

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82549**

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	YES	YES	NO	NO
63-12370	NO	YES	YES	YES	NO	NO
63-31511	NO	NO	NO	YES	NO	NO
63-31969	NO	YES	YES	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 September, 2018.



PAMELA S. SKAGGS, Water Rights Section Mgr.

Transfer No. 82549

WATER RIGHT NO. 63-12100

As Modified by Transfer No. 82549

In accordance with the approval of Transfer No. 82549, 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	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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.
5. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 4.79 cfs, for municipal purposes.
6. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 63-12100
As Modified by Transfer No. 82549

CONDITIONS OF APPROVAL

8. 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.
9. 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.
10. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
11. 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.
12. 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 82549. 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.
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.

WATER RIGHT NO. 63-12370
As Modified by Transfer No. 82549

In accordance with the approval of Transfer No. 82549, 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	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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.
5. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 4.79 cfs for municipal purposes.
6. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 63-12370
As Modified by Transfer No. 82549

CONDITIONS OF APPROVAL

8. 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.
9. 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.
10. 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.
11. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
12. 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 82549. 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.
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.

WATER RIGHT NO. 63-31969
As Modified by Transfer No. 82549

In accordance with the approval of Transfer No. 82549, 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

BENEFICIAL USE	From	To	Diversion Rate
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	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
04N	01W	6	X	X						X										
			L 1	L 2						L 5										
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	
04N	01W	17										L 4	L 4							
04N	01W	17								X	X				X	X				
04N	01W	17								L 3	L 6				L 1	L 2		X		
																	L 7			
04N	01W	18	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			X		
04N	02W	13		X	X		X			X	X				X			X		
															L 3			L 2		
05N	01W	31													X	X	X	X	X	
05N	01W	32										X	X							

Transfer No. 82549

WATER RIGHT NO. 63-31969
As Modified by Transfer No. 82549

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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.
5. Rights 63-12100, 63-12370, and 63-31969 when combined shall not exceed a total diversion rate of 4.79 cfs for municipal purposes.
6. Rights 63-12100, 63-12370 and 63-31969 when combined shall not exceed a total diversion rate of 5.00 cfs.
7. This right does not grant any right-of-way or easement across the land of another.
8. 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.
9. 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.
10. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
11. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
12. 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. 82549

CONDITIONS OF APPROVAL

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.

WATER RIGHT NO. 63-31511
As Modified by Transfer No. 82549

In accordance with the approval of Transfer No. 82549, 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
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	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

