

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 2024

WATER RESOURCES WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
- ☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Star Sewer and Water District Phone 208-86-7388

2. MAILING ADDRESS PO Box 400 City Star
State Idaho Zip 83669 Email TEstrada@StarSWD.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ 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.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-12100, 63-12370, 63-31969, & 63-31511 (The District also owns a RAFN Permit, 63-32644, which will also have this POD added to it. A separate Permit Application is being filed for this cha

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 11 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The new Well 8 will be equipped with a submersible or line shaft pump. The well head will be located inside a lockable building and discharge into a piping assembly that will have a flow meter, check and isolation valves.

- b. Who owns the property at the point(s) of diversion? Star Fire Protection District/Middleton Fire District
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Permanent easement between both entities.

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

Floyd H. Day
Print name and title if applicable

9/15/2021
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 09/23/2021

Fee paid \$1300.00 Date 09/23/2021 Received by LE Receipt # W049808

Preliminary review by LM Date 10.14.2021 Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 63-12100

Priority: March 5, 1994

Maximum Diversion Rate:

1.50 CFS

This is to certify, that STAR SEWER & WATER DISTRICT

PO BOX 277

STAR ID 83669-0277

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 1, 1994; and has submitted Proof of Beneficial Use on July 3, 1996. An examination indicates that the works have a diversion capacity of 2.560 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
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MUNICIPAL	01/01 to 12/31	1.50 CFS	
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LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 8, Township 04N, Range 01W
ADA County

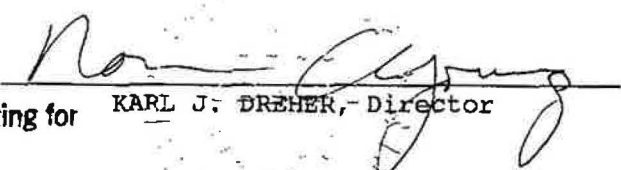
PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Place of use is lands within the boundaries of the Star Sewer and Water District.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of APRIL, 1998.

Acting for


KARL J. DREHER, Director

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12370

Priority: October 23, 1996

Maximum Diversion Rate:

0.60 CFS

This is to certify, that STAR SEWER & WATER DISTRICT
PO BOX 277

STAR ID 83669-0277 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 23, 1996; and has submitted Proof of Beneficial Use on December 22, 1997. An examination indicates that the works have a diversion capacity of 3.460 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
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MUNICIPAL	01/01 to 12/31	0.60 CFS	
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LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 8, Township 04N, Range 01W
SESW , Sec. 8, Township 04N, Range 01W
ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
2. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. Place of use is within the service area of Star Sewer and Water District.
4. Right 63-12100 is also diverted through the point of diversion located in the SWNW, S8, T4N, R1W.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license 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. Signed and sealed this 10TH day of

MARCH, 1999.


Acting for KARL J. DREHER Director

MICROFILMED
APR 13 1999

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

9/13/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 63-31969

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STAR SEWER & WATER DISTRICT PO BOX 400 STAR, ID 83669-0400 2082867388

Priority Date: 07/01/2004

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	4.79 CFS	
FIRE PROTECTION	01/01	12/31	5 CFS	
Total Diversion			5 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNE Lt 2	Sec. 04	Township 04N	Range 01W	ADA County
GROUND WATER	SESW	Sec. 05	Township 04N	Range 01W	ADA County
GROUND WATER	SWNW	Sec. 08	Township 04N	Range 01W	ADA County
GROUND WATER	SWSW	Sec. 32	Township 05N	Range 01W	ADA County
GROUND WATER	SWSW	Sec. 32	Township 05N	Range 01W	ADA County
GROUND WATER	SWSE	Sec. 33	Township 05N	Range 01W	ADA County

Place(s) of use: Large POU Info

Conditions of Approval:

