

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

RIGHT NUMBER: 63-22363

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.420 CFS

PRIORITY DATE: 03/03/1936

POINT OF DIVERSION:

T04N R02W S5 NWNE Lot 2 Within CANYON County

T04N R02W S6 NWNW Lot 4 Within CANYON County

T04N R02W S8 NENW Within CANYON County

T04N R02W S17 SWNW Within CANYON County

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 10/16/1919 relative to all other actions to distribute water.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.420 CFS
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.		

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.

The wells previously used under Right 63-22363 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This right does not grant any right-of-way or easement across the land of another.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

Harris, Lori

From: Harris, Lori
Sent: Wednesday, April 29, 2009 3:45 PM
To: 'lbooth@srba.state.id.us'
Cc: Shurte, Jan; 'Diana Delaney'
Subject: Corrected Recommendations

Ted,

On January 7th you sent an e-mail to Jan regarding 63-3398 and had a couple of questions. After she looked at this right she found that there were issues with all of the rights relative to Transfer 71407 that the recommendations were made from. Below are the changes we have made to these recommendations. Any questions, please let me know.

Lori

63-3398

Delete AF quantity 57.0 (not on original License)

Moved to POD from General:

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NWNE, S5; NWNW, S6; NENW, S8 and SWNW, S17; T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 1/8/1964 relative to all other actions to distribute water.

Delete from recommendation:

The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.

63-8310

Delete from recommendation:

The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.

Added to POD and replaces condition below:

Diversion and use of water under this right from the additional well authorized under Transfer 71407 located in the SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 7/21/1976 relative to all other actions to distribute water.

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NWNE, S5; NWNW, S6; NENW, S8 and SWNW, S17; T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of

approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 1/8/1964 relative to all other actions to distribute water.

Replaces condition below in General:

The wells previously used under Right 63-8310 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.

The well previously used under Right 63-3398 shall be abandoned in a manner which complies with Department well abandonment rules.

63-8704

Moved to POD from General:

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NENW, S8 and SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 4/18/1977 relative to all other actions to distribute water.

Delete from recommendation:

The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.

The well previously used under Right 63-3398 shall be abandoned in a manner which complies with Department well abandonment rules.

63-9128

Added to POD and replaces condition below:

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NENW, S8 and SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 3/29/1978 relative to all other actions to distribute water.

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NWNE, S5; NWNW, S6; NENW, S8 and SWNW, S17; T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 1/8/1964 relative to all other actions to distribute water

Delete from recommendation:

The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.

The well previously used under Right 63-3398 shall be abandoned in a manner which complies with Department well abandonment rules.

63-22363

Moved from Source to General:

The wells previously used under Right 63-22363 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.

Moved to Explanatory:

After specific notification by the Department, the right holder shall record the quantity of water diverted 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

This right does not grant any right-of-way or easement across the land of another.

Added to POD and replaces condition below:

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 10/16/1919 relative to all other actions to distribute water.

Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 3/3/1936 relative to all other actions to distribute water.

Shurte, Jan

From: Diana Delaney [ddelaney@srba.state.id.us]
Sent: Thursday, February 19, 2009 12:02 PM
To: Shurte, Jan
Subject: RE: Partial Decree Hold

I've pulled all 4 out of the mix. I'll hold onto them until you say "go"

From: Shurte, Jan [mailto:Jan.Shurte@idwr.idaho.gov]
Sent: Thursday, February 19, 2009 11:06 AM
To: Diana Delaney
Subject: Partial Decree Hold

Hi Diana,

I received a question from SM Booth concerning 63-3398 and 63-8310 that led me to a transfer on two other connected rights ready to be partially decreed on April 3rd. It opened them up to some errors I found in putting the transfer conditions on these rights. Would you hold out the two numbers above along with 63-8704 and 63-9128. I will work on fixing these condition errors as soon as I get through a few more.

If you have a problem with this please let me know.

Thanks,
Jan

2/19/2009

Shurte, Jan

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Wednesday, January 07, 2009 9:25 AM
To: Shurte, Jan
Subject: 63-3398

Jan,
Two questions: (1) is the AFY limit correct? – the limit would allow the well to be operated a cumulative total of 25 days out of a year. (2) There is a remark listing additional POD's – Shouldn't these POD's be listed under the POD section rather than (or in addition to) in a remark?
Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

2/18/2009

WATER RIGHT NO. 63-22363
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-22363 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: October 16, 1919

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	4.00 CFS
			4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N	Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N	Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N	Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N	Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Rights 63-8310 and 63-22363 when combined shall not exceed a total diversion rate of 4.0 cfs.
7. 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.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

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WATER RIGHT NO. 63-22363
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

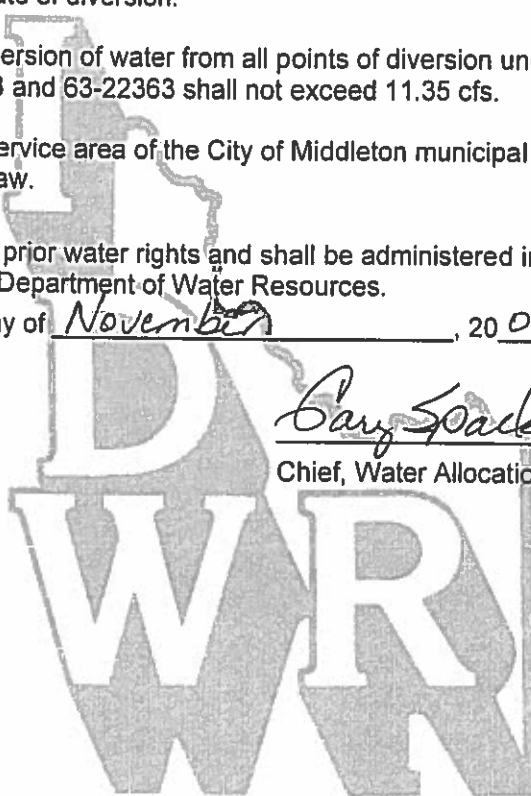
- 70D
9. Diversion and use of water under this right from the additional well authorized under Transfer 71407 located in the SWNW, Sec. 17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 10/16/1919 relative to all other actions to distribute water.
 10. The wells previously used under Right 63-22363 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.
 11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 - Delete 12. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
 13. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau



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: 63-22363

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):

Disagree with the recommendation for disallowal.

2. Describe the changes you wish to make in the proposed recommendation:

Recommendation for approval with convincing supporting information.

3. Give a brief explanation as to why you disagree with these portions:

City records indicate that a well had been completed as of March 3, 1936.
A rate of flow of approximately 1.42 cfs would have been necessary to
support the population of Middleton in 1936, including fire protection.

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

See attached documentation.

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

Claim recommended
to be allowed based
on attached info.

Dnr
12/11/06

SCANNED
DEC 9 2006



HOLLADAY ENGINEERING CO.

ENGINEERS • CONSULTANTS

32 N. Main P.O. Box 235 Payette, ID 83661
(208) 642-3304 • Fax # (208) 642-2159

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

December 7, 2006


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

**Re: City of Middleton
 Water Right Claim Number 63-22363**

Dear Mr. Tuthill,

As requested in the Extra Notice dated November 20, 2006, we are providing evidence regarding the date of priority and rate of flow provided by the system. Please consider the following supporting information in your recommendation:

1. It appears that the basis of the priority date for this claim number is based on Ordinance 40 passed and approved on October 16, 1919, establishing an election on the issuance of bonds to provide for the construction and maintenance of a municipal water works plant and a water supply. See attached Document 1. Based on Record of Proceedings on December 1, 1919, the bond election failed. The City has no records of a discussion of a water system after this date until 1935.
2. On November 5, 1935, the minutes from the Council meeting indicate that Resolution No. 1 was proposed to finance the construction of a water works system. On March 3, 1936 Record of Proceedings of the Village Council states that A.P. Schmidt had completed a project pertaining to the drilling of a well and satisfactory flow tests, indicating that a water system was in place within the Village of Middleton. See attached Document 2.
3. As seen from the Record of Proceedings of the Village of Middleton on April 18, 1940, fire protection was being provided in that the Council authorized the purchase of fire hydrants. See attached Document 3.
4. The U.S. Census Bureau published a population of 372 for Middleton Village in 1930 and a population of 477 in 1940. Using linear interpolation of the census data, the estimated population in 1936 would have been 435. The 2002-2004 peak hour water demand was determined to be 19.2 gallons per hour per capita based on actual flow meter records, as presented in the City's Water Master Plan dated November 2005. Applying the 2002-2004 water usage value of 19.2 gallons per hour per capita based on

OK DM
an estimated 1936 service population of 435, the peak hour demand would have been approximately 8,360 gallons for the entire City. This is equivalent to 139 gallons per minute (0.31 cfs). In addition, fire flow protection was provided at the time. A value of 500 gallons per minute (1.11 cfs) is estimated for fire protection. Based on this analysis, a flow rate of 1.42 cfs would have been necessary to serve the estimated service population in 1936. See attached documentation of U.S. Census Bureau population data (Document 4).

