

Idaho Department of Water Resources

Claim Number: 63-03545

Legal: T04N, R02W, S7

Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



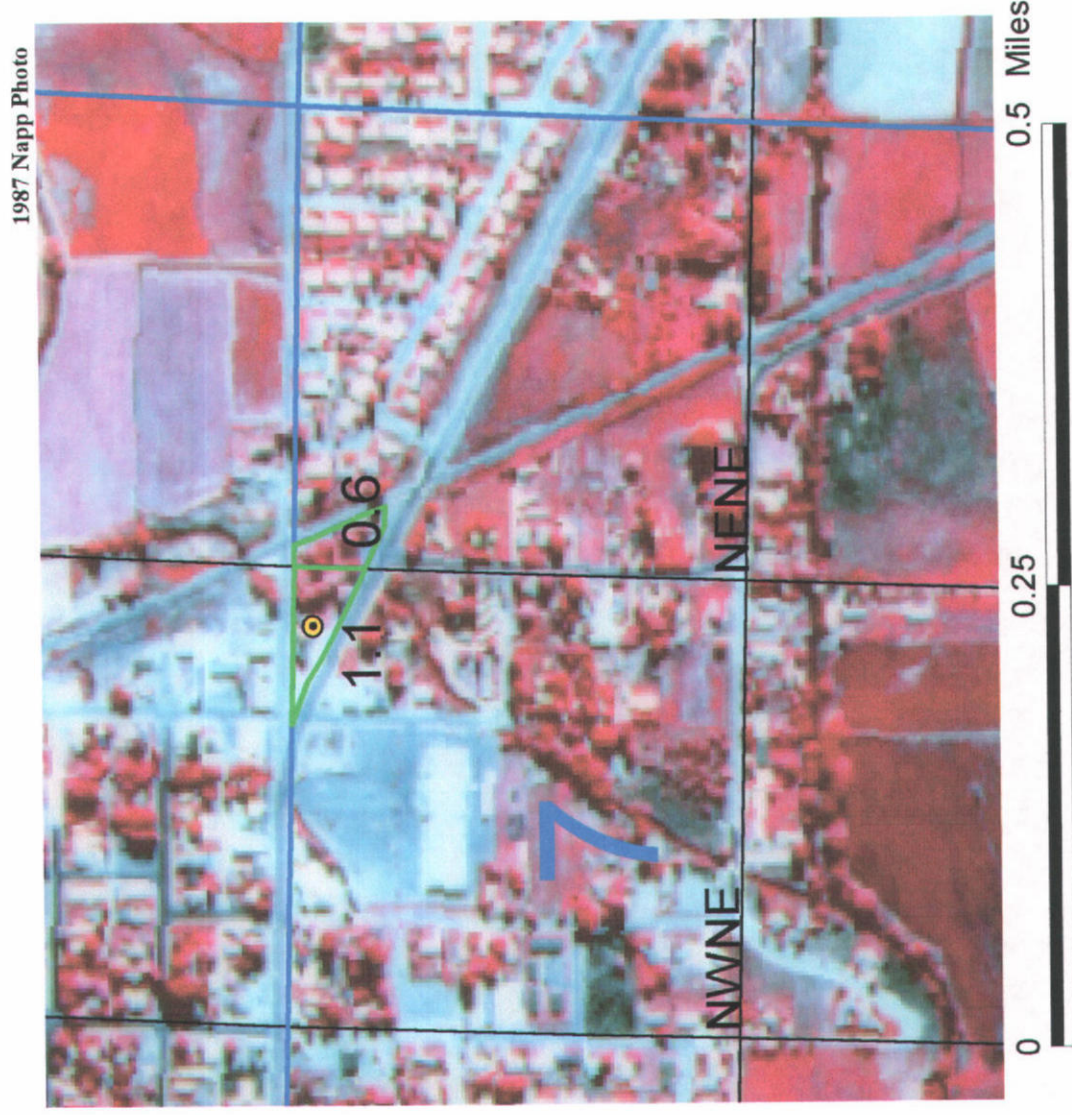
0 0.25 0.5 Miles



Idaho Department of Water Resources

Claim Number: 63-03545
 Legal: T04N, R02W, S7
 Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03545
Date Received: 2/12/1990
Receipt No: CO15869
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 22 1990