1. 126 Place of use is within the service area of Star Sewer and Water District as provided for under Idaho law. The place of use is generally located within Sections 4-9 and 15-18, Township 4 North, Range 1 West; Sections 1, 2, 12, and 13, Township 4 North, Range 2 West; and Sections 31, 32 and 33, Township 5 North, Range 1 West.
2. 180 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.
3. X59 Point of diversion known as well no. 1 is located within Lot 1, Blk. 3, Waterview Estates Subdivision; well no. 3 is located within Lot 6, Blk. 3, Lobo Creek Subdivision; well no. 4 is located within Lot 16, Blk. 1, Trellis Subdivision; and well no. 5 is located within Lot 2, Blk. 5, Trellis Subdivision. Well no. 6 and 7 are located outside a subdivision and Well no. 2 has been abandoned.
4. X35 Rights 63-12100, 63-12370, and 63-31969 when combined shall not exceed a total diversion rate of 4.79 cfs for municipal purposes.
5. X35 Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
6. 01M 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.
7. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
8. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license dated February 3, 2011.
9. 102 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 or where the use of surface water was replaced by the use of water diverted in connection with this right before the approval of Transfer 83112. 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.
10. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
11. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
12. 004 This right does not grant any right-of-way or easement across the land of another.
13. Transfer 82549 authorizes one new well locally known as Well 6 located in T05N R 01W S32 SWSW.
14. Transfer 83112 authorizes one new well locally known as Well 7 located in T05N R 01W S32 SWSW.

15. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date: 01/06/2011

Decreed Date:

Permit Proof Due Date: 10/1/2009

Permit Proof Made Date: 10/23/2009

Permit Approved Date: 11/12/2004

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/17/2006

Protest Deadline Date: 09/25/2006

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

9/13/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 63-31511

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STAR SEWER & WATER DISTRICT PO BOX 400 STAR, ID 83669-0400 2082867388
Original Owner	M & J ENTERPRISES INC 3701 HWY 16 EAGLE, ID 83616 2082860566

Priority Date: 07/21/2002

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.33 CFS	23.2 AFA
FIRE PROTECTION	01/01	12/31	3.9 CFS	
Total Diversion			3.9 CFS	23.2 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWNE Lt 2	Sec. 04	Township 04N	Range 01W	ADA County
GROUND WATER	SESW	Sec. 05	Township 04N	Range 01W	ADA County
GROUND WATER	SWNW	Sec. 08	Township 04N	Range 01W	ADA County
GROUND WATER	SWSW	Sec. 32	Township 05N	Range 01W	ADA County
GROUND WATER	SWSW	Sec. 32	Township 05N	Range 01W	ADA County
GROUND WATER	SWSE	Sec. 33	Township 05N	Range 01W	ADA County

DOMESTIC Use:

Number of homes: 48

Number of other uses: 1 GOLF PRO SHOP

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	4	2	NWNE										
			3	NENW										
05N		33		NESW			SESW							
				SWSE										

Place of Use Legal Description: FIRE PROTECTION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	4	2	NWNE										
			3	NENW										
05N		33		NESW			SESW							
				SWSE										

Conditions of Approval:

1. WB5 Domestic use is for 48 homes and 1 golf pro-shop, and does not include lawn, garden, landscape, or other types of irrigation.
2. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. X60 Place of use is located within Lots 4-11, 13-17, 20-25, 27-35, Blk. 1; Lots 4-8, 10-13, 15-18, 20-25, 27, Blk. 5, The Trellis Subdivision.
4. X59 Point of diversion known as well no. 1 is located within Lot 1, Blk. 3, Waterview Estates Subdivision; well no. 3 is located within Lot 6, Blk. 3, Lobo Creek Subdivision; well no. 4 is located within Lot 16, Blk. 1, Trellis Subdivision; and well no. 5 is located within Lot 2, Blk. 5, Trellis Subdivision. Well no. 6 and 7 are located outside a subdivision and Well no. 2 has been abandoned.
5. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license dated March 2, 2013.

8. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
9. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. Transfer 82549 authorizes one new well locally known as Well 6 located in T05N R 01W S32 SWSW.
12. Transfer 83112 authorizes one new well locally known as Well 7 located in T05N R 01W S32 SWSW.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date: 03/20/2013

Decreed Date:

Permit Proof Due Date: 8/1/2004

Permit Proof Made Date: 9/1/2004

Permit Approved Date: 8/15/2002

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 06/20/2002

Protest Deadline Date: 07/22/2002

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

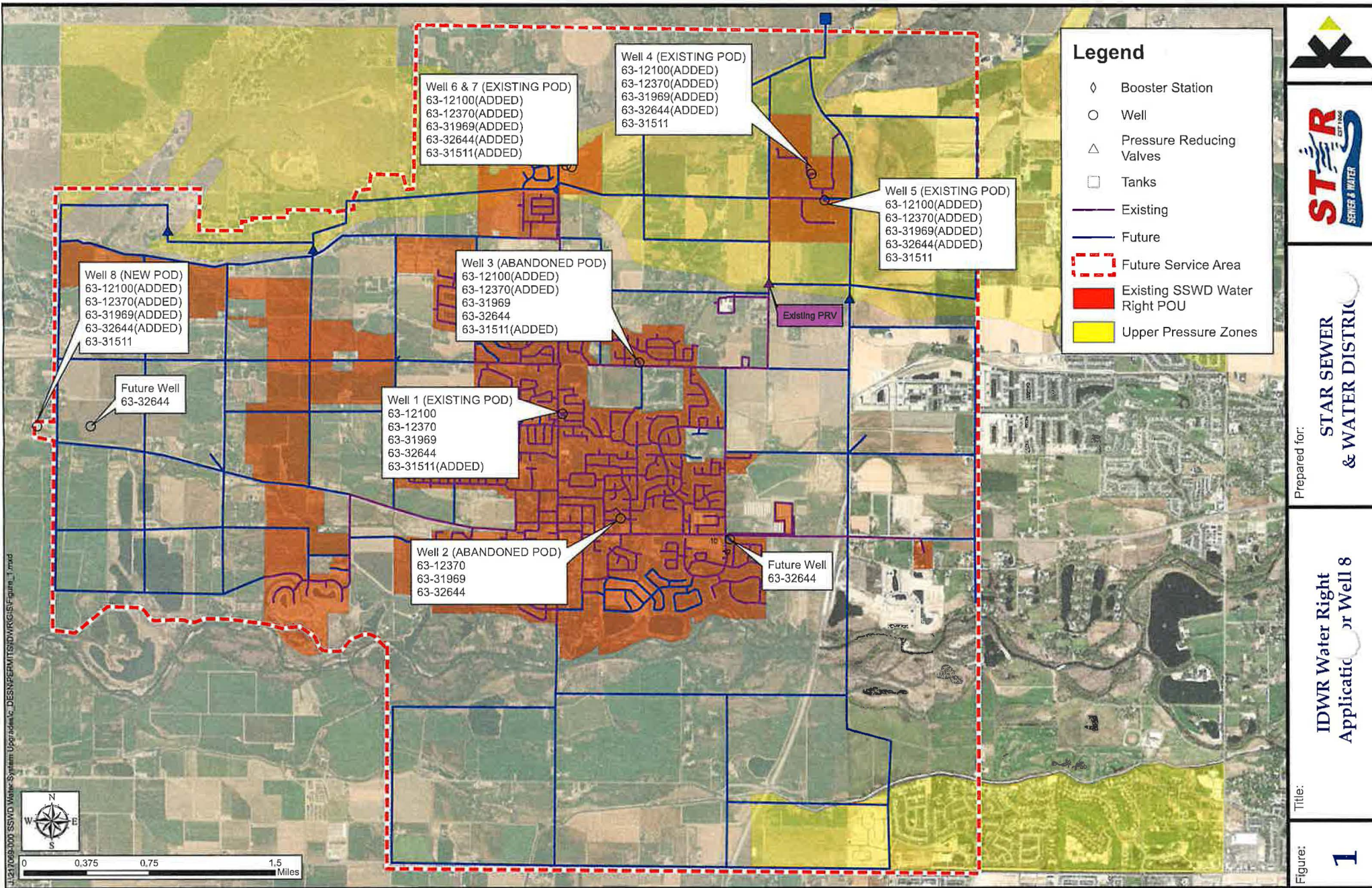
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



