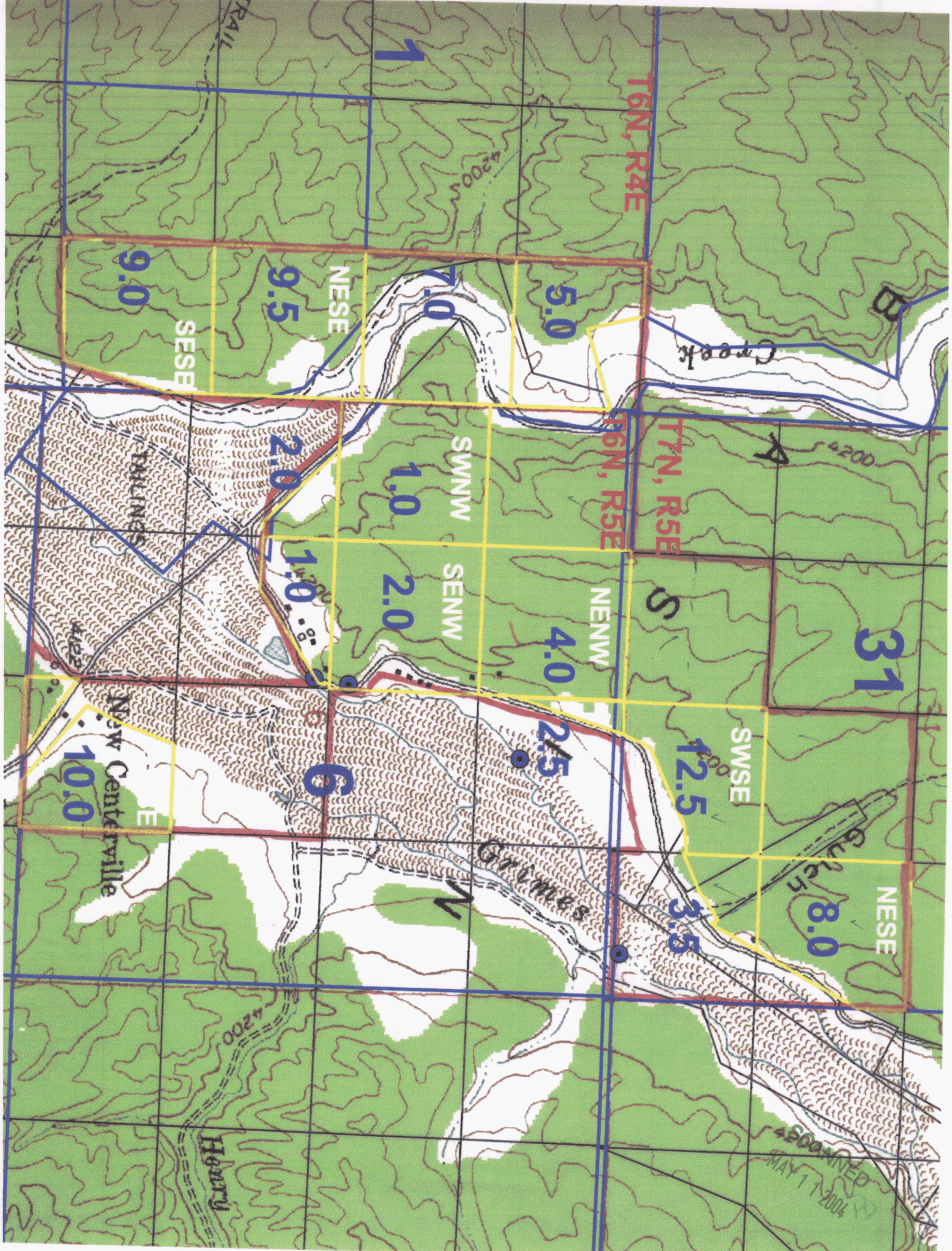
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT /
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



No. C 57714		Due no later than February 29, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		CENTERVILLE WATER SYSTEM, INC. PO BOX 182 IDAHO CITY, ID 83631		H DEE WUEHLER 2 MEADOW CREEK CT CENTERVILLE, ID 83631	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
Pres	Lorraine Severns	36 Meadow Creek Dr.	Centerville	Id	83631
Vice Pres	Bud Teilmann	22 View Drive	Centerville	Id	83631
Sec/Treas	Gloria Steffen	84 Grimes Pass Rd.	Centerville	Id	83631
Director	Oscar Baumhoff	31 Grimes Pass Rd.	Centerville	Id	83631
Director	Lance Severns	33 Meadow Creek Dr.	Centerville	Id	83631
5. Organized Under the Laws of:		6. Signature <u>Gloria L. Steffen</u> Date <u>12-05-03</u>			
IDAHO C 57714		Name (Printed) <u>Gloria L. Steffen</u> Title <u>Sec/Treas</u>			
Issued 12/01/2003		Do Not Tape or Staple			
		3373			

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ATTACHMENT D