1. Name: CITY OF MIDDLETON
Address: MIDDLETON, ID 83644

2. Date of Priority: SEP 26, 1966

Department of Water Resources

3. Source: MIDDLETON MILL SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	7	NW	NE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.040		9.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is Municipal 7.0 Acre Feet Per Annum.

9. Non-irrigation uses: Municipal

10. Place of Use: Within City Limits of Middleton

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	7	NE	NE		IRR	1.0
			NW	NE		IRR	1.0
						Section Acres	2.0

A63-03545

Page 1

Date: 02/16/90

MICROFILMED
AUG 19 1992

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

P/U IS CITY PARK.

15. Basis of Claim: LICENSE

Water Right Number: 33224

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Mayor _____ of
_____ Title
City of Middleton _____, that I have signed the foregoing
Organization
document in the space below as Mayor _____ of
_____ Title
City of Middleton _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Oliver M. Lanning
Signature of Authorized Agent

Mayor City of Middleton
Title and Organization

03/20/90

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of March 19 90

Val Jean Bannell
Notary Public

Seal

Residing at Middleton

My Commission Expires 12/26/91

COPY

RECEIVED

AUG 17 2007

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 63-3545

(insert water right number)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: City of Middleton

Address: PO Box 487

Middleton, ID 83644

Daytime Phone: (208) 331-1800

Name and Address of Attorney, if any:

Bruce M. Smith/Carl J. Withroe

Moore Smith Buxton & Turcke, Chtd

950 W. Bannock St., Suite 520

Boise, ID 83702

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: Ada County Drainage District No. 2

Address: 455 S. Third Street

Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- x 1. Name and Address
- x 2. Source
- x 3. Quantity
- x 4. Priority date
- x 5. Point of Diversion
- x 6. Instream Flow Description
- x 7. Purpose(s) of Use
- x 8. Period of Year
- x 9. Place of Use
- x 10. Recommendation

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

Water Right is a licensed water right. It has been in use by City of Middleton for city park maintenance since 1967. Department has recommended Water Right for that use – a use which does not interfere, obstruct, trespass any operation of objecting party, including waste water drainage.

E.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

Carl J. Withroe, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

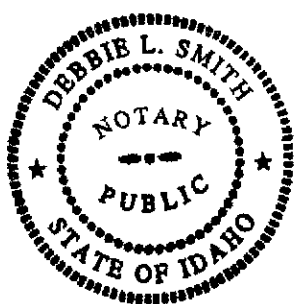
(Signature of person filing response)

Carl J. Withroe

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 16, 2007



Debbie L. Smith

Notary Public for Idaho

Residing at: Boise, ID

My Commission Expires: 6/8/2013

F.

CERTIFICATE OF MAILING

I certify that on August 16, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: City of Middleton
Address: PO Box 487
Middleton, ID 83644

3. One copy to the party who filed the objection at the following address:

Name: Ada County Drainage District No. 2
Address: c/o Bryce Farris - Ringert Clark Chtd
PO Box 2773, Boise, ID 83701

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724



Your signature or signature of attorney
mailing on your behalf

RECEIVED
JUN 14 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A. Subcase 63-3545

(Insert water right no.)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: CITY OF MIDDLETON

Address: P.O. Box 487
Middleton, Idaho 83644

COPY

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X This water right should not exist.

 ☐ This water right was not recommended, but should be
 recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

F.