Prepared for:
**STAR SEWER
 & WATER DISTRICT**

Title:
**IDWR Water Right
 Application for Well 8**

Figure:
1



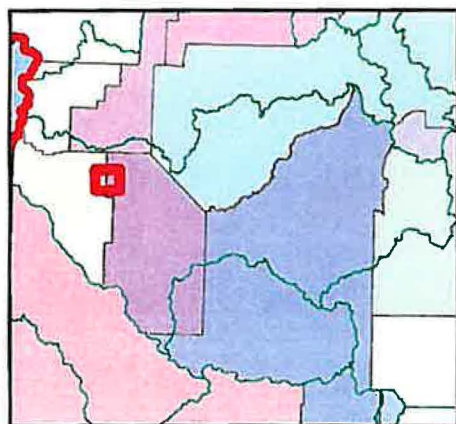
Star Sewer And Water District

Permit Number: 63-32644

Municipal Service Area Boundary
GIS Place of Use Illustration

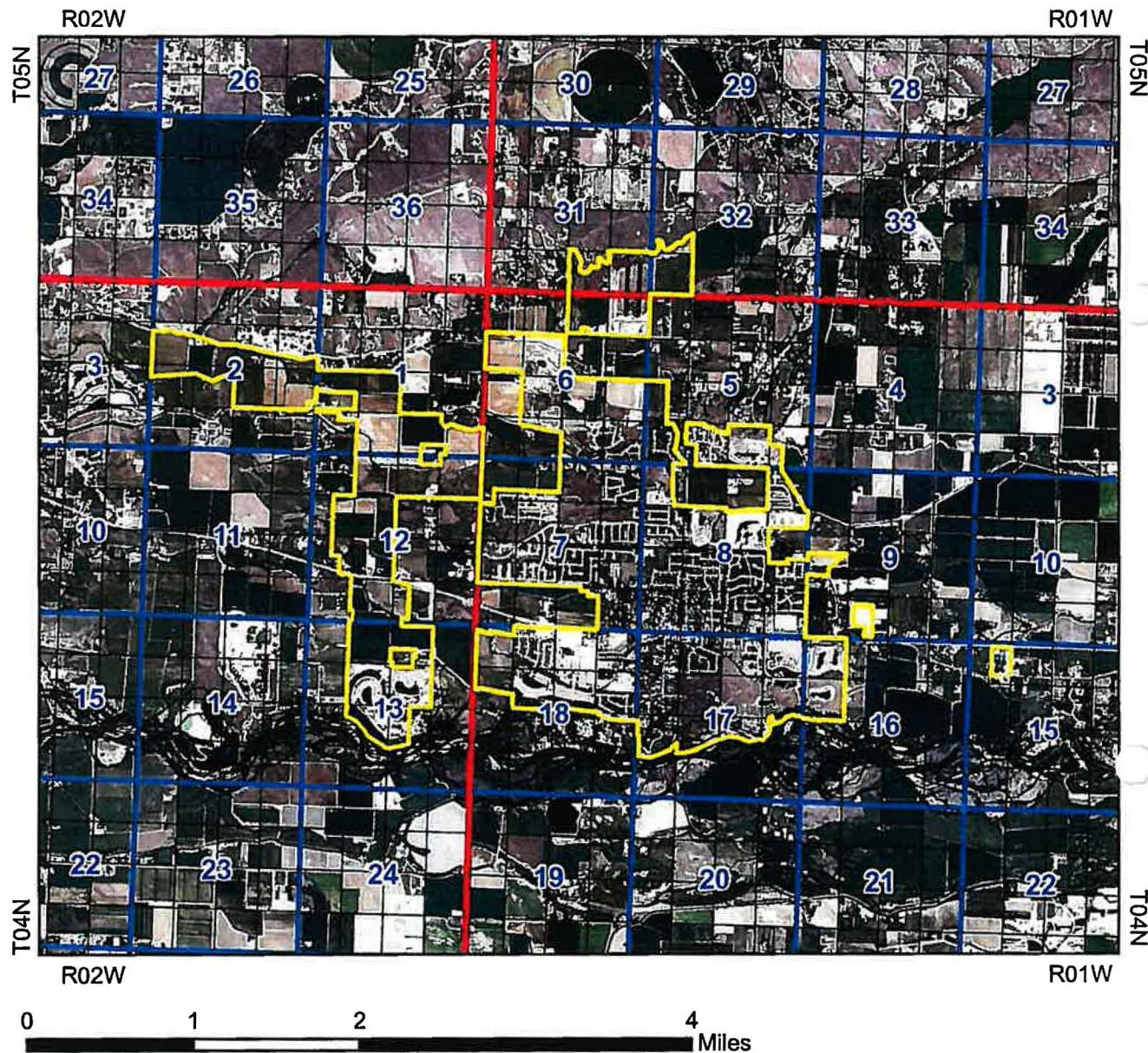
Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon, Ada Counties
IDWR Basin 63

Prepared by Curtis, Sharla
On July 28, 2011
2009 Aerial Photography





Letter of Transmittal

RECEIVED

SEP 23 2021

WATER RESOURCES
WESTERN REGION

Date: September 21, 2021

To: Idaho Department of Water Resources

Subject: Application for Water Transfer

Enclosed are the following items:

Copies	Description
1	Application for Water Transfer
1	Application for Amendment of a Permit
1	Water Right License 63-12100
1	Water Right License 63-12370
1	Water Right Report
1	Permit to Appropriate Water
1	GIS Mapping
1	Application for Transfer or Exchange Fee Schedule
1	Check No. 14616

These are transmitted:

☒ For your files ☐ For action specified above ☐ For review and approval ☐ For your use ☐ As requested

Sincerely,

KELLER ASSOCIATES, INC.