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

Transfer No. 82549

WATER RIGHT NO. 63-31511
As Modified by Transfer No. 82549

CONDITIONS OF APPROVAL

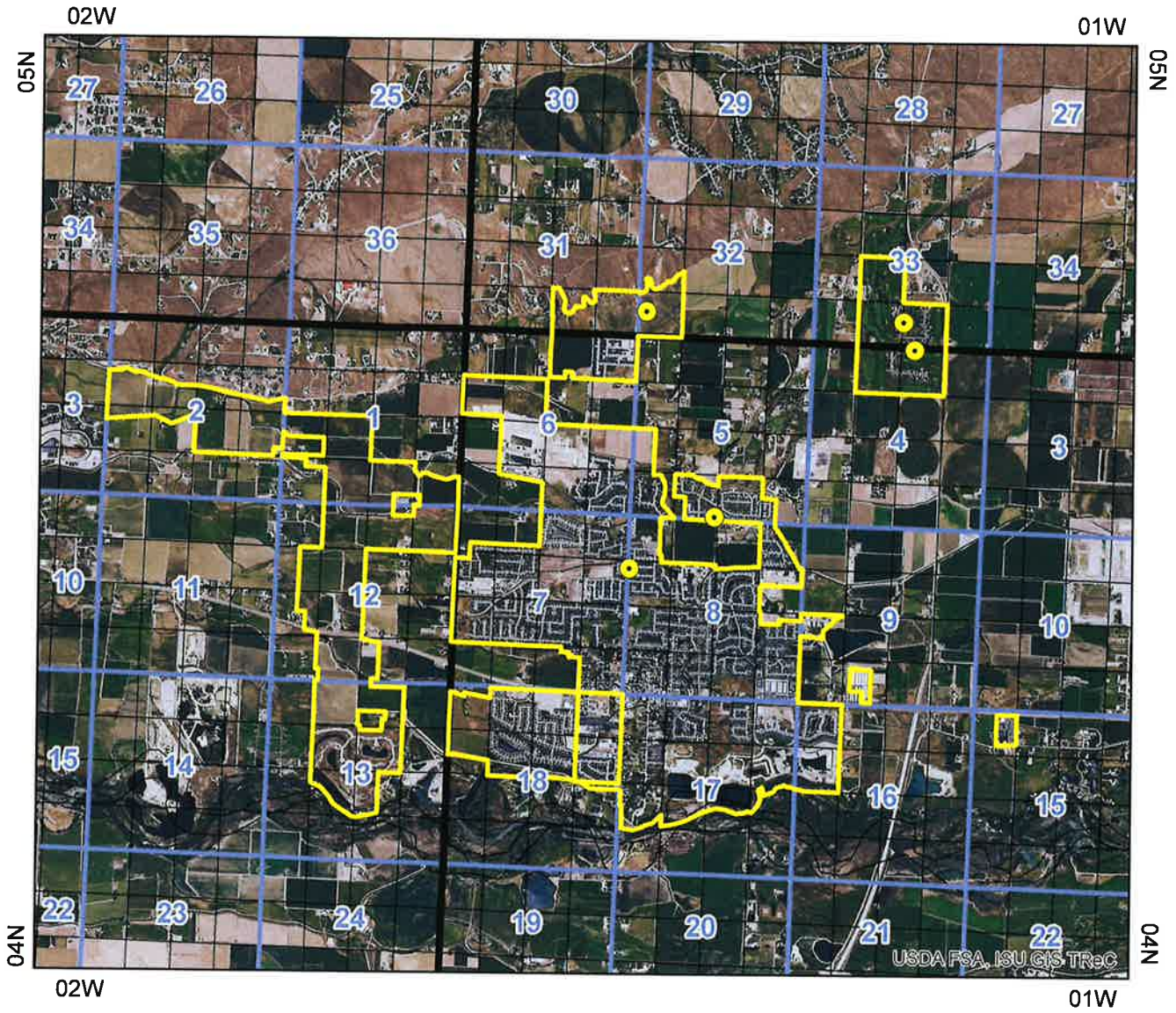
3. Place of use is located within Lots 4-11, 13-17, 20-25, 27-35, Blk. 1; Lots 4-8, 10-13, 15-18, 20-25, 27, Blk. 5, The Trellis Subdivision.
4. Point of diversion known as well no. 1 is located within Lot 1, Blk. 3, Waterview Estates Subdivision; well no. 3 is located within Lot 6, Blk. 3, Lobo Creek 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.
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. 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.
7. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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

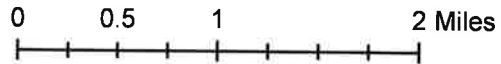
Attachment to Transfer No. 82549

63-12100, 63-12370 & 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.