If you have any questions, please contact me at (208) 642-3304.

Sincerely,
HOLLADAY ENGINEERING COMPANY

By: Michael W. Davis
Michael W. Davis, P.E.

cc: City of Middleton

Attachments

I:\MD\112106 - Water Right Claim SRBA\IDWR Letter 1.doc

SCANNED
DEC 19 2006

DOCUMENT 1

AN ORDINANCE DUBMITTING TO THE QUALIFIED ELECTORS OF THE VILLAGE OF MIDDLETON. IN THE COUNTY OF CANYON. IN THE STATE OF IDAHO. WHO ARE TAXPAYERS THEREOF. FOR THEIR VOTE AND DETERMINATION OF THE QUESTION OF ISSUING MUNICIPAL COUPON BONDS OF SAID VILLAGE. TO AN AMOUNT AGGREGATING THE PRINCIPAL SUM OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,000.00) TO PROVIDE FOR THE CONSTRUCTION AND MAINTAINANCE OF A MUNICIPAL WATER WORKS PLANT FOR SAID VILLAGE AND A WATER SUPPLY THEREFOR; AND THE LEVY AND ASSESSMENT OF DIRECT ANNUAL AD VALOREM TAXES UPON ALL THE TAXABLE PROPERTY IN SAID VILLAGE SUFFICIENT TO PAY THE INTEREST ACCRUING UPON SAID ISSUE OF BONDS PROMPTLY WHEN AND AS THE SAME BECOME DUE. AND ALSO. AT THE LAWFUL TIME. FURTHER ANNUAL AD VALOREM TAXES ON SAID TAXABLE PROPERTY. SUFFICIENT TO CONSTITUTE AND MAINTAIN A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL OF SAID BONDS WITHIN TWENTY YEARS FROM THE TIME OF THE ISSUE OF THE SAME; AND PROVIDING FOR AN ELECTION TO BE HELD IN AND FOR SAID VILLAGE FOR SAID PURPOSE ON TUESDAY. THE TWENTY-FIFTH DAY OF NOVEMBER. A. D. 1919, PRESCRIBING THE FORM OF NOTICE TO BE GIVEN TO THE ELECTORS OF SAID VILLAGE FOR THE HOLDING OF SAID ELECTION; AND ALSO PRESCRIBING THE FORM OF BALLOT TO BE USED IN VOTING AT SAID ELECTION, AND NAMING THE ELECTION OFFICERS TO SERVE THEREAT.; DECLARING AN EMERGENCY WHEREBY THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER IT'S PASSAGE, APPROVAL AND DUE PUBLICATION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, it appears to the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, that it would be, and it is hereby deemed advisable to issue municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00) to provide for the construction and maintainance of a municipal water works plant for said Village, and a water supply therefor.

Now, Therefore, Be it ordained by the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho:

SECTION. 1. That a special election be, and the same is hereby called and ordered to be held in and for said Village of Middleton, in the County of Canyon, in the State of Idaho, on Tuesday, the 25th. day of November, A. D. 1919, beginning at the hour of 9 o'clock in the morning, and closing at the hour of seven o'clock in the afternoon, for the purpose of taking the vote of the qualified electors, who are taxpayers of said Village, upon the following question, which is hereby submitted to the qualified electors for their determination at said election, to:

QUESTION.

Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount

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142 aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintenance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on all the taxable property in said Village, sufficient to pay the interest accruing upon said bonds promptly when and as the same becomes due, and also, at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing of the same.

SECTION. 2. That all persons, who, at the time of said election are qualified electors and tax-payers of said Village, and no other shall be qualified to vote at said election upon the question submitted as aforesaid.

SECTION. 3. That the voting at said election shall be by ballot and the ballots used shall be printed and in substantially the following form:

SPECIAL MUNICIPAL COUPON BOND ELECTION.
NOVEMBER 25, A. D. 1919.

Village of Middleton, County of Canyon, State of Idaho.

OFFICIAL BALLOT.

The voter will answer the question on this ballot propounded by making a cross (X) in the appropriate space opposite the answer to the question submitted which expresses his choice.

QUESTION:

Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintenance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on the taxable property in said Village sufficient to pay the interest accruing on said bonds promptly when and as the same becomes due, and also at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing the same?

ANSWER:

In favor of issuing bonds to the amount of Thirteen Thousand Five Hundred Dollars (\$13,000.00) for the purpose as stated in ORDINANCE No. 40.

Against issuing bonds to the amount of Thirteen Thousand Five Hundred Dollars (\$13,000.00) for the purpose as stated in ORDINANCE No. 40.

SECTION 4. That the Clerk of said Village shall give thirty days (30) notice of such election by publication in "The Middleton Herald", a weekly newspaper printed and published in the Village of Middleton, in the County of Canyon, in the State of Idaho, hereby declared, determined and adjudged by said Village of Middleton to be the official newspaper thereof, and by posting at the polling place where the election is authorized to be held, as hereinafter provided, a notice in substantially the following form, to-wit:

PUBLIC NOTICE OF SPECIAL MUNICIPAL COUPON BOND ELECTION TO BE HELD IN THE VILLAGE OF MIDDLETON IN THE COUNTY OF CANYON. IN THE STATE OF IDAHO. ON TUESDAY, NOVEMBER 25, A. D. 1919.

STATE OF IDAHO,)
COUNTY OF CANYON,) SS.
VILLAGE OF MIDDLETON,)

Pursuant to the laws of the State of Idaho, and Ordinance No. 40, of the Village of Middleton, in the County of Canyon, in said State, passed and approved on the 16th. day of October, A. D. 1919.

PUBLIC NOTICE IS HEREBY GIVEN, That a special election

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... to hold in and for said Village on Tuesday, to-wit, the 25th. day of November, A. D. 1919, beginning at the hour of 9 o'clock in the morning and closing at the hour of 7 o'clock in the evening afternoon of said day, for the purpose of taking the vote of the qualified electors who are tax-payers of said Village upon the following question, to-wit:

"Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintainance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on all of the taxable property in the Village sufficient to pay the interest accruing upon said bonds promptly when and as the same becomes due, and also at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing the same?"

The polling place for said election shall be the I. O. O. F. Hall, on Main Street.

All persons who at the time of said election are qualified electors and taxpayers of said Village, and no others, shall be qualified to vote at said election on said question.

At any time during office hours preceeding the said election the undersigned Village Clerk, or his duly appointed deputy, will register all electors who are qualified to vote at the said election.

The voting at said election shall be by ballot, and the ballots shall be supplied to the voters for their use at said election, and shall be in the form set forth in said Ordinance No. 40.

Dated at Middleton, Idaho, this 24th. day of October, A. D. 1919.

W. F. Norton.
Village Clerk.

SECTION. 5. That said election shall be held at the I. O. O. F. Hall on Main Street in the said Village of Middleton, and the following persons are hereby appointed to act as judges and distributing clerk of said election;

-G. G. Painter.	} Judges.
-Mrs. Margaret Lemon.	
-Mrs. Habel C. Crockett.	
-Mrs. Anna M. Jones.	} Distributing Clerk.

Section 6. That in case the issue of said bonds to provide for the construction and maintainance of a municipal water works plant for said Village and a water supply therefor, shall be approved by said electors, there shall be, and there are hereby ordered, authorized and directed to be issued, negotiated and sold in the manner hereinafter provided, municipal coupon bonds of said Village in an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00); that said bonds shall be known as and designated "Municipal Water Works Coupon Bonds" shall be fourteen in number (14), numbered from one to fourteen both numbers inclusive, one to thirteen, both inclusive, of the denomination One Thousand Dollars (\$1000.00) each, and number fourteen for Five Hundred Dollars (\$500.00).

SECTION. 7. That in the case of the issuance of said bonds, said bonds shall be dated on or about the 1st. day of November, A. D. 1919, but the exact date said bonds shall bear, their form, terms, and maturity dates, shall be fixed by ordinance hereafter be adopted, after the Chairman and Board of Trustees have determined the best terms upon and the lowest rate of interest at which such bonds can be negotiated.

SECTION. 8. That in the case of the issuance of said bonds, there shall be levied upon all the taxable property of said Village a direct annual ad valorem tax sufficient for the payment of the interest on said bonds promptly when and as the same become due; and after said bonds have been issued for a period of ten years in addition to the tax or interest, there shall be levied upon all the taxable property in said Village, a direct annual ad valorem tax sufficient to produce a sum which will discharge in each year one-tenth of the principal amount of said bonds.

