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COPY

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
Indent. Number 63-4960
Date Received _____
Receipt Number _____

LATE
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) Middleton Mill Ditch Company and Middleton Irrigation Assoc. Phone: (208) 585-3207

Mailing Address PO Box 848, Middleton, ID Zip 83644

2. Date of Priority only (1) per claim) 6/1/1932

3. Source of water supply (a) Boise River

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 1W Section 13,

1/4 of NE 1/4 NE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/01 to 11/15 amount 32.65 cfs or _____

7. Total quantity claimed (a) 32.65 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic)
in the corresponding place of use below. See instructions for standard symbols.

Last Name Middleton Mill Ditch Company and Middleton Mill Association Ident. Number 63-4960

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[illegible]

Total number of acres irrigated 9420

11. In which county (ies) are lands listed above as place of use located? Ada and Canyon County
12. Do you own the property listed above as place of use? Yes _____ No X
13. Other water rights used: 63-124N; 63-1256; 63-126E; 63-161X; 63-168B; 63-168D; 63-173; 63-198AC; 63-254; 63-255; 63-370; 63-31937; 63-12304; 63-32518; 63-32519; 63-32520; 63-32521; 63-32522
14. Remarks:

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Signature or Claimant (s) _____ Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am the Attorney
of Middleton Mill/Middleton Irrig. Title
Organization, that I have signed the foregoing
document in the space below as Attorney of Middleton Mill/Middleton Irrig.
contained in the foregoing document are true and correct.

Signature of Authorized Agent *[Signature]*

Title and Organization Attorney / MM/MI Date 1/25/13

Last Name Middleton Mill Ditch Company and Middleton Mill Association Ident. Number 63-4960

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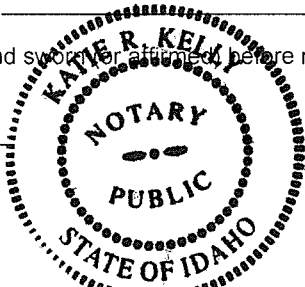
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State of Idaho/or _____)
County of Ada _____) SS.

Subscribed and sworn to before me this _____

25th day of January 20 13

SEAL



Notary Public _____

Residing at _____

My Commission Expires _____

Katie R. Kelly
Oasis, ID
2/20/14

16. Notice of Appearance

Notice is hereby given that I, S. Bryce Farris will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

S. Bryce Farris

Address Sawtooth Law Offices, PLLC, PO Box 7985, Boise, ID 83707

Date _____

1/25/13

DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that MIDDLETON IRRIGATION ASSN. AND MIDDLETON MILL DITCH COMPANY
(Name of Claimant)

Rt. 1, Box 30, Star, ID 83669

(Zip Code)

Telephone No. 286-7685

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1932

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Boise River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity 32.65 cfs Use irrigation Period of Use From 4/1 To 11/1

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

(4) TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ NE ¼, Sec. 13 Twp. 4N Rge. 1W B.M., County of Ada

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Small dams, headgates and gravity canals

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 9580

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

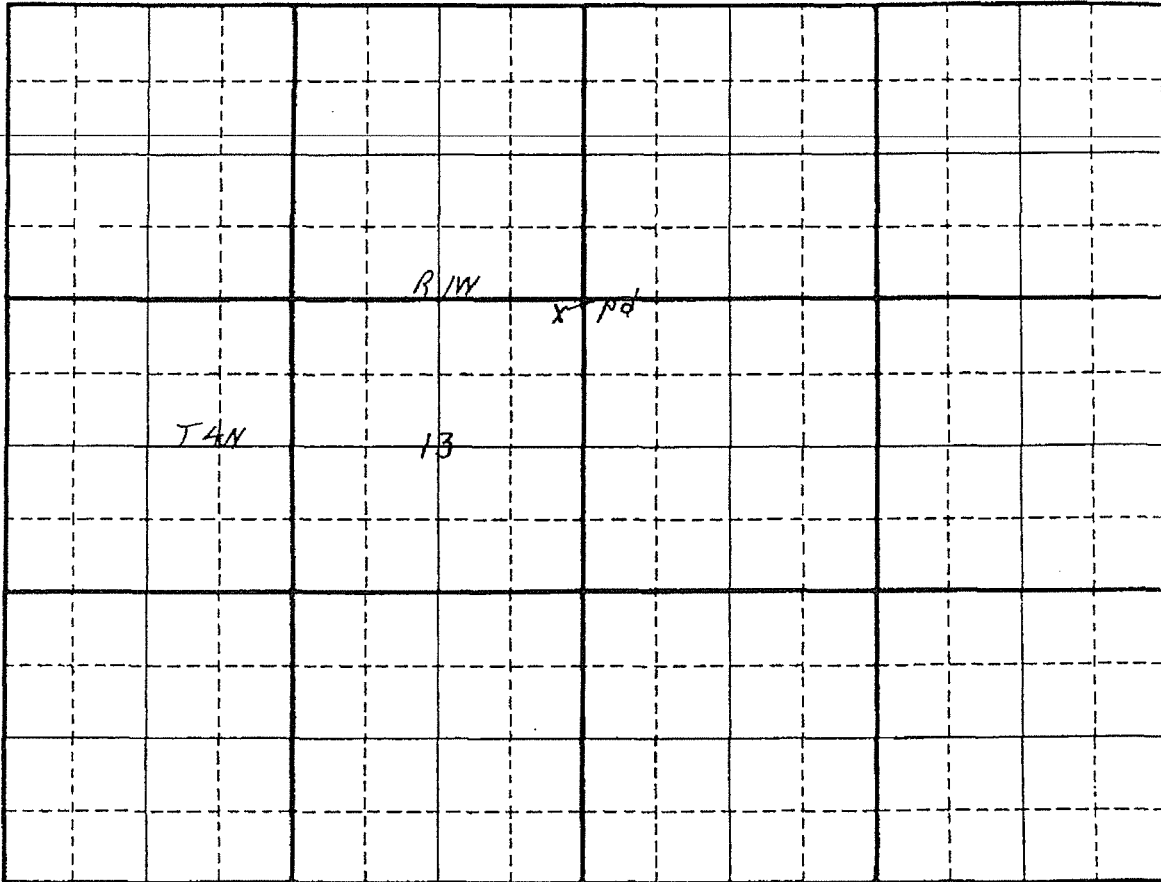
NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: _____

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(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Middleton Irrigation Assn.
Sam Rosta - Pres.
Middleton Mill Ditch Co.
Ch. Floyd M. Mottley

Sworn to before me this 31 day of January, 19 83.

Nancy M. Mathew
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by 625 Date 1/31/83 Exception filed by: _____ Date _____
Prelim. check by 625 Date 2/7/83
\$10.00 fee received by 625 Date 1/31/83 # 23154
Published in Idaho Statesman
Dates 2/24 & 3/3/83

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