

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 63-124N
Date Received: 3/14/1990
Receipt No: C015560, L0033065
Received By: DB

AMENDED

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

1. Name of Claimant(s)

MIDDLETON MILL DITCH CO Phone: (208)585-2943
23107 HARTLEY LN
MIDDLETON ID USA 83644

RECEIVED

JUN 16 2005

WATER RESOURCES
WESTERN REGION

2. Date of Priority: 06/01/1864

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	13	NE NE 1	ADA	

5. Description of diverting works:

DIVERTED WITH AND CO-MINGLED IN MID.MILL DITCH CO.& MID.IRR.ASSOC.DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	11.88	

7. Total Quantity Appropriated is:
11.88 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use: 9420 ACRES WITHIN THE BOUNDARY OF MIDDLETON IRRIGATION AND
MIDDLETON MILL COMPANIES.

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? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS CLAIMED FOR THE IRRIGATION OF 9420 ACRES UNDER THE DITCHES OF MIDDLETON MILL DITCH COMPANY AND MIDDLETON IRRIGATION ASSOCIATION. ALL THE RIGHTS OF THE TWO ORGANIZATIONS ARE CO-MINGLED AND THE DISTRIBUTION OF THE WATER IS MANAGED MORE OR LESS AS A SINGLE IRRIGATION UNIT.

THE PURPOSE OF THIS AMENDED CLAIM IS TO ADD 261 ADDITIONAL ACRES TO THE PLACE OF USE.

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Chairman of
Title
Middleton M. H. Bitch Co., that I have signed the foregoing
Organization
document in the space below as Chairman of
Title
Middleton M. H. Bitch Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Allen Furthman
Signature of Authorized Agent
Chairman Middleton M. H. Bitch Co.
Title and Organization

6-8-05

Date

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 8

of June 2005



Jerry A. Kiser
Notary Public

Residing at Ada County, ID.

My commission Expires 02/15/09

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: A63-00124N
Date Received: 3/14/1990
Receipt No: C015560
Received By: SL

RECEIVED
APR 02 1991

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIDDLETON MILL DITCH COMPANY 208-585-2943
Address: C/O MAX NISHIOKA
23107 HARTLEY LN.
MIDDLETON, ID 83644

2. Date of Priority: JUN 01, 1864

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	13	NW	NE	NE		ADA

5. Description of diverting works:
DIV.W/CO-MING.IN MID.MILL DITCH CO.& MID.IRR.ASSOC.DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.880		

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

8. Total consumptive use is 5762.9 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	3	SW	SW		IRR	22.0
			SE	SW		IRR	19.0
			SW	SE		IRR	11.0

A63-00124N

Page 1

Date: 09/25/90

MICROFILMED
AUG 14 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	3	SE	SE		IRR	5.0
						Section Acres	57.0
		4	SW	SW		IRR	20.0
			SE	SW		IRR	18.0
			SW	SE		IRR	23.0
			SE	SE		IRR	23.0
						Section Acres	84.0
		5	NE	SW		IRR	14.0
			NW	SW		IRR	25.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NW	SE		IRR	3.0
			SW	SE		IRR	36.0
			SE	SE		IRR	25.0
						Section Acres	179.0
		6	SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			SW	NW		IRR	30.0
			SE	NW		IRR	26.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NE	SE		IRR	39.0
			NW	SE		IRR	38.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	439.0
		7	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	38.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	7	NE		SE		IRR	35.0
			NW		SE		IRR	38.0
			SW		SE		IRR	38.0
			SE		SE		IRR	17.0
							Section Acres	590.0
		8	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	38.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	13.0
			NW		SW		IRR	37.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	38.0
			SE		SE		IRR	38.0
							Section Acres	511.0
		9	NE		NE		IRR	25.0
			NW		NE		IRR	38.0
			SW		NE		IRR	38.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	39.0
			NW		SW		IRR	38.0
			SW		SW		IRR	25.0
			SE		SW		IRR	30.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	38.0
							Section Acres	540.0
		10	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	10	SW		NW		IRR	38.0
			SE		NW		IRR	37.0
			NE		SW		IRR	38.0
			NW		SW		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	38.0
			SW		SE		IRR	38.0
			SE		SE		IRR	38.0