SECTION. 9. That, Whereas, it is necessary for the public health and safety to immediately construct a municipal water works plant and supply the same with water for the purpose of supplying water to said Village, and the inhabitants thereof, for all purposes, an emergency is hereby and herewith declared to exist, and this Ordinance shall therefor take effect and be in force from and after its passage, approval and publication, and shall be irrevocable until the indebtedness hereby created, both as to interest and principal, shall have been fully paid and satisfied.

Passed: This 16th. day of October, A. D. 1919.

W.F. Morton.

Village Clerk.

Approved: This 16th. day of October, A. D. 1919.

O. K. Nickerson.

Chairman.

Village of Middleton, Idaho.

Dec. 1. 1919.

Regular meeting of the Board of Trustees of the Village of Middleton, Idaho, met in the Oylear & Fahringer Co. store. Meeting was called to order by the Chairman and all the members were present.

The minutes of the previous meeting were approved as read.

The Street Committee reported on work done during November.

The Finance Committee approved of the following bills and on motion by Trustee Foote, seconded by Trustee Hadsall, and passed they were ordered paid.

H. L. Murphy, salary for November,	\$25.00
Margarette C. Lemon, services as election judge	4.00
Mabel M. Crockett, " " " "	4.00
P. B. Shaffer, " " " "	4.00
Anna M. Jones, " " " "	4.00
Middleton, Herald, publications,	87.75
Idaho Power Co. street lights, Nov.	14.80
J. T. Quist, 16 hrs. with team street work	12.80
O. E. Burns, 5 " " " "	1.50
P. D. Hadsall, 50 hrs. single handed, 26 hrs. team	22.80
I. O. O. F. hall rent election day,	5.00
Melvin Moberly, 8 hrs. on street work,	4.00
W. C. Watt, 8 " " " " with team	8.80
Geo. Loomis, hauling 50 yards sand on streets,	37.50
Maynor Jones, " 62 2/3 " " " "	47.00
H. E. Foote, street work,	128.40
O. K. Mickerson, election supplies,	.45

Total \$109.50

On motion by Moberly, seconded by King, that Board should proceed with the canvass of the election returns; motion carried and it was so ordered. The Board after canvassing the returns finds the returns were regular with 128 votes cast, 79 votes were in favor of the bond issue; 51 were against the bond issue and 1 was blank.

The bond issue having failed to carry by the necessary two-thirds vote the bond issue was declared lost.

There being no further business the meeting adjourned.

W. F. Morton

Village Clerk.

DOCUMENT 2

MINUTES OF THE REGULAR MEETING OF THE TRUSTEES OF THE
VILLAGE OF MIDDLETON, CANYON COUNTY, IDAHO

In Council Chambers

Middleton Idaho

November 5, 1935.

A regular meeting of the Chairman and Board of Trustees of the Village of Middleton, Canyon County, Idaho was held on the 5th day of November, 1935.

The meeting was called to order by the Chairman of the Board of Trustees and upon roll call, the following answered present.

Trustee C. J. Murphy, Chairman

Trustee Lee Shaffer

Trustee D. B. Morrison

Trustee E. E. Crockett

Trustee J. L. Payne

The following members of the Board of Trustees were absent-- NONE.

The following proceedings were had to-wit:

The following bills against the Village of Middleton, were read:

Claim of P. D. Hadsall, Street and Park work \$14.80

Claim of Idaho Power Company, Street lights \$29.80

Claim of Boise Payette Lumber Company, Merchandise \$4.10.

Claim of M. A. Campbell Marshals salary, \$25.00

Claim of L. M. Porter, refund for typing construction documents \$31.70.

Claim of Chas Gerhauser for one-half years
salary as Village Clerk \$37.50.

Claim of S. Ben Dunlap for one-half years
salary as Village Attorney \$50.00.

Total \$202.90

Upon motion of Trustee Lee Shaffer, seconded
by Trustee D. B. Morrison, the claims against the
Village above read were duly audited and the Village
Clerk was instructed to draw warrants on the Village
Treasury in payment of the same.

A written offer by the United States of America,
the Federal Emergency Administrator of Public Works, by
Horatio B. Hackett, Assistant Administrator, dated
Washington D. C. October 30, 1935, addressed to the
Village of Middleton, Middleton, Canyon County, Idaho,
on form P. W. 43758-6, an exact copy of which is set
out in the resolution, was read in full.

Rules and Regulations P.W.A. form 166 dated July
22, 1935, as amended by P.W.A. form 203 dated October
7, 1935, were duly read and considered in connection
with the offer of the United States Government above
mentioned.

After discussion of the offer of the United States
of America to aid by way of loan and grant in financing
the construction of a ~~water~~ works system for the Village
of Middleton, Canyon County, Idaho, the following resolution,
numbered one, and entitled "A RESOLUTION ACCEPTING THE
OFFER OF THE UNITED STATES TO AID BY WAY OF LOAN AND GRANT
IN FINANCING THE CONSTRUCTION OF A WATER WORKS SYSTEM FOR
THE VILLAGE OF MIDDLETON, CANYON COUNTY, IDAHO", was proposed
by Trustee D. B. Morrison and read in full.

RESOLUTION NO. One.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE VILLAGE OF MIDDLETON, CANYON COUNTY, IDAHO TO AID BY WAY OF LOAN AND GRANT IN FINANCING THE CONSTRUCTION OF A WATER WORKS SYSTEM FOR THE VILLAGE OF MIDDLETON, CANYON COUNTY, IDAHO.

Be it resolved by the Chairman and Board of Trustees of the Village of Middleton, Canyon County, Idaho.

Section 1. That the offer of the United States of America to the Village of Middleton, Canyon County, Idaho to aid by way of loan and grant in financing the construction of a water works system, a copy of which offer reads as follows, to-wit:

"P. W. 43758-8

FEDERAL EMERGENCY ADMINISTRATION

OF PUBLIC WORKS

Washington D. C.,
October 30, 1935
State File No. Idaho 1036.

Village of Middleton,

Middleton, Canyon County, Idaho.

"Subject to the Rules and Regulations (FWA Form No. 166, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a complete waterworks system for domestic use and fire protection (herein called the "Project") by making a grant to the Village of Middleton (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$9,000, and by purchasing, at the principal amount thereof plus accrued interest thereon, from the Applicant, obligations of the description set forth below (or such other description as shall be mutually satisfactory) in the aggregate principal amount of

\$11,000, less such amount of such obligations, if any, as the Applicant may, with the consent of the said Administrator, sell to purchasers other than the United States of America:

(a) Obligor: Village of Middleton;

(b) Type: Negotiable, general obligation, coupon bond;

(c) Denominations: \$100 and \$500; (d) Date: October 1, 1955;

(e) Interest rate and interest payment dates: 4% per annum, payable semi-annually on April 1 and October 1 in each year;

(f) Place of payment: At the office of the Village Treasurer in Middleton, Idaho;

(g) Registration privileges: Registerable, at the option of the holder, as to principal only, or as to both principal and interest;

(h) Maturities: Payable October 1 each year:

1937 to 1939, both inclusive,	\$400,
1940 to 1945, both inclusive,	500,
1946 to 1949, both inclusive,	600,
1950 to 1953, both inclusive,	700,
1954 and 1955,	800;

(i) Security: Payable as to both principal and interest from ad valorem taxes which may be levied without limit as to rate or amount upon all the taxable property within the territorial limits of the Applicant.

UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works"

By Horatio B. Hackett
Assistant Administrator."

be and the same is hereby in all respects accepted.

Section 2. That said Village of Middleton, Canyon County Idaho, agrees to abide by all the rules and regulations relating to such loan and grant, a copy of which rules and regulations were annexed to the government's offer and made a part thereof.

Section 3. That the Clerk of the Village of Middleton, Canyon County, Idaho be and he hereby is authorized and

directed forth with to send to the Federal Emergency Administration of Public Works, three certified copies of this resolution and three certified copies of the proceedings of this meeting in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

C. J. MURPHY
Chairman of the Board of Trustees
of the Village of Middleton, Canyon
County, Idaho.

Chas Gerhauser
Clerk of the Village of Middleton
Canyon County, Idaho.

(CORPORATE SEAL)

The above resolution was seconded by Trustee J. L. Payne and was adopted with the following voting aye: Trustee Lee Shaffer, Trustee D. B. Morrison, Trustee E. E. Crockett, Trustee J. L. Payne, Trustee C. J. Murphy, Chairman, and the following voting Nay: NONE.

The Chairman of the Board of Trustees thereupon declared said Resolution carried and the Chairman and Clerk of said Board of Trustees thereupon signed said Resolution in approval thereof.

Upon motion of Trustee D. B. Morrison, seconded by Trustee J. L. Payne, the First National Bank of Idaho, Caldwell Branch was designated as depository of all funds to be received from the loan and grant to be made by the United States Government in connection with the construction of the Water Works System, said funds to be deposited in the said bank in a special account to be designated "Village of Middleton P.W.A. special fund", subject to withdrawal.

on checks drawn on said fund to be signed by the
Chairman of the Board of Trustees and the Clerk of the
Village of Middleton.