VERIFICATION (must be completed)

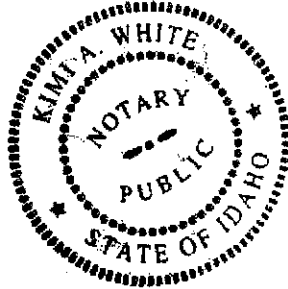
State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: June 12, 2007




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/10/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on ^{June}~~May~~ 12, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

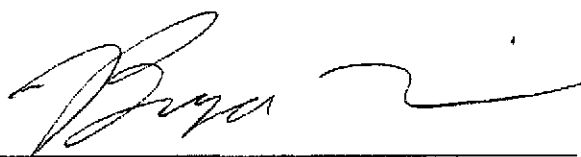
Name: City of Middleton
Address: P.O. Box 487
Middleton, Idaho 83644

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

12/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 11-2546
NAME AND ADDRESS: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644
SOURCE: MIDDLETON MILL SLOUGH TRIBUTARY: BOISE RIVER
QUANTITY: 0.040 CFS
9.00 AFY
PRIORITY DATE: 09/26/1966
POINT OF
DIVERSION: T04N R02W S7 NWNE Within CANYON County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.040 CFS 9.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

POU is Middleton Park.

11/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3545
NAME AND ADDRESS: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644
SOURCE: MIDDLETON MILL SLOUGH TRIBUTARY: BOISE RIVER
QUANTITY: 0.040 CFS
9.000 AFY
PRIORITY DATE: 09/26/1966
POINT OF DIVERSION:

T04N R02W S7 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.040 CFS 9.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

FOU is Middleton Park.

Draft

09/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3545

NAME AND ADDRESS: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

SOURCE: MIDDLETON MILL SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.040 CFS
9.000 AFY

PRIORITY DATE: 09/26/1966

POINT OF DIVERSION:

T04N R02W S7 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
04/01 10/31

QUANTITY
0.040 CFS
9.00 AFY

PLACE OF USE:

Add Shoulder Remark

Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

POU is Middleton Park.

11/21/2006

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 7, 2006

Water right number: 63-3545

CITY OF MIDDLETON

PO BOX 487

MIDDLETON ID 83644

Telephone Number: (208)585-3133

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-7-06

SIGNATURE:

Frank McKeever

Please print your name: Frank McKeever

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 9 2006

WATER LICENSE

Water License No. 33224/63-3545 Priority September 26, 1966 Amount 0.04 c.f.s.

THIS IS TO CERTIFY, that VILLAGE OF MIDDLETON
of Middleton, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 26, 1966; that Permit 33224/63-3545 was issued pursuant
to said application; that the proposed works were completed on or about 1956
with a storage/or carrying capacity of 0.08 c.f.s., said works consisting of motor, pump,
plastic pipe, and sprinkler system; and that on August 25, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 9
acre feet per season, with a maximum rate of diversion of 0.04 cubic feet per second of the waters
of Middleton Mill Slough, tributary of Boise River,
for the purpose of sprinkler irrigation of city park from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 4 N, R. 2 W, B.M., and
other additional points _____, in the County of
Canyon; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 9 acre feet per year.

Description and location of place of use:

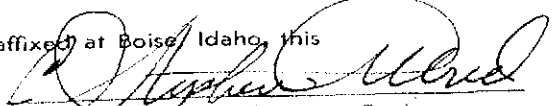
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	2 W	7	1	1															2

Total number of acres irrigated 2

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of November, 19 69.


Deputy State Reclamation Engineer

63 3545

63-3545
33224

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

Village of Middleton

Applicant.

By /s/ MELVIN V. DAVENPORT, P.E.

Agent.

Date of first receipt at Department of Reclamation: September 26, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33224

Recorded in Book 116 Page 33224 Approved September 30, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before November 30, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 30, 1967

The whole of said work to be completed on or before September 30, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before September 30, 1967

WITNESS My hand this 30th day of September, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th
day of September, 19 66.
Countersigned: STATE OF IDAHO

(SEAL) By /s/ LOUIS E. CLAPP Secretary of State. By /s/ ROBERT E. SMYLIE Governor.