BreAnna Clifford
Administrative Assistance



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 24, 2022

STAR SEWER & WATER DISTRICT
PO BOX 400
STAR, ID 83669-0400

RE: Application for Amendment of Permit No. 63-32644 &
Transfer No. 85416
Water Right No(s). 63-12100, 63-12370, 63-31511, 63-31969

Dear Applicant(s):

The Department of Water Resources has received your application to amend Water Right Permit 63-32644 and your application for transfer. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the applications has been prepared and is scheduled for publication in the IDAHO STATESMAN, PRESS TRIBUNE on 3/3/2022 and 3/10/2022. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If the applications are protested, you will be sent a copy of each protest. All protests must be resolved before the applications can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, the Department will process your applications and notify you of any action taken on the applications. If your application to amend the permit and your application for transfer is approved, the Department will send you a copy of the amended permit and the transfer approval.

Please contact the Western Region office at (208) 334-2190 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

CC: KELLER ASSOC INC

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, February 24, 2022 1:34 PM
To: mike@wd63.org
Subject: Application for Transfer No. 85416
Attachments: tmp50CA.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office by March 21, 2022.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by March 21, 2022, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact the Western Region office at (208) 334-2190 if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

PROPOSED AMENDMENT OF WATER PERMIT

63-32644

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669-0400 filed an application to amend permit no. 63-32644 on 12-03-2021.

The purpose of this amendment is to add one new well as an authorized point of diversion to the seven wells already listed on the permit as points of diversion. The new well is located on property owned by the Star Fire Protection District in the SENE of Section 10, T04N, R02W.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/3/2022 and 3/10/2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85416

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669-0400 has filed Application No. 85416 for changes to the following water rights within ADA, CANYON County(s): Right No(s). 63-12100, 63-12370, 63-31511, 63-31969; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion located on property owned by the Star Fire Protection District in the SENE of Section 10, T04N, R02W.

For additional information concerning the property location, contact Western Region office at (208)334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/3/2022 and 3/10/2022

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

63-35192

BILTMORE COMPANY

1580 W CAYUSE CREEK DR

MERIDIAN, ID 83646-4795

Point of Diversion NESW S28 T04N R03W CANYON County

Source GROUND WATER

Use: IRRIGATION

03/01 to 11/15

0.06 CFS

Total Diversion:

0.06 CFS

Date Filed: 02-02-2022

Place Of Use: IRRIGATION

T04N R03W S28 NESW

Total Acres: 2

Water bearing zone to be appropriated is from 20 to 170 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/3/2022 and 3/10/2022

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, February 24, 2022 12:43 PM
To: Legals@idahopress.com
Subject: Legal Notice for ID Press Tribune
Attachments: Canyon County Legal Notice.docx

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the Western Region office before 3/21/2022. Your cooperation is appreciated.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

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

63-35179

JAMES NEEDHAM

3894 SOUTH FIRENZE WAY

MERIDIAN, ID 83642

Point of Diversion SWSE S26 T05N R01W ADA County

Source GROUND WATER

Use: IRRIGATION

3 /1 to 11/15

0.34 CFS

Total Diversion:

0.34 CFS

Date Filed: 01-11-2022

Place Of Use: IRRIGATION

T05N R01W S26 SWSE

Total Acres: 17

Water bearing zone to be appropriated is from 200 to 350 feet.

63-35193

TIMOTHY COLLIAS

3503 S MCDERMOTT RD

NAMPA, ID 83687-8855

GEORGE COLLIAS

STEFANO COLLIAS

1514 CLINTON PL

RIVER FOREST, IL 60305-1208

Point of Diversion SENE S30 T02N R04E ADA County

Source UNNAMED STREAM Tributary BLACKS CREEK

Use: STOCKWATER

01/01 to 12/31

0.03 CFS

Use: STOCKWATER STORAGE

01/01 to 12/31

8.9 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31

8.9 AF

Total Diversion:

0.03 CFS

8.9 AF

Date Filed: 01-21-2022

Place Of Use: STOCKWATER

T02N R04E S30 SENE

PROPOSED AMENDMENT OF WATER PERMIT

63-32644

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669-0400 filed an application to amend permit no. 63-32644 on 12-03-2021.

