

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83112**

This is to certify that: STAR SEWER & WATER DISTRICT
PO BOX 400
STAR, ID 83669

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-12100	WR/LICENSE	3/5/1994	1.500 cfs	N/A	N/A	N/A	GROUND WATER
63-12370	WR/LICENSE	10/23/1996	0.600 cfs	N/A	N/A	N/A	GROUND WATER
63-31511	WR/LICENSE	7/21/2002	3.900 cfs	23.2 af	N/A	N/A	GROUND WATER
63-31969	WR/LICENSE	7/1/2004	5.000 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-12100	NO	NO	NO	YES	NO	NO
63-12370	NO	NO	NO	YES	NO	NO
63-31511	NO	NO	NO	YES	NO	NO
63-31969	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-12100	63-12100	1.500 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-12370	63-12370	0.600 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31511	63-31511	3.900 cfs	23.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31969	63-31969	5.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.900 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 28th day of May, 2019.

SUPPORT DATA
IN FILE # 63-12100



for Chief, Water Allocation Bureau

Transfer No. 83112

WATER RIGHT NO. 63-12100

As Modified by Transfer No. 83112

In accordance with the approval of Transfer No. 83112, Water Right No. 63-12100 is now described as follows:

Right Holder: STAR SEWER & WATER DISTRICT
PO BOX 400
STAR, ID 83669

Priority Date: 3/5/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	1.500 cfs 1.500 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NWNE)	Sec 4 Twp 04N Rge 01W ADA County
GROUND WATER	SESW	Sec 5 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 8 Twp 04N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSE	Sec 33 Twp 05N Rge 01W ADA County

CONDITIONS OF APPROVAL

1. 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. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. 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. 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. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
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.

Transfer No. 83112

WATER RIGHT NO. 63-12100
As Modified by Transfer No. 83112

CONDITIONS OF APPROVAL

7. 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 April 23, 1998.
8. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
9. 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.
10. 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.
11. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
12. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-12370
As Modified by Transfer No. 83112

In accordance with the approval of Transfer No. 83112, Water Right No. 63-12370 is now described as follows:

Right Holder: STAR SEWER & WATER DISTRICT
PO BOX 400
STAR, ID 83669

Priority Date: 10/23/1996

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.600 cfs 0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NWNE)	Sec 4 Twp 04N Rge 01W ADA County
GROUND WATER	SESW	Sec 5 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 8 Twp 04N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSE	Sec 33 Twp 05N Rge 01W ADA County

CONDITIONS OF APPROVAL

1. 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. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. 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. 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. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
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.

Transfer No. 83112

WATER RIGHT NO. 63-12370
As Modified by Transfer No. 83112

CONDITIONS OF APPROVAL

7. 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 10, 1999.
8. 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.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
10. 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.
11. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
12. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-31969

As Modified by Transfer No. 83112

In accordance with the approval of Transfer No. 83112, Water Right No. 63-31969 is now described as follows:

Right Holder: STAR SEWER & WATER DISTRICT
 PO BOX 400
 STAR, ID 83669

Priority Date: 7/1/2004

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
FIRE PROTECTION	01/01	to 12/31	5,000 cfs
MUNICIPAL	01/01	to 12/31	4,790 cfs
			5,000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NWNE)	Sec 4 Twp 04N Rge 01W ADA County
GROUND WATER	SESW	Sec 5 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 8 Twp 04N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSE	Sec 33 Twp 05N Rge 01W ADA County

PLACE OF USE: FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	5										X	X	X				X	X
04N	01W	6								X	X			X	X	X	X	X	X
04N	01W	6	X	X					X										
			L 1	L 2															
04N	01W	7	X	X	X	X	X			X	X					X	X	X	X
04N	01W	7						X	X			X							
								L 1	L 2					L 3					
04N	01W	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N	01W	9							X			X		X					
04N	01W	15							X										
04N	01W	16						X	X										
04N	01W	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
												L 4	L 4						
04N	01W	17								X	X				X	X			
										L 3	L 6				L 1	L 2			
04N	01W	17														X			
																L 7			
04N	01W	18	X	X	X	X	X			X									
04N	01W	18						X	X					X					
								L 1	L 2							L 7			
04N	02W	1								X	X	X	X				X	X	
04N	02W	2			X	X			X	X	X	X		X	X				
04N	02W	12	X	X			X		X	X	X		X				X		
04N	02W	13		X	X		X		X	X				X				X	
														L 3				L 2	
05N	01W	31												X	X	X	X		
05N	01W	32								X	X								