REMARKS: This application is made to obtain a water right for water to be pumped out of the Middleton Mill Slough and used to sprinkle the Middleton Park. This water has been pumped out of for this purpose for at least 10 years and we would like to request that a Priority Date of 1956 be established.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	2 W	7	J	I														2 acres	
LICENSE ISSUED FOR <u>0.04</u> SEC. F1. LICENSE PAGE NO. <u> </u>																			

Application For Permit To Appropriate the Public Waters of the State of Idaho

63-3545

APPLICATION No. 41438
PERMIT No. 33224
DISTRICT No.

Melvin V. Davenport
P.O. Box 131
Caldwell, Idaho

1. Name of Applicant: Village of Middleton

Postoffice address: Middleton

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.04 cubic feet per second.

3. Source of water supply: Middleton Mill Slough which is a tributary of Boise River.

4. Location of point of diversion: S 12°53'30" W 116.2 feet distant from the E 1/16, Sec. 6/7

corner of Section 7, T. 4 N, R. 2 W, B.M., and is in the NW 1/4 NE 1/4

of section 7, T. 4 N, R. 2 W, B. M., County of Canyon

5. Water is to be used for sprinkler irrigation of city park

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 100.00

8. Kind of works: small pump

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is -0- additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

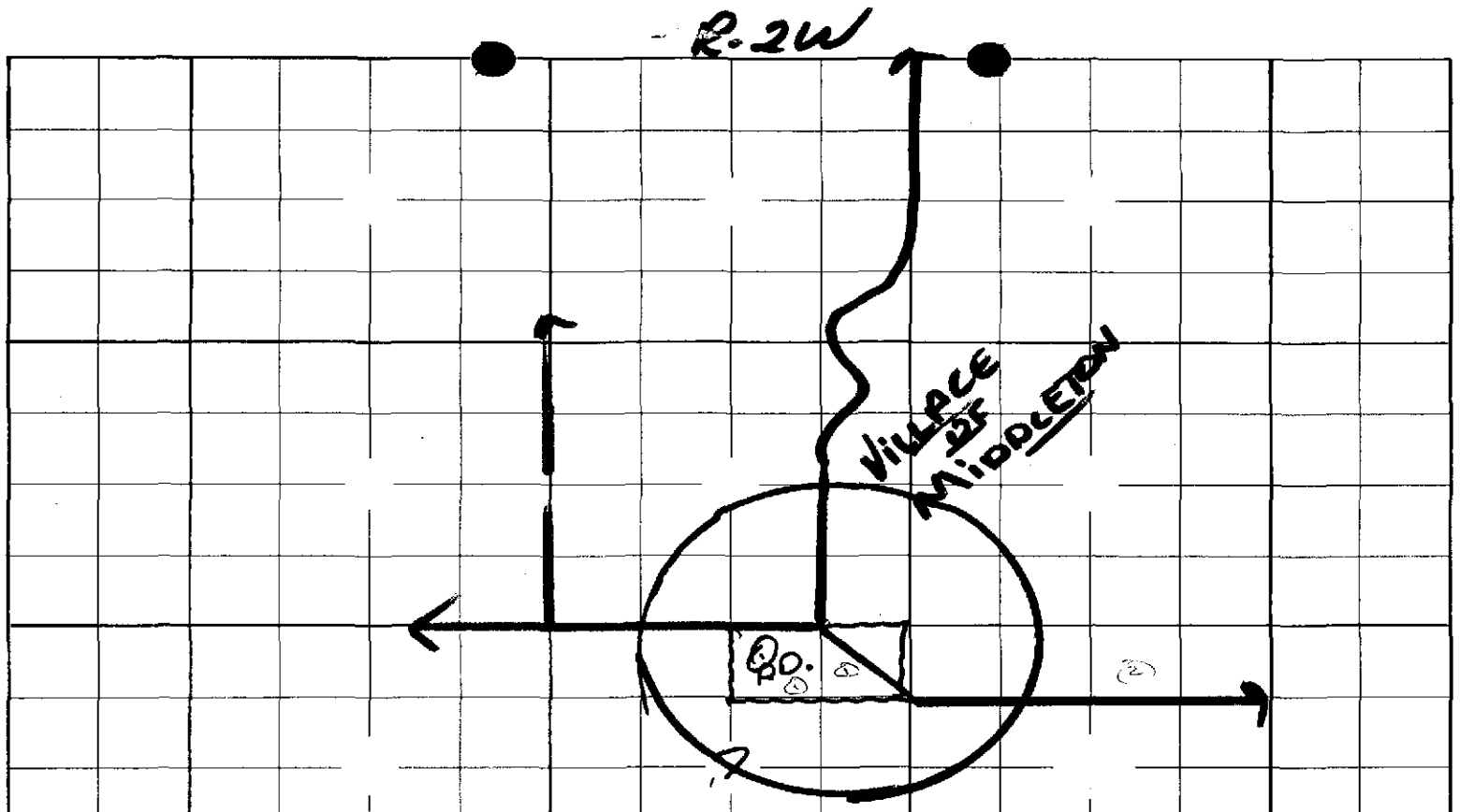
none

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 33224

REPORT ON PROOF OF Completion of Works & Beneficial Use



AREA - APPROX. 2 ACRES

SUBD - 2

Q - ALLOW .02 C.F.S.

VOL - 9 ACRE-FT / SEASON

PRIORITY - SEPT 26, 1966

Village of Middleton
Middleton, Idaho
Lester A Wallace
Permit No. 33224

Tray - 70" - 3/16"

Examination for C/W & B/U

County Canyon

Quantity: 0.04 c.f.s.
Sec. 7 T. 4N R. 2W