Upon motion of Trustee J. L. Payne, seconded by
Trustee D. B. Morrison, the meeting adjourned until
Friday, November 8, 1936 at the hour of eight o'clock
P. M. to re-convene at said hour and date in the regular
place of meeting of said board.

C. J. Murphy
C. J. MURPHY
Chairman of the Board of Trustees
of the Village of Middleton, Canyon
County, Idaho.

ATTEST: *Chas. Gershauser*

CHAS GERSHAUSER
Village Clerk.

(CORPORATE SEAL)

RECORD OF PROCEEDINGS

Middleton, Idaho.
March 3rd, 1936.

The regular meeting of the Village council was held in the city hall, March 3rd, at 8 o'clock P.M. the regular meeting time. Members present were, TRUSTEES: Shaffer; Payne; Morrison; and chairman Murphy.

Minutes of the previous meeting accepted as read.

The following bills were audited by the finance committee and on motion of trustee Payne, seconded by trustee Shaffer were regularly passed and ordered paid, clerk was instructed to draw warrants for same.

State Insurance ,-----	\$ 8.43
M.A.Campbell, marshal, -----	22.00
Idaho Power Co, Street lights, -----	29.80
Packers Filling Station, gas & oil, -----	4.34
TOTAL,-----	\$64.57

P.W.A. WATER WORKS FUND.

S.Ben Dunlap. Attorney fee on Bonds \$100.00

The following letter was read.

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS.

STATE DIRECTOR

BOISE IDAHO.

Ida, 1036 R
Waterworks
Middleton, Idaho

Mr, C.J.Murphy, Chairman
Board of Trustees,
Middleton, Idaho

Dear Sir:

The administration has approved a reduction of \$400.00 in the allotment for the above project to provide for a loan of \$10,600 in place of a loan of \$11,000 as originally contemplated.

Yours very truly,

J.Vernon Otter
State Director (Idaho)
For the Administrator

Upon motion of trustee Payne and seconded by trustee Shaffer the Village clerk was instructed to submit to the Honorable J.Vernon Otter P.W.A. State Director the following proposed resolution, proposed to be passed by the board of trustees, provided the same meets the approval of said state director, Motion carried.

Middleton, Idaho
March 1936.

PROPOSED RESOLUTION,

The Board of Trustees, having under consideration the preparation of a request, for an extension of time on the Contracts A and B of Docket Idaho 1038, The following resolution was offered by _____ and seconded by _____

WHEREAS: it has become necessary, due to the length and severity of the winter, that the contractors under contract A and contract B of docket Ida, 1038 be granted an extension of the contract time set for the completion of said contracts, and

WHEREAS: The Village Trustees have agreed upon a revised completion date of June 30, 1936 for the contract B, and April 30, 1936 for contract A, and

SCANNED
DEC 9 2006

RECORD OF PROCEEDINGS

CONTINUED

RESOLUTION

The board of trustees having under consideration the preparation of a request for, change in the approved construction documents for docket Idaho 1038, and the necessary accompanying transfer of funds from one item to another in the last approved standard classification of project costs, the following resolution was offered by trustee Morrison and seconded by trustee Shaffer.

WHEREAS: Mr. A.P. Schmidt has completed that part of contract A under docket #1038 pertaining to drilling of the well, and satisfactory flow tests, chemical tests, and bacteriol tests, have been completed, and found satisfactory, and

WHEREAS: The flow test report, and the determined draw down, at the time of making said flow test was such that it is deemed practicable and advisable for the Village to make use of its ~~option~~ option of substituting the schedule B-2 referred to in , and as provided for in the Contract A, in lieu of the schedule B-1 of said contract; which substitution will provide for the use of the Centrifugal Type pump in lieu of the Deep well Turbine type pump. and,

WHEREAS: such substitution will be of a real economic advantage and in accord with good engineering practice, and

WHEREAS: the well as completed required reductions in the estimated quantities shown in the bidding blanks, upon which proposals were received and the contract let, which reductions were provided for in the contract through the instructions to bidders and the Specifications, and

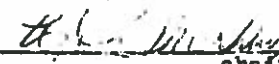
WHEREAS: The Village has decided to try and complete the project within the \$19272.72 cost as shown on their original application to the Federal Government for the loan and grant and not deposit the additional \$400.00 required for making use of the additional fund allotment; which decision makes it necessary to reduce the amount of item #3E; of the approved Standard Classification of Project costs, in the amount which it was increased in the effort to show use for the entire allotment at the time of submitting the Recapitulation of estimated project costs for approval.

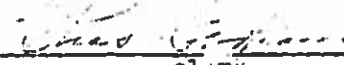
NOW, THEREFOR BE IT RESOLVED, that the Village prepare the necessary request to the State Director PWA for the above mentioned changes and substitution, also a statement of the revised cost of the project and the funds available, based upon contract commitments, changes requested, and a total of \$10600.00.

The resolution being put to a vote, the Vote was unanimous for its passage.

ATTEST: 
Village clerk
Middleton, Idaho.

No further business to come before the board, Trustee Morrison moved that the meeting adjourn to Tuesday March 10th 1936 seconded by trustee Shaffer, motion carried, and so ordered.


chairman.

ATTEST: 
clerk.

SCANNED
DEC 9 9 2006

DOCUMENT 3

RECORD OF PROCEEDINGS

Middleton, Idaho
April 18, 1940

A special meeting of the village council was held at 8 P.M. for the purpose of opening bids of pipe and supplies for the extension of the water works system.

Members present were Pfost, Cornell, Crockett and chairman Perkins. Owen absent.

Motion made by Pfost and seconded by Cornell that the bid of Crane Company be accepted as modified which is \$267.81, less 2% in 10 days after May first, with the understanding that any additional material needed for this extension be purchased at the same rate. Vote by roll call Pfost, yes; Cornell, yes; Crockett, yes; Perkins, yes. Motion carried.

Chairman appointed Joe Fattig and Earl Owen to secure fire hydrants at \$10. to \$15. per hydrant. Motion made by Crockett and seconded by Cornell that meeting adjourn. Motion carried.

W. S. Perkins
Chairman

Attest: Lura H. Stark
Clerk.

DOCUMENT 4

NUMBER OF INHABITANTS

TABLE 5.—POPULATION OF INCORPORATED PLACES: 1940 AND 1930

[The population of these places in 1920 is given in table 4. Places marked with an asterisk (*) were classified as urban in 1940]