Transfer No. 83112

WATER RIGHT NO. 63-31969
As Modified by Transfer No. 83112

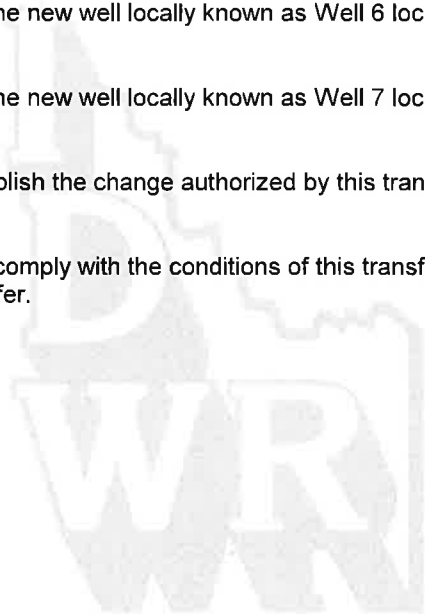
CONDITIONS OF APPROVAL

1. 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. 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. 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. 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. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
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.
7. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
8. 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. 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. 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.

WATER RIGHT NO. 63-31969
As Modified by Transfer No. 83112

CONDITIONS OF APPROVAL

11. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
12. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 63-31511

As Modified by Transfer No. 83112

In accordance with the approval of Transfer No. 83112, Water Right No. 63-31511 is now described as follows:

Right Holder: STAR SEWER & WATER DISTRICT
 PO BOX 400
 STAR, ID 83669

Priority Date: 7/21/2002

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DOMESTIC	01/01	to 12/31	0.330 cfs	23.2 af
FIRE PROTECTION	01/01	to 12/31	3.900 cfs	
			3.900 cfs	23.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NWNE)	Sec 4 Twp 04N Rge 01W ADA County
GROUND WATER	SESW	Sec 5 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 8 Twp 04N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSW	Sec 32 Twp 05N Rge 01W ADA County
GROUND WATER	SWSE	Sec 33 Twp 05N Rge 01W ADA County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
04N	01W	4		X			X													
				L 2			L 3													
05N	01W	33								X				X				X		

PLACE OF USE: FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
04N	01W	4		X			X													
				L 2			L 3													
05N	01W	33								X				X				X		

CONDITIONS OF APPROVAL

- Domestic use is for 48 homes and 1 golf pro-shop, and does not include lawn, garden, landscape, or other types of irrigation.
- The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

Transfer No. 83112

WATER RIGHT NO. 63-31511
As Modified by Transfer No. 83112

CONDITIONS OF APPROVAL

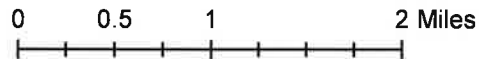
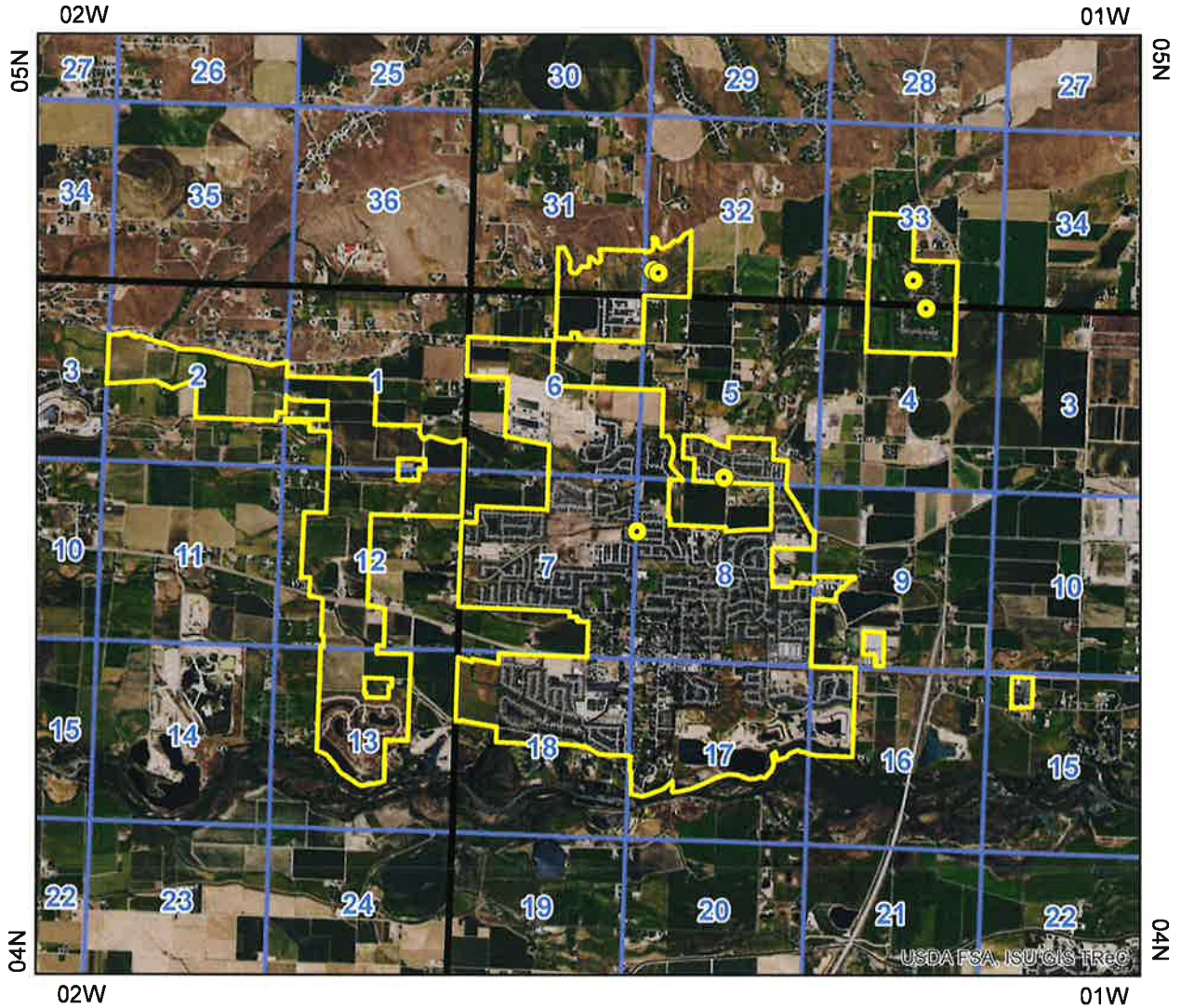
3. Place of use is located within Lots 4-11, 13-17, 20-25, 27-35, Blk. 1; Lots 4-8, 10-13, 15-18, 20-25, 27, Blk. 5, The Trellis Subdivision.
4. Point of diversion known as well no. 1 is located within Lot 1, Blk. 3, Waterview Estates Subdivision; well no. 3 is located within Lot 6, Blk. 3, Lobo Creek 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. 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. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Star Sewer & Water District