2 HP Co # 70584208

63-

Source: Middleton Mill Slough

- INSTRUCTIONS TO EXAMINERS**
1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.

P.D.: NW 1/4 NE 1/4, Sec. 7, T. 4 N, R. 2 W, B. M.

FE MYERS of Co
(water pump)
000000

Use: sprinkler irrigation of city park

CAT 200 # 25784208

Extension:

2" well

Protest:

Completion of Works:

2 ACRES

Other Rights:

7202 (2) 31-24

Filed: September 26, 1966

Due: September 30, 1967

Made: August 25, 1967

Priority: September 26, 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 38224

This proof is for C/W & B/U

In Water District No. _____

1. Name of applicant Village of Middleton

2. Source of water supply: Middleton Mill Slough

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 7

T. 4 N R. 2 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

2 HP. C.E. Elec MOTOR # 5K55184008
E. MYERS & BROS CENTRIFUGAL PUMP
65455 2" INLET - 2" OUTLET - UNDERGROUND
PLASTIC PIPE - SPRINKLER SYSTEM

5. Water is used for: sprinkler irrigation of city park

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N 1/4 NE 1/4, Sec. 7, T. 4 N, R. 2 W, B.M.

APPROX 2 ACRES CITY PARK

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Boise River

Remarks:

3/4" dia @ 30 lbs $Q = \frac{(55 \text{ gpm})(7)}{4488 \text{ gpm}} = .08 \text{ cfs}$

note file 313.73

This examination was made on the 3RD day of May, 1968

(Signed) [Signature] Examiner.

Priority - Sept. 26, 1966

63-3543
38224

Plat. 1/4

**LEGAL NOTICE OF
PUBLIC HEARING BEFORE THE CANYON COUNTY
BOARD OF COMMISSIONERS**

ALB-00010
ALB-03545
ALB-08904
ALB-09125
ALB-22363
ALB-08310

LEGAL NOTICE IS HEREBY GIVEN, that the Canyon County Board of Commissioners will hold a public hearing at 6:00 p.m. on Monday, December 19, 1994 in the First Floor Commissioners Meeting Room, Canyon County Courthouse, 1115 Albany, Caldwell, County of Canyon, Idaho.