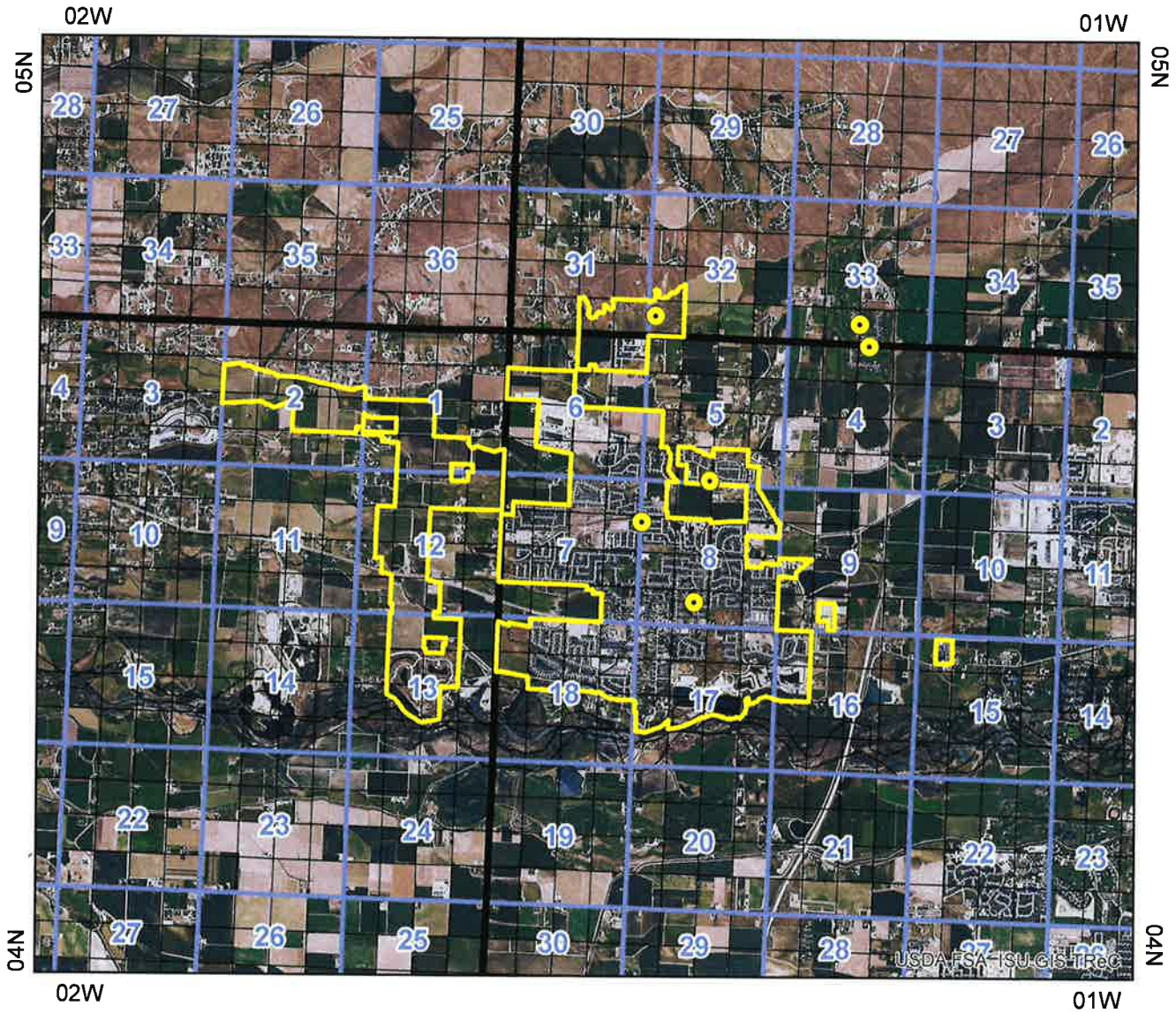






-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Points_of_Diversion

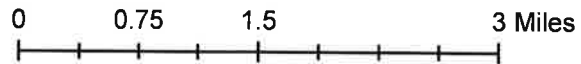


State of Idaho
Department of Water Resources
Attachment to Transfer No. 82549
63-31969

This map depicts the FIRE PROTECTION 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.