Section Acres 537.0

11	SW	NE	IRR	38.0
	SE	NE	IRR	13.0
	NE	NW	IRR	26.0
	NW	NW	IRR	38.0
	SW	NW	IRR	39.0
	SE	NW	IRR	39.0
	NE	SW	IRR	39.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	38.0
	NE	SE	IRR	38.0
	NW	SE	IRR	39.0
	SW	SE	IRR	37.0
	SE	SE	IRR	20.0

Section Acres 480.0

14	NE	NE	IRR	7.0
	NW	NE	IRR	12.0
	NE	NW	IRR	27.0
	NW	NW	IRR	34.0
	SW	NW	IRR	39.0
	SE	NW	IRR	22.0
	NE	SW	IRR	27.0
	NW	SW	IRR	34.0

Section Acres 202.0

15	NE	NE	IRR	35.0
	NW	NE	IRR	38.0
	SW	NE	IRR	11.0
	SE	NE	IRR	9.0
	NE	SE	IRR	35.0
	NW	SE	IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	131.0
		18	NW	NE		IRR	38.0
			NE	NW		IRR	38.0
			NW	NW		IRR	3.0
						Section Acres	79.0
02W		1	SW	NE		IRR	32.0
			SE	NE		IRR	31.0
			SW	NW		IRR	10.0
			SE	NW		IRR	16.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	39.0
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	396.0
		2	NE	NE		IRR	8.0
			NW	NE		IRR	7.0
			SW	NE		IRR	37.0
			SE	NE		IRR	38.0
			NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	38.0
						Section Acres	482.0
		3	NE	NE		IRR	8.0
			NW	NE		IRR	15.0
			SW	NE		IRR	39.0
			SE	NE		IRR	38.0
			NE	NW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02W	3	NW		NW		IRR	15.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	39.0
			NW		SW		IRR	38.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	39.0
			SW		SE		IRR	38.0
			SE		SE		IRR	38.0
							Section Acres	505.0
		4	NE		NE		IRR	18.0
			NW		NE		IRR	10.0
			SW		NE		IRR	38.0
			SE		NE		IRR	39.0
			NE		NW		IRR	15.0
			NW		NW		IRR	16.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	522.0
		5	NE		NE		IRR	20.0
			NW		NE		IRR	12.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			NE		NW		IRR	4.0
			NW		NW		IRR	16.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	38.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02W	5	SE	SE	IRR	38.0
					Section Acres	517.0
		6	NE	NE	IRR	3.0
			NW	NE	IRR	26.0
			SW	NE	IRR	30.0
			SE	NE	IRR	36.0
			NE	NW	IRR	35.0
			NW	NW	IRR	8.0
			SW	NW	IRR	29.0
			SE	NW	IRR	36.0
			NE	SW	IRR	33.0
			NW	SW	IRR	36.0
			SW	SW	IRR	35.0
			SE	SW	IRR	15.0
			NE	SE	IRR	38.0
			NW	SE	IRR	20.0
			SW	SE	IRR	7.0
			SE	SE	IRR	39.0
					Section Acres	426.0
		7	NE	NE	IRR	7.0
			NW	NE	IRR	2.0
			NE	NW	IRR	8.0
			NW	NW	IRR	24.0
					Section Acres	41.0
		8	NW	NE	IRR	9.0
			NE	NW	IRR	12.0
			NW	NW	IRR	20.0
					Section Acres	41.0
		9	NE	NE	IRR	37.0
			NW	NE	IRR	38.0
			SW	NE	IRR	6.0
			SE	NE	IRR	4.0
			NE	NW	IRR	33.0
			SE	NW	IRR	1.0
					Section Acres	119.0
		10	NE	NE	IRR	39.0
			NW	NE	IRR	39.0
			SW	NE	IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02W	10	SE		NE		IRR	38.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	5.0
			SE		NW		IRR	31.0
			NE		SW		IRR	1.0
			NE		SE		IRR	19.0
			NW		SE		IRR	28.0