The purpose of this public hearing is to take public testimony concerning: [1] a draft separate ordinance providing for application of Comprehensive Plan and implementing ordinances for said Area of City Impact for the City of Middleton, Idaho that lies within the unincorporated area of Canyon County, Idaho pursuant to Idaho Code 67-6526; and [2] a draft separate ordinance defining and establishing the boundaries on a map to be adopted by the Canyon County Board of Commissioners as the Area of City Impact for the City of Middleton, Idaho pursuant to Idaho Code 67-6526. Said proposed map boundary being generally described on the north is Willis Road. The boundary being described on the south is the Boise River. Said boundary on the west is Emmett Road and on the east is Duff Lane. (Please refer to the attached published map, EXHIBIT "A".)

The Planning and Zoning Commission has made recommendations on the above mentioned separate ordinances to the Board of County Commissioners to adopt both: [1] the proposed boundaries on a map; and [2] the application of Comprehensive Plan and implementing ordinances following Planning and Zoning Commission public hearings held October 25 and November 22, 1994, respectively.

Following this County Commissioners public hearing, the Board of Canyon County Commissioners may adopt or reject any or all portions of either proposal. If the Board intends to make a material change in either proposal, further notice and hearing shall be provided before the Board of Canyon County Commissioners adopts either Ordinance.

Documents may be reviewed at the office of the Canyon County Board of Commissioners on the 1st Floor in the Canyon County Courthouse at 1115 Albany, Caldwell, Idaho, from 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 5:00 p.m., Monday thru Friday, except holidays. All interested persons are invited to attend this public hearing and present oral or written testimony concerning this matter. For more information call (208) 454-7478. Assistance is available for those with disabilities upon twenty-four (24) hour prior notice.

[Publish the City of Middleton IMPACT AREA MAP - EXHIBIT A in this area]

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner George Vance, Chairman *GV*
Commissioner Jan Vinson *JV*
Commissioner Abel "Abe" Vasquez *AV*

ATTEST: NED J. KERR, CLERK
Monica Reeves, Deputy Clerk *11/28/94*

Publish: IDAHO PRESS TRIBUNE
Date: December 1 and 2, 1994

Copy: Board's Hearing File for Middleton City Impact Area
Newspaper - Idaho Press Tribune
Notice Board
Agencies and Political Subdivisions
Public Service Announcements
P&Z Area of Impact File for Middleton