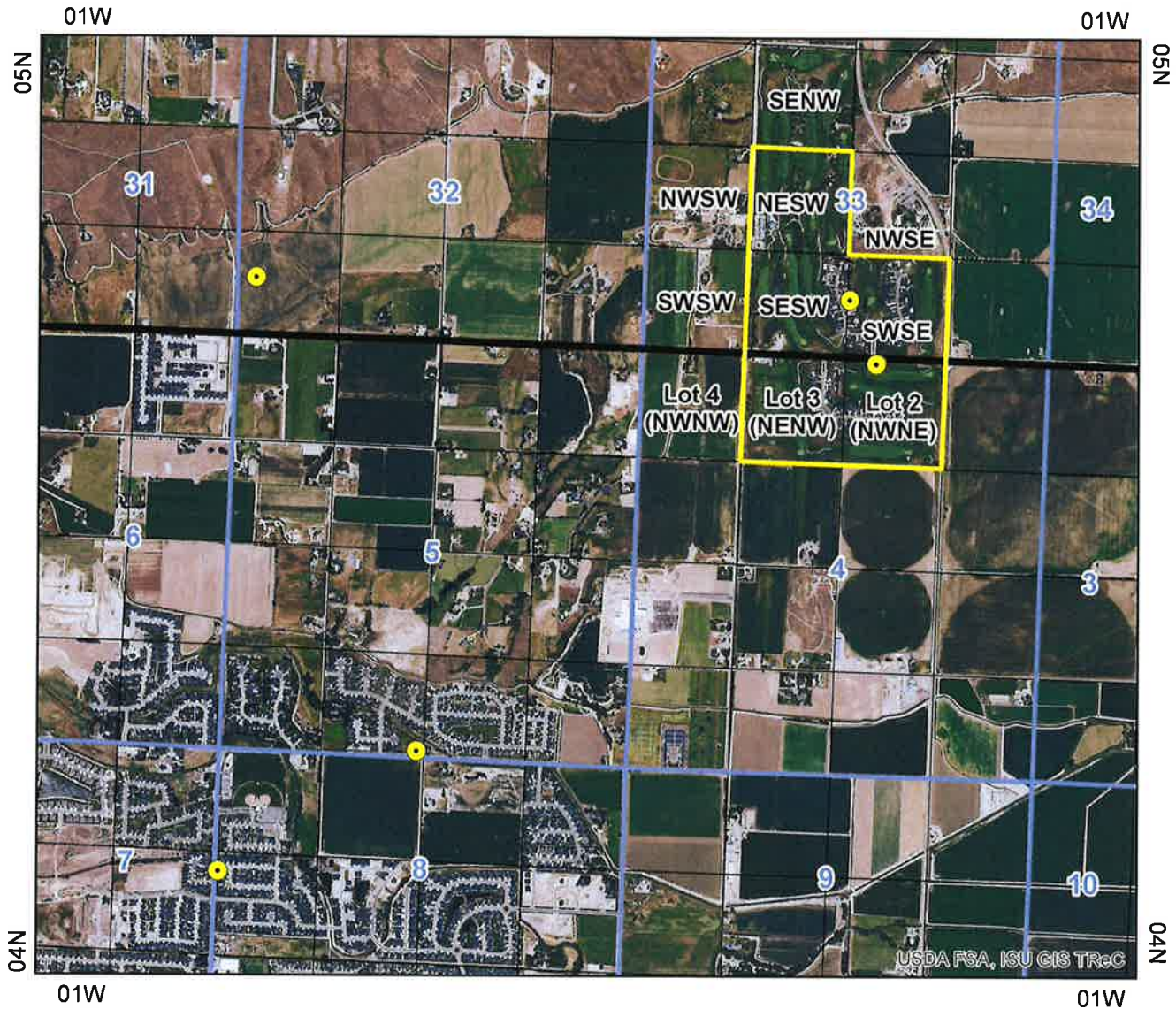


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

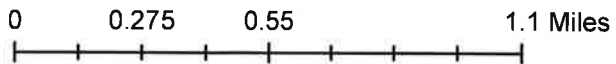






State of Idaho
 Department of Water Resources
Attachment to Transfer No. 82549
 63-31511

This map depicts the DOMESTIC & FIRE PROTECTION 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.