Attachment to Water Right Transfer 83112

63-12100, 63-12370, 63-31511 & 63-31969

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.



- Point of Diversion
- Water Service Area Boundary
- Townships
- PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 28, 2019

STAR & SEWER WATER DISTRICT
PO BOX 400
STAR ID 83669

Re: Application for Transfer No: 83112
Water Right Nos: 63-12100, 63-12370, 63-31511, & 63-32969
Amendment of Permit No: 63-32644

Amendment of Permit & Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

The Amendment of Permit and The Transfer of Water Rights are each a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. Each 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 any 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 me at (208) 334-2190

Sincerely,



Anna Kaiser

For

Nick Miller
Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Application for Transfer No: 83112
Water Right Nos: 63-12100, 63-12370, 63-31511, & 63-32969
Amendment of Permit No: 63-32644

STAR SEWER & WATER DISTRICT
PO BOX 400
STAR ID 83669



Anna Kaiser
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.

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AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
263978	0004173861	NOTICE OF PROPOSED CHANGE OF WATER	Transfer No. 83112	\$160.40	2	4.67 In

Attention: Anna Kaiser

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

JOK AK 5/6/19
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83112**

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669; has filed Application No. 83112 for changes to the following water rights within ADA 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 www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of the transfer is to drill a new well and add a point of diversion to the Star Sewer and Water District sytem. The proposed well is located 0.5 miles northwest from the intersection W New Hope Rd and N Wing Rd. Water will be used at the current place of use within the Star Sewer and Water District service boundary.

JOK AK 5/6/19
PROPOSED AMENDMENT OF WATER PERMIT

Star Sewer and Water District of PO Box 400 Star ID 83669 filed Application No. 83117 on April 5, 2018 to amend a water permit no. 63-32644 with a 2011 priority from groundwater totaling 7.31 cfs for municipal use. The permit provides municipal water for property located within the Star Sewer and Water District delivery boundaries. The applicant proposes to amend the permit to add a point of diversion to develop a new well approximately 0.5 mile NW of W New Hope Rd and N Wing Rd.

JOK AK 5/6/19
NOTICE OF DRAFT PERMIT

Notice is given of draft permit(s) allowing the operation of an injection well as per provisions of Title 42, Chapter 39, Idaho Code for the following injection well(s) listed in this format // Well Number, Location, Operator, Injectate //:

// 63W161001, T4NR2ES30NWSWSE, SUEZ, Potable Water //
// 63W264001, T4NR1ES34SENESE, SUEZ, Potable Water //

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), proposed transfer(s), or amendment(s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A, 42-222 and 42-211. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 5/6/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

0004173861-01

RECEIVED

APR 29 2019

WATER RESOURCES
WESTERN REGION



VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 04/18/2019

Ending issue of: 04/25/2019

V. Rodela

(Legals Clerk)

On this 25th day of April in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Stefani Scott Beard

Notary Public and for the state of Texas, residing in Dallas County

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!