CITY, TOWN, OR VILLAGE	County	1940	1930	CITY, TOWN, OR VILLAGE	County	1940	1930	CITY, TOWN, OR VILLAGE	County	1940	1930
Aberdeen	Bingham	1,016	646	Glenns Ferry	Elmore	1,200	1,414	Nezperce	Lewis	590	444
Alameda*	Bannock	2,691	1,886	Gooding*	Gooding	2,568	1,592	Notus	Canyon	277	144
Albion	Cassia	857	283	Gracie	Bannock	701	626	Oakley	Cassia	813	882
American Falls	Power	1,439	1,280	Grangeville	Idaho	1,029	1,300	Orofino	Clearwater	1,602	1,078
Ammon	Bonneville	863	270	Hagerman	Gooding	435	327	Paris	Bear Lake	632	626
Arco	Butte	548	672	Halley	Blaine	1,443	973	Parker	Fremont	884	286
Arizo	Bannock	291	200	Hansen	Twin Falls	327	379	Parma	Canyon	1,086	750
Ashton	Fremont	1,203	1,003	Harrison	Kootenai	362	493	Paul	Minidoka	906	853
Athol	Kootenai	120	116	Hazelton	Jerome	417	388	Payette*	Payette	3,322	2,618
Bancroft	Bannock	406	403	Heyburn	Minidoka	413	201	Pearl	Gem	21	12
Basalt	Bingham	282	289	Hollister	Twin Falls	100	113	Peck	Nez Perce	105	154
Bellvue	Blaine	502	376	Homedale	Owyhee	857	225	Pierce	Clearwater	881	—
Blackfoot*	Bingham	8,681	8,199	Hope	Bonner	116	111	Placerville	Boise	140	116
Bloomington	Bear Lake	418	893	Idaho City	Boise	273	187	Plummer	Benewah	399	340
Boise City*	Ada	20,130	21,644	Idaho Falls*	Bonneville	15,024	9,428	Pocatello*	Bannock	18,133	10,471
Bonnets Ferry	Boundary	1,845	1,418	Lona	Bonneville	518	385	Post Falls	Kootenai	849	609
Bozill	Latah	447	572	Jerome*	Jerome	3,537	1,976	Preston*	Franklin	4,236	3,381
Buhl	Twin Falls	2,414	1,883	Julianna	Latah	337	274	Priest River	Bonner	1,056	949
Burley*	Cassia	5,329	3,826	Kamiah	Lewis	568	487	Rathdrum	Kootenai	611	496
Caldwell*	Canyon	7,272	4,974	Kellogg*	Shoshone	4,235	4,124	Reubens	Lewis	119	191
Cambridge	Washington	405	336	Kendrick	Latah	407	363	Rexburg*	Madison	3,437	3,048
Cascade	Valley	1,029	726	Kimberly	Twin Falls	963	648	Richfield	Lincoln	390	193
Challis	Custer	620	418	Kooskia	Idaho	490	411	Rigby	Jefferson	1,978	1,531
Clarks Fork	Bonner	430	432	Kootenai	Bonner	214	199	Ririe	Jefferson	493	422
Clifton	Franklin	268	217	Kuna	Ada	443	308	Roberts	Jefferson	310	297
Coeur d'Alene*	Kootenai	10,049	8,297	Lapwai	Nez Perce	428	410	Rockland	Power	277	374
Cottonwood	Idaho	673	519	Lava Hot Springs	Bannock	647	544	Rupert*	Minidoka	8,167	2,280
Council	Adams	692	865	Lewiston*	Nez Perce	10,548	9,403	St. Anthony*	Fremont	2,719	2,778
Craigmont	Lewis	528	496	Lewisville	Jefferson	371	285	St. Charles	Bear Lake	429	—
Culdesac	Nez Perce	219	287	McCall	Valley	876	661	St. Maries	Benewah	2,291	1,966
Dalby	Madison	38	(1)	McCammon	Bannock	489	497	Salmon	Lambl.	2,439	1,371
Dayton	Franklin	864	271	Mockay	Custer	776	777	Sandpoint*	Bonner	4,350	2,290
Deary	Latah	820	295	Malad City*	Owens	2,731	2,585	Shelley	Bingham	1,751	1,447
Declo	Cassia	238	196	Marysville	Fremont	218	188	Shoshone	Lincoln	1,866	1,211
Downey	Bannock	678	553	Melba	Canyon	213	—	Soda Springs	Caribou	1,087	831
Driggs	Teton	1,040	710	Menan	Jefferson	432	384	Spirit Lake	Kootenai	1,006	1,241
Drummond	Fremont	66	61	Meridian	Ada	1,465	1,004	Sites	Idaho	258	278
Dubois	Clark	332	312	Middleton	Canyon	477	372	Sugar City	Madison	697	621
East Hope	Bonner	115	115	Midvale	Washington	262	203	Teton	Fremont	514	481
Eden	Jerome	413	409	Minidoka	Minidoka	174	193	Troy	Latah	580	619
Elk River	Clearwater	337	802	Mink Creek	Franklin	170	221	Twin Falls*	Twin Falls	11,851	8,787
Emmett*	Gem	3,203	2,793	Montpelier*	Bear Lake	2,824	2,436	Ucon	Bonneville	446	849
Fairfield	Camas	611	306	Moscow*	Latah	6,014	4,476	Victor	Teton	264	250
Fairview	Franklin	414	348	Mountain Home	Elmore	1,193	1,243	Wallace*	Shoshone	3,830	3,634
Ferdinand	Idaho	223	196	Mullan	Shoshone	2,291	1,801	Wardner	Shoshone	861	903
Filer	Twin Falls	1,280	1,011	Murtaugh	Twin Falls	272	—	Weiser*	Washington	3,663	2,724
Firth	Bingham	242	236	Nampa*	Canyon	12,149	8,206	Wendell	Gooding	1,001	725
Franklin	Franklin	523	531	Newdale	Fremont	350	368	Weston	Franklin	439	429
Genesee	Latah	678	555	New Meadows	Adams	264	220	Wildor	Canyon	507	581
Georgetown	Bear Lake	463	391	New Plymouth	Payette	501	610	Winchester	Lewis	634	665
								Worley	Kootenai	241	199

* Not returned separately.

* Corrected figure; see footnote on Franklin County, table 4.

TABLE 6.—POPULATION OF CITIES OF 5,000 OR MORE BY WARDS: 1940

CITY AND WARD	1940	CITY AND WARD	1940	CITY AND WARD	1940	CITY AND WARD	1940
Burley	5,329	Idaho Falls	15,024	Moscow	6,014	Pocatello	18,133
Ward 1	1,148	Ward 1	3,509	Ward 1	2,676	Ward 1	4,810
Ward 2	1,729	Ward 2	2,648	Ward 2	1,372	Ward 2	8,073
Ward 3	2,452	Ward 3	4,847	Ward 3	1,950	Ward 3	1,884
Caldwell	7,372	Ward 4	4,420			Ward 4	2,786
Ward 1	2,445					Ward 5	2,461
Ward 2	3,350					Ward 6	2,516
Ward 3	1,471						
Coeur d'Alene	10,049	Lewiston	10,548	Nampa	12,149	Twin Falls	11,851
Ward 1	691	Ward 1	2,512	Ward 1	5,806	Ward 1	5,052
Ward 2	3,090	Ward 2	4,323	Ward 2	2,290	Ward 2	5,709
Ward 3	3,481	Ward 3	3,713	Ward 3	4,044		
Ward 4	2,487						

NOTE.—Boise City, the only other city of more than 5,000, has no wards.

Memo To File

To: 63-22363 / 63-21552

From: Dave Tuthill

Date: 11/16/2006

Re: Discussion with Vern Brewer

I advised Vern that we do not yet have enough information in the file to recommend approval of 63-22363 or 63-21552.

For now we will recommend disallowal of each of these two claims with the anticipation that more supporting information will be provided either before the Director's Report is filed, or during the objection process.

11/18/2006

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

RIGHT NUMBER: 63-22363

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

DISALLOWED: No lawful appropriation shown.

EXPLANATORY MATERIAL:

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71407

This is to certify that: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644
(208)585-3133

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-3398	AJC/License	01/08/1964	1.11 cfs	57 af	N/A	N/A	GROUND WATER
63-8310	AJC/License	07/21/1976	0.67 cfs	N/A	N/A	N/A	GROUND WATER
63-8704	AJC/License	04/18/1977	5.00 cfs	N/A	N/A	N/A	GROUND WATER
63-9128	AJC/License	03/29/1978	1.24 cfs	N/A	N/A	N/A	GROUND WATER
63-22363	AJC/Beneficial Use	10/16/1919	4.00 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>
63-3398	NO	YES	NO	YES	NO	NO
63-8310	NO	YES	NO	NO	NO	NO
63-8704	NO	NO	NO	YES	NO	NO
63-9128	NO	NO	NO	YES	NO	NO
63-22363	NO	YES	NO	NO	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>
63-3398	63-3398	1.11 cfs	57 af	N/A	N/A		N/A	N/A	N/A	N/A
63-8310	63-8310	0.67 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-8704	63-8704	5.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-9128	63-9128	1.24 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-22363	63-22363	4.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		11.35 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of November, 2004

Cary Spaulman
Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-3398

SCANNED
JUL 17 2004

WATER RIGHT NO. 63-3398
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-3398 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: January 08, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	1.11 CFS	57.0 AF
			1.11 CFS	57.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

SCANNED

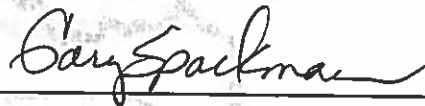
WATER RIGHT NO. 63-3398
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

8. Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NWNE, S5; NWNW, S6; NENW, S8 and SWNW, S17; T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 1/8/1964 relative to all other actions to distribute water.
9. The well previously used under Right 63-3398 shall be abandoned in a manner which complies with Department well abandonment rules.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
11. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
12. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau

SCANNED
11/7/2004

WATER RIGHT NO. 63-8310
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-8310 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: July 21, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.67 CFS
			0.67 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Rights 63-8310 and 63-22363 when combined shall not exceed a total diversion rate of 4.0 cfs.
7. 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.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

DEC 5 1976

WATER RIGHT NO. 63-8310
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

9. Diversion and use of water under this right from the additional well authorized under Transfer 71407 located in the SWNW, Sec. 17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 7/21/1976 relative to all other actions to distribute water.
10. The wells previously used under Right 63-8310 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
12. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
13. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau

RECEIVED
DEC 6 7 2004

WATER RIGHT NO. 63-8704
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-8704 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: April 18, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01 to	12/31	5.00 CFS
			5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N	Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N	Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N	Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N	Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

SCANNED
DEC 7 2004

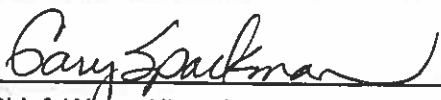
WATER RIGHT NO. 63-8704
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

8. Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NENW, S8 and SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 4/18/1977 relative to all other actions to distribute water.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
11. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau

DEC 17 2004

WATER RIGHT NO. 63-9128
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-9128 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: March 29, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	1.24 CFS
			1.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
8. Diversion and use of water under this right from the additional wells authorized under Transfer 71407 located in the NENW, S8 and SWNW, S17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 3/29/1978 relative to all other actions to distribute water.