USDA FSA, ISU GIS TRcC



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 28, 2018

STAR SEWER & WATER DISTRICT
PO BOX 400
STAR ID 83669

Re: Transfer No: 82549
Water Right No(s): 63-12100, 63-12370, 63-31511, 63-31969

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

If you have any questions, please contact me at (208) 287-4951.

Sincerely,



Pamela S. Skaggs, Manager

Water Rights Section

Enclosure(s)

c:

KELLER ASSOC
131 SW 5TH AVE STE A
MERIDIAN ID 83642

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82549

Water Right No(s): 63-12100, 63-12370, 63-31511, 63-31969

**STAR SEWER & WATER DISTRICT
PO BOX 400
STAR ID 83669**

**KELLER ASSOC
131 SW 5TH AVE STE A
MERIDIAN ID 83642**



**Darla Block
Technical Records Specialist**

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.

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
321081	0003833337	LEGAL NOTICE NOTICE OF PROPOSED CHAN	City Meridian	\$274.48	2	87

Attention: JEAN HERSLEY

IDAHO DEPT OF WATER RESOURCES - STATE OFFICE
PO BOX 83720
BOISE, ID 837200098

LEGAL NOTICE

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82259**

CITY OF MERIDIAN, 33 E BROADWAY AVE, MERIDIAN, ID 83642; has filed Application No. 82259 for changes to the following water rights within ADA County(s): Right No(s). 63-11671, 63-7307. The purpose of the transfer is to change a portion of the above rights as follows:

change the place of use, add points of diversion, change nature & period of use under rights historically used for domestic & irrigation uses in the Meridian Heights Subdivisions to municipal use within the City of Meridian's municipal water supply system.

TRANSFER NO. 82549

STAR SEWER & WATER DISTRICT, PO BOX 400, STAR, ID 83669; has filed Application No. 82549 for changes to the following water rights within ADA County(s): Right No(s). 63-12100, 63-12370, 63-31511, 63-31969. The purpose of the transfer is to change a portion of the above rights as follows:

add 1 new well & 4 existing wells to the Star Sewer & Water District rights as authorized points of diversion as an integrated delivery system. The proposed new well is located in SWSW, S32, T5N, R1W, north of the intersection of W Beacon Light Rd & N Hammett Ln, north of Star, Idaho in Ada County.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see

<http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 9/24/2018. The protestant must also send a copy of the protest to the applicant.

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

63-32644

STAR SEWER & WATER DISTRICT

PO BOX 400

STAR, ID 83669

Point of Diversion SWNW SESW S8 T04N R01W ADA County

Point of Diversion NWNW S16 T04N R01W ADA County

Point of Diversion SESW S5 T04N R01W ADA County

Point of Diversion SWNW S11 T04N R02W CANYON County

Point of Diversion SWSW S32 T05N R01W ADA County

Source: GROUND WATER

Use: MUNICIPAL

01/01 to 12/31

7.31 CFS

Total Diversion:

7.31 CFS

Date Filed: 7/19/2018

The purpose of this amendment is to add one (1) new well to the five (5) existing wells listed as points of diversion for this permit as an authorized point of diversion in an integrated delivery system. The proposed new well is located in SWSW, S32, T5N, R1W, north of the intersection of W Beacon Light Rd & N Hammett Ln, north of Star, Idaho in Ada County.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; 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, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 9/24/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

JANICE HILDRETH, 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: 09/06/2018

Ending issue of: 09/13/2018

Janice Hildreth

(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 13th day of September in the year of 2018 before me, a Notary Public, personally appeared before me Janice Hildreth 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.



Heather Harradine

Notary Public FOR Idaho

Residing at: Boise, Idaho

My Commission expires: 2/1/2020