



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

March 30, 2010

STAR SEWER & WATER DISTRICT
C/O JUSTIN WALKER P E
KELLER ASSOCIATES
131 SW 5TH AVE STE A
MERIDIAN ID 83642

Re: Application for Permit No. 63-32644 and Associated Applications for Transfer

Dear Justin:

The Idaho Department of Water Resources (IDWR) received your amended application for permit seeking a "reasonably anticipated future needs" municipal right along with three transfer applications to change existing rights held by the district. Processing of application 63-32644 will continue.

It appears the intent of the transfer applications is to list all the existing and proposed wells in 63-32644 as points of diversion for three existing rights. Some complications prevent processing of the transfer applications at this time. The transfers are returned. A refund of the \$950 filing fees will be issued under separate cover. The transfer situation can be addressed after the complications are resolved.

Two of the existing rights are licenses, while one remains a permit. Permit 63-31969 included the filing of proof of beneficial use late last year. Once the proof has been filed for a permit, the only way to change the permit is for it to be licensed and then changed via a transfer application – by definition, transfers cannot be processed for permits. Also by definition, the usual route to change permits (application for amendment) is not available under these circumstances. IDWR will work with you to see if 63-31969 can be licensed this year, allowing the transfer process to move ahead.

Enclosed is a draft version of a couple pages for a transfer application. After 63-31969 is licensed, you can file one transfer application to change all three licensed rights to list the same wells for those rights – one transfer can describe a single system typically associated with a municipal provider. The total amount of water under the three rights will not exceed 7.1 cfs (maximum if the permit is licensed for 5.0 cfs). The transfer fee for that maximum rate is \$530. The district will save \$420.

Note that you should list all existing and proposed wells in the transfer application. Also provide a brief explanation for the transfer in Part 1.A.2 as shown in the draft information.

Star Sewer & Water District

March 30, 2010

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Thank you for providing the information for application 63-32644. After permit 63-31969 is licensed, please contact me regarding a transfer application for all three licensed rights.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", written in a cursive style.

Steve Lester

Water Rights Supervisor

Enclosure

Cc: Aaron Marshall, IDWR State Office (w/o enclosure)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) _____ Phone _____

Mailing address _____ Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative_____
Print Name and Title if applicable_____
Date_____
Signature of Applicant or Authorized Representative_____
Print Name and Title if applicable_____
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☒ Add diversion point(s)
☐ Change period of use

☐ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2. COMBINE ALL WELLS AS POINTS OF DIVERSION FOR EXISTING MUNICIPAL RIGHTS**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-12100	1.5 CFS	MUNICIPAL	1/1 to 12/31	GROUND WATER
☒ ☐	63-12370	0.6 CFS	MUNICIPAL	1/1 to 12/31	GROUND WATER
☒ ☐	63-31969	??	MUNICIPAL	1/1 to 12/31	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.1 + ?? cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 2.1 + ?? cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			SE	SW	5	4N	1W	} all water for All existing Rights		#3
NO			SW	NW	8	4N	1W			#1
NO			SE	SW	8	4N	1W			#2
YES			NW	NW	16	4N	1W			PARKSTONE
YES			SW	NW	11	4N	2W			FIRE STATION

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) _____

when licensed, we cfs added to 2.1 from other
2 rights. Maximum will be $2.1 \times 5 = 7.1$ cfs = \$530 fee