EXAMINED
DEC 17 1978

WATER RIGHT NO. 63-9128
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
11. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau

SCANNED
DEC 7 2004

WATER RIGHT NO. 63-22363
As Modified by Transfer No. 71407

In accordance with the approval of Transfer No. 71407, Water Right No. 63-22363 is now described as follows.

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON ID 83644

Priority Date: October 16, 1919

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	4.00 CFS
			4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NWNE)	Sec. 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec. 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec. 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec. 17 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Rights 63-8310 and 63-22363 when combined shall not exceed a total diversion rate of 4.0 cfs.
7. 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.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

SCANNED
011

WATER RIGHT NO. 63-22363
As Modified by Transfer No. 71407

CONDITIONS OF APPROVAL

9. Diversion and use of water under this right from the additional well authorized under Transfer 71407 located in the SWNW, Sec. 17, T4N, R2W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 10/16/1919 relative to all other actions to distribute water.
10. The wells previously used under Right 63-22363 in the NWNE, S7 and the SWSE, S6, T4N, R2W shall be abandoned in a manner which complies with Department well abandonment rules.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
12. The total instantaneous diversion of water from all points of diversion under Rights 63-3398, 63-8310, 63-8704, 63-9128 and 63-22363 shall not exceed 11.35 cfs.
13. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.

This water right 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.

Dated this 2nd day of November, 2004



Chief, Water Allocation Bureau

DEC 7 2004

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: A63-22363
Date Received: 3/22/1990
Receipt No: C015869
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF MIDDLETON
Address: 15 NORTH DEWEY
MIDDLETON ID 83644 208-722-5138

2. Date of Priority: OCT 16, 1919

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	5	NW	NE		2	CANYON
		6	NW	NW		4	CANYON
			SW	SE			CANYON
		7	NW	NE			CANYON
		8	NE	NW			CANYON

5. Description of diverting works:
WELLS PUMPS AND PLUMBING IN CITY LIMITS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL SUPPLY

MICROFILMED
OCT 09 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:

63-3398, 63-3545, 63-8310, 63-8704, 63-9128

14. Remarks:

PLACE OF USE WITHIN THE CITY LIMITS OF MIDDLETON
CLAIM AMENDED PER TRANSFER NO. 4121 APPROVED 07/09/1993.
THE TOTAL COMBINED RATE OF DIVERSION UNDER RIGHT NOS. A63-08310
AND A63-22363 SHALL NOT EXCEED 4.0 CFS.
SEE ALSO ADDITIONAL CONDITONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4121 IN FILE.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

OCT 09 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4121
WATER RIGHT NO(S). 63-08310/63-22363

This is to certify that: CITY OF MIDDLETON
PO BOX 176
MIDDLETON ID 83644

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 63-08310 :		
MUNICIPAL	01/01 to 12/31	0.67 CFS
Priority: 07/21/1976		
Right No. 63-22363 :		
MUNICIPAL	01/01 to 12/31	4.00 CFS
Priority: 10/16/1919		

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Lot 2(NWNE), Sec. 5, Township 04N, Range 02W
Lot 4(NWNW), Sec. 6, Township 04N, Range 02W
SWSE , Sec. 6, Township 04N, Range 02W
NWNE , Sec. 7, Township 04N, Range 02W
NENW , Sec. 8, Township 04N, Range 02W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4121
WATER RIGHT NO(S). 63-08310/63-22363

CONDITIONS/REMARKS:

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Place of use is located within the city limits of Middleton.
5. The total combined rate of diversion under Right Nos. 63-08310 and 63-22363 shall not exceed 4.0 cfs.

Dated this 9th day of July, 1993.

J. Glen Saylor
Chief, Water Alloc. Bureau

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/08/93
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
10/16/1919	MUNICIPAL	01-01 12-31	4.00 CFS	
TOTAL DIVERSION:			4.00 CFS	

Tributary to:

Stage: BENEFICIAL USE

✓ S05 Lot02(NWNE)
S06 Lot04(NWNW) SWSE
S07 NWNE
S08 NWNW

CANYON County
CANYON County
CANYON County
CANYON County

-8704, 63-9128

RY LIMITS OF MIDDLETON

Verified Date:

Field Inspection Flag:

Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/16/93
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
10/16/1919	MUNICIPAL	01-01 12-31	4.00 CFS	
TOTAL DIVERSION:			4.00 CFS	

Tributary to:

Stage: BENEFICIAL USE

S05 Lot02(NWNE)
S06 Lot04(NWNW) SWSE
S07 NWNE
S08 NENW

CANYON County
CANYON County
CANYON County
CANYON County

704, 63-9128

Apply with the drilling permit
on 42-235, Idaho Code.
If the conditions of this transfer is cause
to issue an order to show cause why the approval
should not be rescinded.
This transfer does not preclude the opportunity for
exercise of the water right(s) in the ongoing
adjudication.

Within the city limits of Middleton.
Reversion under this right and
is valued at 4.00 cfs.

Verified Date:

Field Inspection Flag:

Presumption Flag:

Added to DJ database & deleted from WR database.

7-16-93 CS

MEMORANDUM

TO: FILE A63-22363

FROM: PAM SKAGGS

RE: TRANSFER # 4121

DATE: 7-8-93

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 63-08310.

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: A63-22363
Date Received: 5/18/1990
Receipt No: C015869
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF MIDDLETON 208-722-5138
Address: 15 NORTH DEWEY
MIDDLETON, ID 83644

2. Date of Priority: OCT 16, 1919

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	5		NW	NE	2	CANYON
		6		NW	NW	4	CANYON
				SW	SE		CANYON
		7		NW	NE		CANYON
		8		NW	NW		CANYON

5. Description of diverting works:
WELLS PUMPS AND PLUMBING IN CITY LIMITS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL SUPPLY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:

63-3398, 63-3545, 63-8310, 63-8704, 63-9128

14. Remarks:

PLACE OF USE WITHIN THE CITY LIMITS OF MIDDLETON

15. Basis of Claim: BENEFICIAL USE

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
 _____ Date: _____

State of Idaho)
County of) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19_____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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:

Date Received:

Receipt No:

Received by:

2015869
RECEIVED

MAR 22 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name of applicant: City of Middleton

Phone: 208-722-5138

Address: 15 North Dewey Avenue, Middleton, Ida. 83644

2. Date of priority: Oct 16, 1919

3. Source of water supply: groundwater

Tributary to:

4. Point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02W	6	SW	SE			CANYON
04N	02W	7	NW	NE			CANYON
04N	02W	8	NW	NW			CANYON
04N	02W	5	NW	NE	2		CANYON
04N	02W	6	NW	NW	4		CANYON

5. Description of existing diversion works: Wells, Pumps and plumbing into the city water system.

6. Water is claimed for the following purposes: MUNICIPAL SUPPLY

(both dates are inclusive)

Purposes	From	To	C.F.S.	(OR)	A.F.A.
MUNICIPAL	01/01	12/31	4.0		

7. Total quality claimed (a) 4.0 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is: MUNICIPAL SUPPLY

9. Non-irrigation uses: MUNICIPAL SUPPLY

10. Place of Use: WITHIN THE CITY LIMITS OF MIDDLETON

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
----------	-------	---------	-----	----	-----	-----	-----	-------

Last Name: CITY OF MIDDLETON Ident. Number: Total number of acres irrigated

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SEP 08 1992

Page 2 of 4

11. Place of Use in counties: CANYON

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Other Water Rights Used: 63-03398, 63-03545, 63-08310, 63-08704, 63-09128

14. Remarks: P/U WITHIN THE CITY LIMITS OF MIDDLETON INCLUDING PARKS

15. Basis of Claim: BENEFICIAL USE

Case Number:

Court:

Decree Date:

Plaintiff

vs

Defendant

16. Signatures (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 ~~do~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: _____

Last Name: CITY OF MIDDLETON

Ident. Number:

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SEP 08 1992

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

Signature of Authorized Agent Alice M. Lanning
Title and Organization Mayor City of Middleton Date 03/20/90

State of Idaho)
County of Canyon) SS.

