



EIRSD OFFICIAL USE ONLY	
PETITION NO:	20 -
COMPLETE?	

PETITION FOR ANNEXATION

EASTERN IDAHO REGIONAL SEWER DISTRICT

The following information and documentation are required by the Eastern Idaho Regional Sewer District (“EIRSD”) in furtherance of Idaho Code § 42-3201 *et. seq.* for annexation into EIRSD. **Only the property owner or his/her legal representative may petition for inclusion into EIRSD.** When completing this request, be sure to list the person(s) name as it will appear on legal documents. If you are not the property owner of record, you must include your title and all other documents demonstrating your authority to apply.

PLEASE PRINT LEGIBLY

Petitioner(s) (Property Owner(s)):			
Mailing Address:	City:	State:	Zip:
Email Address:		Daytime Phone #:	
Contact Name if Different:	Association with Property:	Email Address:	
General Location of the Property (street address or description with reference to adjoining streets, city and/or county):			
Name of Subdivision or Development (if applicable):			
Potential Number of Sewer Connections (equivalent residential units):			

As **Exhibit “A”** of this Petition, you must submit both a site map of and a complete legal description of the area to be annexed which will be reviewed by EIRSD, the applicable county recorder, and the Idaho State Tax Commission. **AS SUCH, YOUR APPLICATION WILL NOT BE PROCESSED UNLESS YOU PRODUCE ALL OF THE FOLLOWING:**

1. **Legal description on 8.5” x 11” paper.** The legal description must be clear and legible; it must include the total acreage and be stamped by a licensed surveyor. The legal description must match the provided map.
2. **Site map.** The map must be reproducible and legible in the size of 8 1/2” x 11” and must meet minimum drafting standards to include the following:
 - Appropriate scale, north arrow shown, title block;
 - Bearing and distance annotation between boundary points, identify total acreage of parcel;
 - Clearly defined boundary lines of the area to be annexed and the existing EIRSD boundary, where contiguous; clearly identify the existing, contiguous EIRSD boundary with call-outs and/or line type
 - Identify adjoining streets; tie boundary to a sectionalized land corner; and
 - Stamped by an Idaho licensed land surveyor.
3. **Power of Attorney (if applicable).**
4. **Processing Fee:** Contact EIRSD for current fee (*to be presented prior to the scheduling of a public hearing*)
5. **Submittal:** Email the following as separate files to sbarry@eirsd.org or submit the same on a portable USD drive.
 - The written legal description in an editable format (Microsoft Word file).
 - The Petition for Annexation form with exhibits and any other supporting documents as a single PDF file.

Upon receipt of the completed, signed petition, the District’s engineer will prepare with staff proposed conditions for the Property’s annexation for your review. Following your input, a final draft of the conditions will be prepared for presentation to the Board at a public hearing. You will be responsible for all costs related to this annexation, which includes but is not limited to, attorney fees, engineering fees, publication fees, and filing fees which are presently anticipated in the Processing Fee identified above. Annexation into the District will not be complete until the property owner signs the final conditions as set by the Board.

Petitioner’s Signature: _____

Date: _____

Print Name: _____

PETITIONER/OWNER(S):
Signature: _____ Date: _____
Print Name:
Address:
Phone:

NOTARY

STATE OF _____)
: ss
County of _____)

On this ____ day of _____, 202 __, before me the undersigned, a Notary Public for the State of _____, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC FOR _____
Residing at: _____
My Commission Expires: _____

EXHIBIT "A"
(Property Legal Description and Site Map)



EXHIBIT "B"

Eastern Idaho Regional Sewer District Conditions for Annexation

Adopted November 4, 2024

The PETITIONER, having petitioned for annexation into the EASTERN IDAHO REGIONAL SEWER DISTRICT (DISTRICT) of the real property described therein ("Property"), hereby acknowledges and consents to the following terms and conditions for annexation if imposed by the District's Board of Directors, subject to the provisions of Idaho Code § 42-3218(c):