BOC LEGALS-JLJ:ars

RECEIVED
OCT 07 1994

**MAP OF
CITY OF MIDDLETON
CHARGES COURT, 1946
IMPACT ZONE
COMPREHENSIVE PLAN**

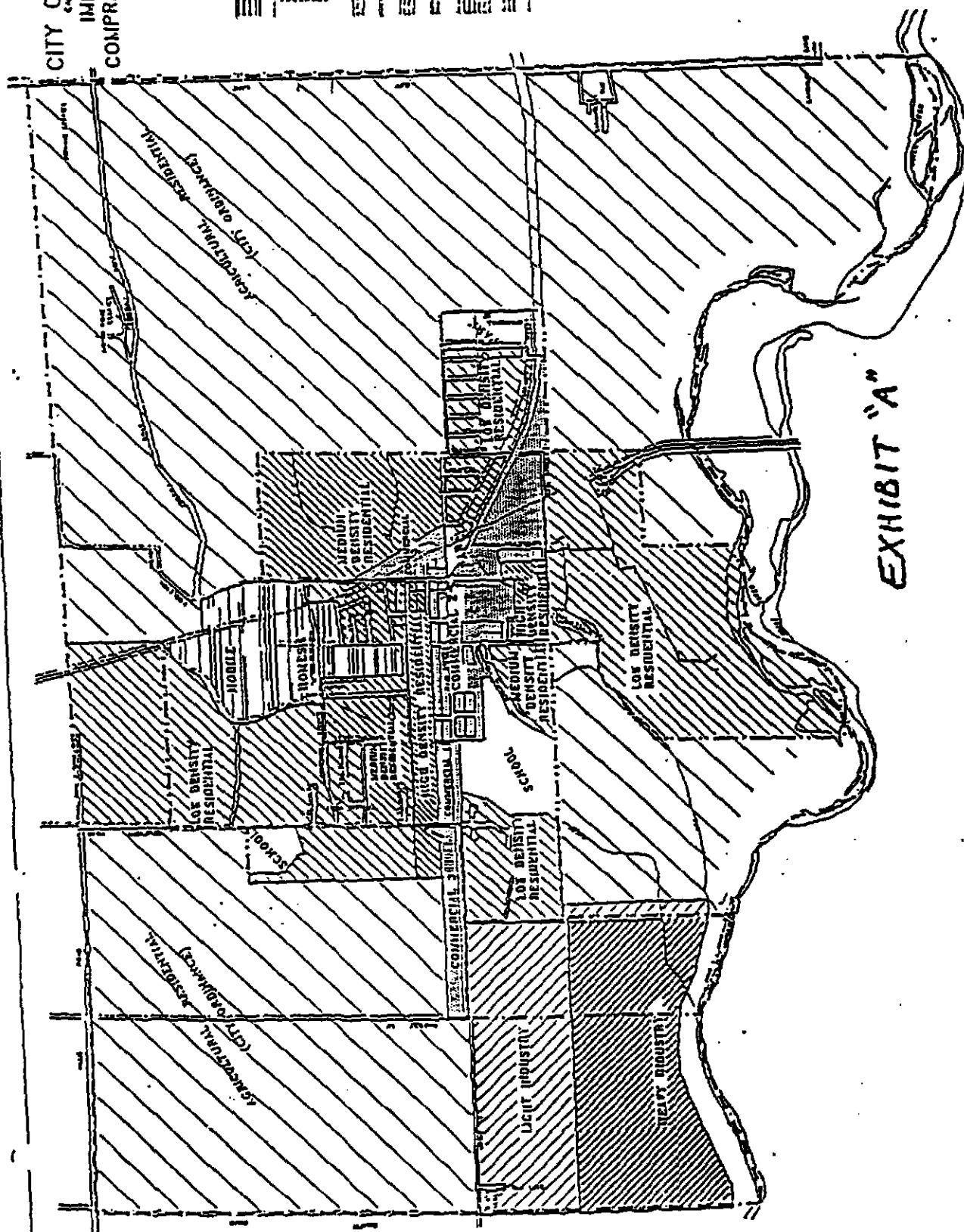
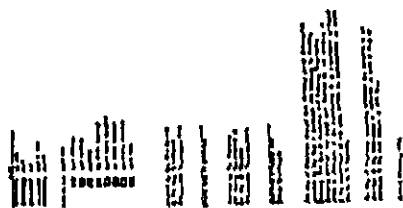


EXHIBIT "A"

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-03545 Date: 11-15-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	2W	7	1	1															2
-GIS				0.6	1.1															1.7
Claim																				
-GIS																				
Claim																				
-GIS																				
Claim																				
-GIS																				
Claim																				
-GIS																				

Number of POD's 1

Total Claimed Acres: 2

Total GIS Acres: 1.7

Overlapping POU Claim #'s:

COMMENTS:

Per county data.