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

Seal

Notary Public Lou Jean Bunnell
Residing at Middleton
My Commission Expires 12/36/91

Last Name: CITY OF MIDDLETON

Ident. Number:

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SEP 08 1992

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that 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 _____

Address _____

Date _____

Last Name: CITY OF MIDDLETON Ident. Number:

MICROFILMED
SEP 08 1992

AN ORDINANCE DUBMITTING TO THE QUALIFIED ELECTORS OF THE VILLAGE OF MIDDLETON. IN THE COUNTY OF CANYON. IN THE STATE OF IDAHO. WHO ARE TAXPAYERS THEREOF. FOR THEIR VOTE AND DETERMINATION OF THE QUESTION OF ISSUING MUNICIPAL COUPON BONDS OF SAID VILLAGE. TO AN AMOUNT AGGREGATING THE PRINCIPAL SUM OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,000.00) TO PROVIDE FOR THE CONSTRUCTION AND MAINTAINANCE OF A MUNICIPAL WATER WORKS PLANT FOR SAID VILLAGE AND A WATER SUPPLY THEREFOR; AND THE LEVY AND ASSESSMENT OF DIRECT ANNUAL AD VALOREM TAXES UPON ALL THE TAXABLE PROPERTY IN SAID VILLAGE SUFFICIENT TO PAY THE INTEREST ACCRUING UPON SAID ISSUE OF BONDS PROMPTLY WHEN AND AS THE SAME BECOME DUE. AND ALSO. AT THE LAWFUL TIME. FURTHER ANNUAL AD VALOREM TAXES ON SAID TAXABLE PROPERTY. SUFFICIENT TO CONSTITUTE AND MAINTAIN A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL OF SAID BONDS WITHIN TWENTY YEARS FROM THE TIME OF THE ISSUE OF THE SAME; AND PROVIDING FOR AN ELECTION TO BE HELD IN AND FOR SAID VILLAGE FOR SAID PURPOSE ON TUESDAY. THE TWENTY-FIFTH DAY OF NOVEMBER. A. D. 1919, PRESCRIBING THE FORM OF NOTICE TO BE GIVEN TO THE ELECTORS OF SAID VILLAGE FOR THE HOLDING OF SAID ELECTION; AND ALSO PRESCRIBING THE FORM OF BALLOT TO BE USED IN VOTING AT SAID ELECTION, AND NAMING THE ELECTION OFFICERS TO SERVE THEREAT.; DECLARING AN EMERGENCY WHEREBY THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER IT'S PASSAGE, APPROVAL AND DUE PUBLICATION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

WHEREAS, it appears to the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, that it would be, and it is hereby deemed advisable to issue municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00) to provide for the construction and maintainance of a municipal water works plant for said Village, and a water supply therefor.

Now, Therefore, Be it ordained by the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho:

SECTION. 1. That a special election be, and the same is hereby called and ordered to be held in and for said Village of Middleton, in the County of Canyon, in the State of Idaho, on Tuesday, the 25th. day of November, A. D. 1919, beginning at the hour of 9 o'clock in the morning, and closing at the hour of seven o'clock in the afternoon, for the purpose of taking the vote of the qualified electors, who are taxpayers of said Village, upon the following question, which is hereby submitted to the qualified electors for their determination at said election, to

QUESTION.

Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount

aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintenance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on all the taxable property in said Village, sufficient to pay the interest accruing upon said bonds promptly when and as the same becomes due, and also, at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing of the

SECTION. 2. That all persons, who, at the time of said election are qualified electors and tax-payers of said Village, and no other shall be qualified to vote at said election upon the question submitted as aforesaid.

SECTION. 3. That the voting at said election shall be by Ballot and the ballots used shall be printed and in substantially the following form:

SPECIAL MUNICIPAL COUPON BOND ELECTION.
NOVEMBER 25, A. D. 1919.

Village of Middleton, County of Canyon, State of Idaho.

OFFICIAL BALLOT.

The voter will answer the question on this ballot propounded by making a cross (X) in the appropriate space opposite the answer to the question submitted which expresses his choice

QUESTION:

Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintenance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on the taxable property in said Village sufficient to pay the interest accruing on said bonds promptly when and as the same becomes due and also at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing the same?

ANSWER:

In favor of issuing bonds to the amount of Thirteen Thousand Five Hundred Dollars (\$13,000.00) for the purpose as stated in ORDINANCE No. 40. ☐

Against issuing bonds to the amount of Thirteen Thousand Five Hundred Dollars (\$13,000.00) for the purpose as stated in ORDINANCE No. 40. ☐

SECTION 4. That the Clerk of said Village shall give thirty days (30) notice of such election by publication in "The Middleton Herald", a weekly newspaper printed and published in the Village of Middleton, in the County of Canyon, in the State of Idaho, hereby declared, determined and adjudged by said Village of Middleton to be the official newspaper thereof, and by posting at the polling place where the election is authorized to be held, as hereinafter provided, a notice in substantially the following form, to-wit:

PUBLIC NOTICE OF SPECIAL MUNICIPAL COUPON BOND ELECTION TO BE HELD IN THE VILLAGE OF MIDDLETON IN THE COUNTY OF CANYON. IN THE STATE OF IDAHO. ON TUESDAY, NOVEMBER 25, A. D. 1919.

STATE OF IDAHO,)
COUNTY OF CANYON,) SS.
VILLAGE OF MIDDLETON,)

Pursuant to the laws of the State of Idaho, and Ordinance No. 40, of the Village of Middleton, in the County of Canyon, in said State, passed and approved on the 18th. day of October, A. D. 1919.

PUBLIC NOTICE IS HEREBY GIVEN, That a special election

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will be held in and for said Village on Tuesday, to-wit, the 25th. day of November, A. D. 1919, beginning at the hour of 9 o'clock in the morning and closing at the hour of 7 o'clock in the evening afternoon of said day, for the purpose of taking the vote of the qualified electors who are tax-payers of said Village upon the following question, to-wit:

"Shall the Chairman and Board of Trustees of the Village of Middleton, in the County of Canyon, in the State of Idaho, issue and sell the municipal coupon bonds of said Village to an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00), to provide for the construction and maintainance of a municipal water works plant for said Village and a water supply therefor; and levy and assess a direct annual ad valorem tax on all of the taxable property in the Village sufficient to pay the interest accruing upon said bonds promptly when and as the same becomes due, and also at the lawful time, a further annual ad valorem tax upon said taxable property sufficient to constitute and maintain a sinking fund for the payment of the principal of said bonds within twenty years from the time of issuing the same?"

The polling place for said election shall be the I. O. O. F. Hall, on Main Street.

All persons who at the time of said election are qualified electors and taxpayers of said Village, and no others, shall be qualified to vote at said election on said question.

At any time during office hours preceeding the said election the undersigned Village Clerk, or his duly appointed deputy, will register all electors who are qualified to vote at the said election.

The voting at said election shall be by ballot, and the ballots shall be supplied to the voters for their use at said election, and shall be in the form set forth in said Ordinance No. 40.

Dated at Middleton, Idaho, this 24th. day of October, A. D. 1919.
W. F. Morton.
Village Clerk.

SECTION. 5. That said election shall be held at the I. O. O. F. Hall on Main Street in the said Village of Middleton, and the following persons are hereby appointed to act as judges and distributing clerk of said election;

- | | |
|-------------------------------|-----------------------|
| -G. G. Painter.----- |) Judges. |
| -Mrs. Margaret Lemon.----- | |
| -Mrs. Mabel C. Crockett.----- | |
| | |
| -Mrs. Anna M. Jones----- |) Distributing Clerk. |

Section 6. That in case the issue of said bonds to provide for the construction and maintainance of a municipal water works plant for said Village and a water supply therefor, shall be approved by said electors, there shall be, and there are hereby ordered, authorized and directed to be issued, negotiated and sold in the manner hereinafter provided, municipal coupon bonds of said Village in an amount aggregating the principal sum of Thirteen Thousand Five Hundred Dollars (\$13,000.00); that said bonds shall be known as and designated "Municipal Water Works Coupon Bonds" shall be fourteen in number (14), numbered from one to fourteen both numbers inclusive, one to thirteen, both inclusive, of the denomination One Thousand Dollars (\$1000.00) each, and number fourteen for Five Hundred Dollars (\$500.00).

SECTION. 7. That in the case of the issuance of said bonds, said bonds shall be dated on or about the 1st. day of November, A. D. 1919, but the exact date said bonds shall bear, their form, terms, and maturity dates, shall be fixed by ordinance hereafter be adopted, after the Chairman and Board of Trustees have determined the best terms upon and the lowest rate of interest at which such bonds can be negotiated.

SECTION. 8. That in the case of the issuance of said bonds, there shall be levied upon all the taxable property of said Village a direct annual ad valorem tax sufficient for the payment of the interest on said bonds promptly when and as the same become due; and after said bonds have been issued for a period of ten years in addition to the tax or interest, there shall be levied upon all the taxable property in said Village, a direct annual ad valorem tax sufficient to produce a sum which will discharge in each year one-tenth of the principal amount of said bonds.