1. PETITIONER will be responsible to pay the annexation fee to cover costs of publication, legal fees, engineering fees, and other related costs incurred by the DISTRICT, in the preparation, publication, hearings, and other necessary proceedings undertaken in connection with the proposed annexation of the Property, which fee shall be promptly paid when assessed by the DISTRICT. No final order approving the proposed annexation shall be completed by the DISTRICT prior to the receipt of such costs from the PETITIONER.
2. The DISTRICT's Board of Directors shall have full discretion, pursuant to Idaho Code Section 42-3218(b), to approve or deny the petition to annex the Property.
3. Prior to connection to DISTRICT, PETITIONER shall request and obtain a Will-Serve letter and Connection Permit from the DISTRICT in accordance with DISTRICT policies.
4. Annexation of the Property into the DISTRICT does not guarantee that sewer service will be available to that Property, or to any improvements situated thereon. Such sewer service may be limited by sewer treatment plant capacity; collection line locations or capacities; lift station availability; and similar limitations on other DISTRICT equipment and components, or their location in relation to the annexed Property. Further, the DISTRICT may refuse sewer service to the Property until such time as it can be provided without imposing unreasonable or extraordinary costs to the DISTRICT for the operation and maintenance of sewer lines, equipment and components required to provide such service.
5. All design, construction, and installation of sewer conveyance systems, connections, services, and infrastructure must meet all DISTRICT resolutions and must comply with the master facility plan of the DISTRICT, the DISTRICT's Standard Specifications and Drawings, and applicable codes, standards, and regulations including Idaho Administration Code, Wastewater Rules (IDAPA 58.01.16). All such construction and installation shall not commence until the plans and specifications have been approved by the DISTRICT and all other governmental agencies whose review and approval may be necessary.
6. PETITIONER shall be responsible, at its sole cost and expense, to complete all service lines and connections necessary to connect the Property, and any improvements thereon, to the DISTRICT's system, including payment of all fees assessed by the DISTRICT for plan review, inspection, and approval for said work.
7. Unless otherwise agreed to in writing by the DISTRICT, PETITIONER, at its sole cost and expense, shall be responsible to construct and install all sewer line extensions, and other equipment and components which the DISTRICT, in its discretion, deems necessary to provide sewer service to the Property, and to acquire such easements or rights-of-way as may be necessary therefore. All such easements or rights-of-way shall name the DISTRICT as grantee therein, shall be perpetual, and shall be in a form approved by the DISTRICT.

8. PETITIONER shall provide the DISTRICT with one (1) complete set of "record" or "as-built" drawings for sewer lines, stub-outs, lift stations or other components constructed by PETITIONER within 30 days of completion. The Record Drawings shall consist of one set of black line copies of the plan that has been stamped "Record Drawing" and signed by the Engineer in addition to one copy of the "Record Drawing" on CD in both ".dwg and PDF" format. Failure to provide record drawings may delay the District's certification of said improvements as complete and could also result in the withholding of connection permits and sewer services. All stubouts for desired sewer service connections for the Property shall be clearly marked by the Petitioners with board and wire, and record drawings of all such stubouts shall be provided by the Petitioners to the DISTRICT.
9. PETITIONER warrants that all sewer infrastructure constructed by PETITIONER shall conform to the requirements of the DISTRICT, and further warrants, for a period of one (1) year after the DISTRICT certifies them as complete, that the same shall be free from construction defects and shall remain within the allowable infiltration limits set by applicable state and federal regulations. Further, any repairs, replacements or major maintenance of said sewer lines, equipment and components necessary to correct any construction defects or to comply with said infiltration limits, within the one (1) year warranty period shall be performed at Petitioner's expense, whether or not actually performed by the PETITIONER, the DISTRICT, or a contractor retained by the DISTRICT; and PETITIONER shall, upon being invoiced therefore, immediately reimburse any such costs incurred by the DISTRICT. Unless the DISTRICT notifies PETITIONER of its rejection of them, all such lines, equipment and components shall, without further documentation or conveyance, become the property of the DISTRICT upon the expiration of the warranty period, and all risk of loss or damage to said improvements, and all costs for repairing or replacing them, shall thereafter be borne by the DISTRICT.
10. DISTRICT shall be entitled to assess and collect from PETITIONER applicable service charges and/or user fees for sewer services provided to the Property, in accordance with the DISTRICT's bylaws and/or other resolutions of the DISTRICT, as amended from time to time.
11. DISTRICT shall be entitled to assess and collect from PETITIONER all duly established hookup, connection, or capital replacement fee(s) at the time of issuing a building permit for any building or improvement on the Property or any part thereof, or at such other time as the parties may agree, the specific amount thereof to be established by the DISTRICT's bylaws and/or other resolutions of the DISTRICT, as amended from time to time.
12. Without prior approval and permitting by the DISTRICT, PETITIONER shall not discharge non-domestic sewage or sewage with flows or strength not in conformance with the requirements of the ordinances and policies adopted by the EIRSD and Title 40 of the Code of Federal Regulations.
13. The DISTRICT may impose such other and further conditions upon the proposed annexation as it deems appropriate, pursuant to Idaho Code Section 42-3218(c).