Idaho Department of Water Resources

Claim Number: 63-03545

Legal: T04N, R02W, S7

Reviewed By:

⊙ Point of Diversion

☐

Place of Use

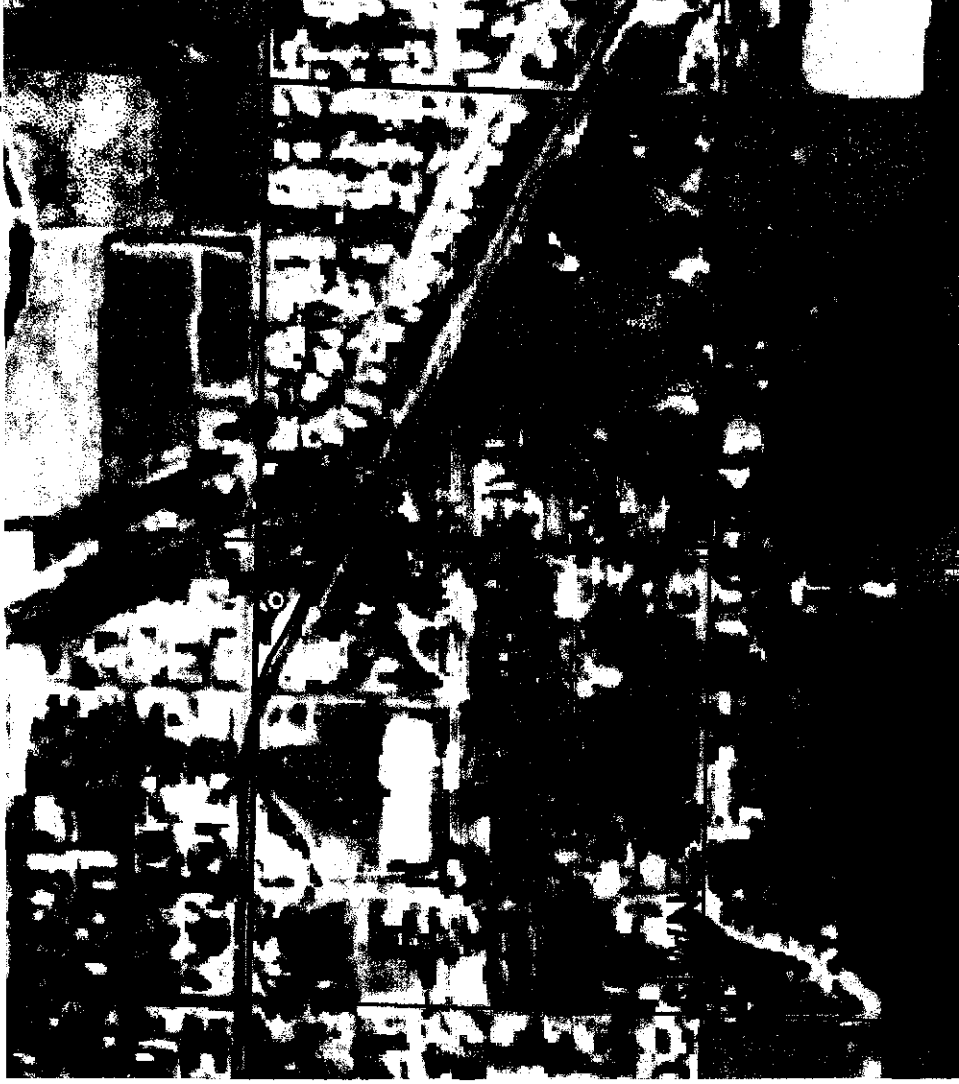
☐

Section Lines

☐

Quarter Quarter Lines

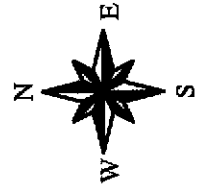
1987 Napp Photo



0.5 Miles

0.25

0



Idaho Department of Water Resources

Claim Number: 63-03545
Legal: T04N, R02W, S7
Reviewed By:

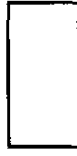
⊙ Point of Diversion



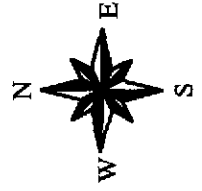
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 Miles