SECTION. 9. That, Whereas, it is necessary for the public health and safety to immediately construct a municipal water works plant and supply the same with water for the purpose of supplying water to said Village, and the inhabitants thereof, for all purposes, an emergency is hereby and herewith declared to exist, and this Ordinance shall therefor take effect and be in force from and after its passage, approval and publication, and shall be irrevocable until the indebtedness hereby created, both as to interest and principal, shall have been fully paid and satisfied.

Passed: This 16th. day of October, A. D. 1919.

W.F. Morton.

Village Clerk.

Approved: This 16th. day of October, A. D. 1919.

C. K. Nickerson.

Chairman.

SEP 28 1935

INCHOLIMED

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

AL3-03545
AL3-08904
AL3-09125
AL3-22363
AL3-08310

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

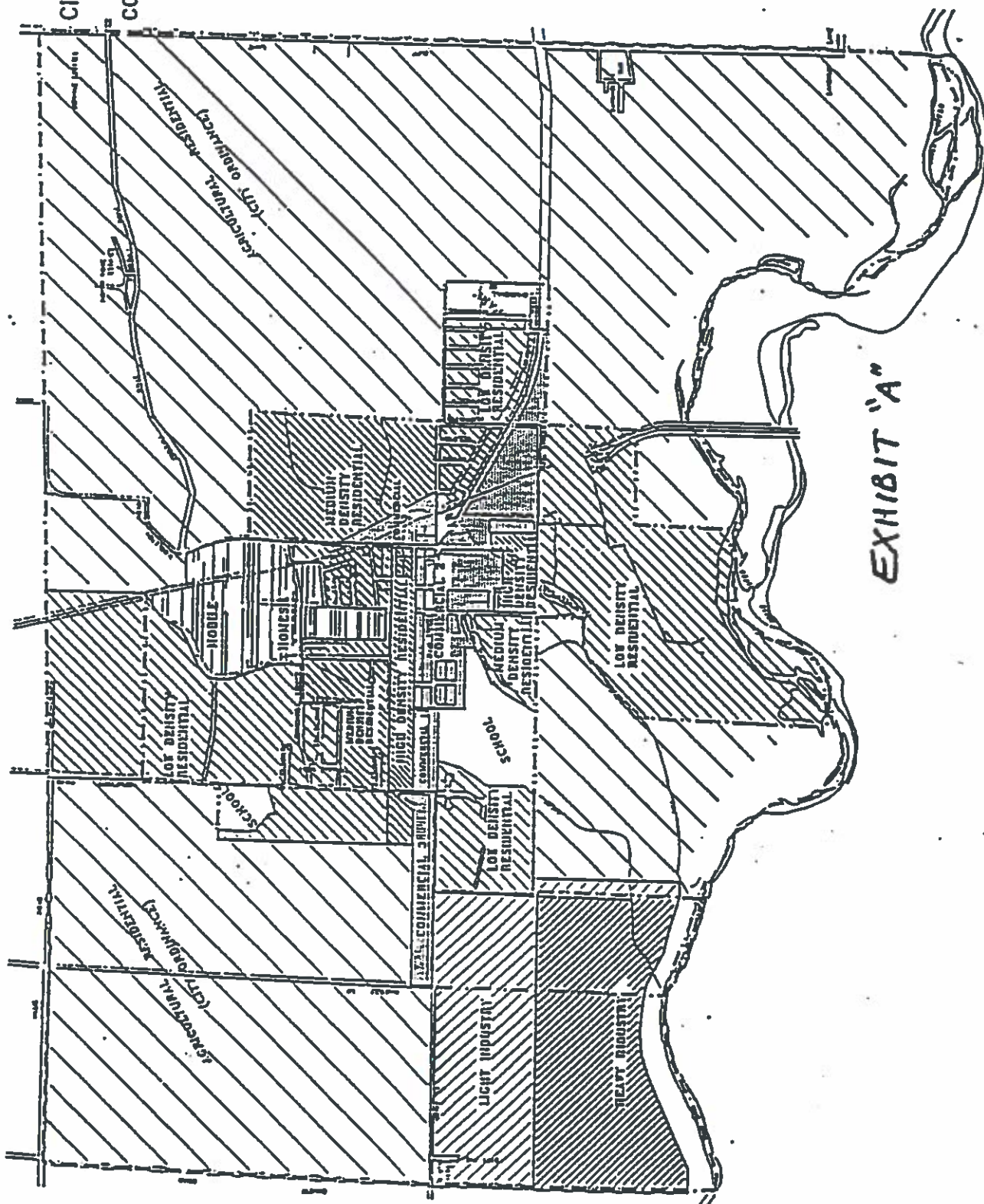
Copy: Board's Hearing File for Middleton City Impact Area
Newspaper - Idaho Press Tribune
Notice Board
Agencies and Political Subdivisions
Public Service Announcements
P&Z Area of Impact File for Middleton

BOC LEGALS-JLJ:ars

MICROFILMED

OCT 09 1996

**CITY OF MIDDLETON
CIVIL ENGINEERING
IMPACT ZONE
COMPREHENSIVE PLAN**



Water Right Number - 63-03545

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 33224

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF MIDDLETON1 -
2 -
3 -
City- MIDDLETON State- ID Zip- 83644
Phone -+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/26/1966 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
MIDDLETON MILL SLOUGH BOISE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 02W 7 NW NE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.040 9.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 9.00+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04N 02W 7 NE NE 1.0 01 IRRIGATION (27) CANYON
04N 02W 7 NW NE 1.0 01 IRRIGATION (27) CANYON

Total Acres: 2.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/U IS CITY PARK.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED

SEP 08 1992

Microfilm Roll Number -

MICROFILMED
SEP 08 1992

Water Right Number - 63-08310

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF MIDDLETON1 - CITY HALL
2 -
3 -
City- MIDDLETON
Phone -

State- ID Zip- 83644

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/21/1976 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 02W 8 NW NW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

40 - MUNICIPAL 01/01 12/31 0.670

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.670+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means - WELL, PUMP & PIPELINES.

+ - - Non-Irrigation Use - D/MUNICIPAL.

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/U WITHIN CITY LIMITS OF MIDDLETON.
REINSTATED 11-15-1978.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

MICROFILMED

SEP 08 1992

05/01/88 CONVERT

[illegible]

Proof Due Date	- 07/01/1978	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 06/25/1976	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/12/1982	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		
				Microfilm Roll Number	-

MICROFILMED
SEP 08 1992

Old (D) Number -

+ - - - - - Address - - - - - +

State- ID Zip- 83644

+ - - - Status - - - - +

+ - - - - - Tributary - - - - - +

5.000

+ - Decree Date - +
00/00/0000

MICROFILMED
SEP 08 1992

Water right number - 63-08704

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 06/03/85

05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 07/01/1979	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 06/13/1977	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/12/1982	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-	Microfilm Roll Number	-

MICROFILMED
SEP 08 1992

Water Right Number - 63-09128

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF MIDDLETON

1 - CITY HALL

2 -

3 -

City- MIDDLETON

State- ID Zip- 83644

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/29/1978 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 02W 5 NW NE 2 (27) CANYON

04N 02W 6 NW NW 4 (27) CANYON

+ - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

40 - MUNICIPAL

01/01

12/31

1.240

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.240+ - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means - WELL, PUMP & PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 63-8704.

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - +
REINSTATED 6-18-1979.
P/U WITHIN CITY LIMITS OF MIDDLETON.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - +
No Conditions of Approval found.

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SEP 08 1992

Microfilm Roll Number -

MICROFILMED
SEP 08 1992

Water Right Number - 63-03398

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 31646

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF MIDDLETON1 -
2 -
3 -City- MIDDLETON
Phone -

State- ID Zip- 83644

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/08/1964 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
04N 02W 6 SW SE (27) CANYON+ - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
40 - MUNICIPAL 01/01 12/31 1.110 57.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.110 57.00+ - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - +
P/U WITHIN CITY LIMITS OF MIDDLETON.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - +
No Conditions of Approval found.+ - - - - Plaintiff - - - - + + - - - Decree Defendant - - - - + + - Decree Date - +
00/00/0000MICROFILMED
SEP 08 1992

Water right number - 63-03398

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 05/20/85

05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 09/12/1979
Decree Date - 00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 05/20/1985
Receipt Number -
Appl Received - 00/00/0000
Presumption Flag -

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District -
Transfer/Amended -

Microfilm Roll Number -

MICROFILMED
SEP 08 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME City of Middleton CLAIM IDENT. NO. #22363

DATE RECEIVED 3/22/90 CK # C015869 AMOUNT \$ — Required

| | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | * |

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YES NO

Should this claim be receipted and data entered?

Claim checked by:

Bruce A. Schulz

Date:

5/19/90

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

S. P. G.

Date:

3/22/90

Claim data entered by:

S. P. G.

Date:

5/18/90

Checked by:

Date:

Notified to claimant by:

Date:

Comments:

63-103398-63-3545, 63-8310, 63-8704, 63-9128

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