The purpose of this amendment is to add one new well as an authorized point of diversion to the seven wells already listed on the permit as points of diversion. The new well is located on property owned by the Star Fire Protection District in the SENE of Section 10, T04N, R02W.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/3/2022 and 3/10/2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85416

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669-0400 has filed Application No. 85416 for changes to the following water rights within ADA, CANYON County(s): Right No(s). 63-12100, 63-12370, 63-31511, 63-31969; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion located on property owned by the Star Fire Protection District in the SENE of Section 10, T04N, R02W.

For additional information concerning the property location, contact Western Region office at (208)334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/3/2022 and 3/10/2022

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, February 24, 2022 12:43 PM
To: 'legals@idahostatesman.com'
Subject: Legal Notice for Idaho Statesman
Attachments: Legal Notice.docx

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the Western Region office before 3/21/2022. Your cooperation is appreciated.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

MEMORANDUM

TO: Star Sewer & Water District
FROM: Laura McSherry
DATE: 10/25/2021
RE: Refund – Transfer No. 85416

Star Sewer & Water District paid \$1300 for an application for transfer on 09/23/2021. The application was submitted with a proposed total of 11 cfs but due to combined limits on 3 of the 4 rights at 5 cfs and the total of all rights being 8.9 cfs, the total filing fee is \$1140. A partial refund should be issued.

A \$160 refund request was submitted to Fiscal on 10/25/2021 as follows:

TO

STAR SEWER & WATER DISTRICT
PO BOX 400
STAR ID 83669-0400

TEL. 208-286-7388

RECEIPT

Receipt no. W049808



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

OCTOBER 25, 2021

STAR SEWER & WATER DISTRICT
PO BOX 400
STAR ID 83669-0400

Re: Application for Transfer of Water Right No. 85416 - Refund

Dear Applicant:

While processing your Transfer application, it was found that you submitted total payment of \$1300 to the Department. The application was submitted with a proposed total of 11 cfs but due to combined limits on 3 of the 4 rights at 5 cfs and the total of all rights being 8.9 cfs, the total filing fee is \$1140. A refund of \$160 has been requested and will be mailed to Star Sewer & Water District under separate cover from the Idaho State Controller's Office.

Please consult the IDWR website or contact me at 208-605-4633 if you have any questions about application fees.

Sincerely,

Laura McSherry
Water Resource Agent

MEMORANDUM

TO: Transfer No. 85416
FROM: Laura McSherry
DATE: 10/22/2021
RE: Evaluation of Application

Summary of Information Submitted

Star Sewer and Water District filed transfer no. 85416 to add a POD (Well #8) to their water system. The new POD is within SENE Sec 10 Twp 4N Rge 2W Canyon County and is located on Kingsbury Rd just north from State Highway 44.

Authority to File

The application was filed in the name of Star Sewer and Water District. The company is the current water right owner and has secured an arrangement with the Star Fire Protection District/Middleton Fire District for land pertinent to the transfer. The application was signed by Floyd H. Day. *- what is Floyd's authority/position w/city?*

Water Right Validity

The rights were licensed for municipal use between 1994 to 2004. Star Sewer and Water District has been serving its users since this time. Concerns over validity are not present at this time.

Overlap Analysis

Star Sewer and Water District own a total of 5 water rights for Municipal, Commercial, Domestic, and Fire Protection uses. Four of the rights are included in the transfer, including Permit # 63-31511. Water right 63-10733 is for Commercial purposes used at the sewage treatment plant and is not part of the municipal system. No other rights should be considered for this transfer.

Injury to Other Water Rights

None anticipated. Well #8 is proposed to be drilled in the west side of the Star Sewer & Water District service area. The application describes the proposed well to be drilled with a submersible or line shaft pump. This implies that the diversion from the intended well will not create a significant impact on local water users. Still, since the diversion point will not be limited by rate in conditions of approval, the new well will be advertised to provide the opportunity for protest.

Enlargement of Use

The new point of diversion is not considered an improvement to the source. Limits to diversion rate or volumes are not changing.

Local Public Interest

No information has been made available to suggest a conflict with public interest.

Beneficial Use/Conservation of Water Resources

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I.C. 42-222 and should be processed.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.