<End of Document>



EXHIBIT "C"

Eastern Idaho Regional Sewer District Policy #2026-01: Annexations into EIRSD

(see attached)



Eastern Idaho Regional Sewer District

Policy #2026-01: Annexations into EIRSD

Background

The Eastern Idaho Regional Sewer District (EIRSD) may consider annexing additional parcels into the sewer district from time to time. This document summarizes EIRSD's policy for considering approval of annexation petitions.

Authority

Idaho Code § 42-3218 and § 63-215 and State Tax Commission Regulation 225 provide regulatory authority for sewer district annexations.

The following section from EIRSD's adopted Bylaws and Policy Manual addresses the consideration of annexations:

7.2 Annexations

Any property owner may petition the EIRSD Board of Directors for annexation into the EIRSD in accordance with the procedures established by the EIRSD.

- 1) Proposed annexations will be reviewed by the EIRSD for impacts to the entire sewer service area and system and capacity.
- 2) The petitioner must pay an annexation fee and agree to the Terms and Conditions of Annexation imposed by the Board of Directors.
- 3) Sewer service to the annexed lands must meet all EIRSD specifications and comply with the Facility Plan, and
- 4) The Board retains sole discretion to approve, approve with conditions, or deny any annexation petition based on its determination of the best interests of the EIRSD.
- 5) If the owner is requesting a de-annexation or exclusion from the EIRSD the process is the same as an annexation. A petition and fee must be submitted.

Definitions

- COLLECTION Sewer – A sewer pipe to which individual services are connected. May also be referred to as lateral or connector lines.
- INTERCEPTOR Sewer – A sewer pipe to which individual services are not connected, generally providing regional conveyance to the treatment facility. May also be referred to as trunk lines.

Policy

The EIRSD Board of Directors has applied and will continue to apply the following policy when considering the approval of annexation petitions:

1. EIRSD was created primarily for the purpose of serving the City of Ammon and the City of Shelley by conveying wastewater from these communities and treating it.
2. EIRSD was created and its systems were designed with the intention of primarily treating domestic or residential strength wastewater.
3. Annexation petitions must follow the requirements and steps outlined in EIRSD's Annexation Procedures document.
4. EIRSD owns, operates, and maintains INTERCEPTOR sewers, lift stations, and the treatment facility only.
5. EIRSD does not own and/or maintain COLLECTION sewers. COLLECTION sewers discharging to EIRSD, including service connections, must be owned and maintained by a municipality, the property owner (at EIRSD's sole discretion), or a separate sewer district. Ownership and maintenance by a homeowners association or other non-sewer district entity is not acceptable.
6. In county areas, EIRSD will not annex property, even if contiguous, if it requires COLLECTION sewer lines.
7. For residential properties, EIRSD does not do major billings, collections, or lien property for non-payment. Therefore, whether separated by some distance or adjoining EIRSD's boundary, residential properties must be included in a separate sewer district for the ownership and maintenance of COLLECTION sewers unless there is direct property connection to an EIRSD INTERCEPTOR sewer.
8. EIRSD has allowed and allows residential properties in Bonneville County and Bingham County that are not part of a sewer district to discharge wastewater to EIRSD's system if the property is able to directly connect to an EIRSD INTERCEPTOR sewer. In these cases, the property must be annexed into EIRSD. The property to be annexed into EIRSD must be contiguous to the existing EIRSD boundary, except if separated by a public street, road, highway, alley, water body, or irrigation canal.
9. Commercial and industrial properties that were previously annexed into EIRSD must own and maintain their own COLLECTION sewers. If these properties wish to be converted to residential properties, they must de-annex from EIRSD and form or join a separate sewer district.
10. EIRSD has allowed and may allow other sewer districts, at EIRSD's sole discretion, to connect to an EIRSD INTERCEPTOR sewer and contract with EIRSD only for conveyance through EIRSD's INTERCEPTOR sewers and treatment. Sewer districts are not prohibited

from contracting with other entities to maintain lines and facilities within that sewer district.

EIRSD Board Chair



4/21/26

[signature]