Section Acres 312.0

11	NE	NE	IRR	38.0
	NW	NE	IRR	39.0
	SW	NE	IRR	39.0
	SE	NE	IRR	38.0
	NE	NW	IRR	39.0
	NW	NW	IRR	38.0
	SW	NW	IRR	38.0
	SE	NW	IRR	39.0
	NE	SW	IRR	8.0
	NW	SW	IRR	12.0
	NE	SE	IRR	21.0
	NW	SE	IRR	25.0
	SE	SE	IRR	1.0

Section Acres 375.0

12	NE	NE	IRR	38.0
	NW	NE	IRR	38.0
	SW	NE	IRR	39.0
	SE	NE	IRR	38.0
	NE	NW	IRR	38.0
	NW	NW	IRR	38.0
	SW	NW	IRR	39.0
	SE	NW	IRR	39.0
	NE	SW	IRR	38.0
	NW	SW	IRR	31.0
	SW	SW	IRR	2.0
	SE	SW	IRR	16.0
	NE	SE	IRR	39.0
	NW	SE	IRR	39.0
	SW	SE	IRR	35.0
	SE	SE	IRR	36.0

Section Acres 543.0

03W	1	SW	NE	IRR	5.0
		SE	NE	IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	1	SW		NW		IRR	5.0
			SE		NW		IRR	12.0
			NE		SW		IRR	39.0
			NW		SW		IRR	34.0
			SW		SW		IRR	19.0
			SE		SW		IRR	15.0
			NE		SE		IRR	38.0
			NW		SE		IRR	38.0
			SW		SE		IRR	30.0
			SE		SE		IRR	38.0
Section Acres								288.0
		2	NW		NE		IRR	19.0
			SW		NE		IRR	12.0
			SW		NW		IRR	1.0
			SE		NW		IRR	17.0
			NE		SW		IRR	36.0
			NW		SW		IRR	3.0
			SW		SW		IRR	32.0
			SE		SW		IRR	36.0
			NE		SE		IRR	30.0
			NW		SE		IRR	31.0
			SW		SE		IRR	25.0
			SE		SE		IRR	15.0
Section Acres								257.0
		3	SW		NW		IRR	1.0
			SE		NW		IRR	15.0
			NE		SW		IRR	36.0
			NW		SW		IRR	2.0
			SW		SW		IRR	5.0
			SE		SW		IRR	35.0
			NW		SE		IRR	5.0
			SW		SE		IRR	22.0
			SE		SE		IRR	9.0
Section Acres								130.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	35.0
			SE		NE		IRR	27.0
			NE		NW		IRR	35.0
			SE		NW		IRR	37.0
			NE		SW		IRR	9.0
			NW		SE		IRR	8.0

MICROFILMED
AUG 14 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	227.0
		11	NW	NE	IRR	2.0
			NE	NW	IRR	22.0
			NW	NW	IRR	30.0
					Section Acres	54.0
		12	NE	NE	IRR	11.0
			NW	NE	IRR	3.0
					Section Acres	14.0
05N	02W	31	SE	SW	IRR	18.0
			NW	SE	IRR	14.0
			SW	SE	IRR	39.0
			SE	SE	IRR	8.0
					Section Acres	79.0
		35	SW	SE	IRR	2.0
					Section Acres	2.0
					Total Acres	9159.0

11. Place of use in counties: ADA, CANYON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A6300173(SFX)A6300125(SFX)A6300126(SFX)A6300168(SFX)A6300161

14. Remarks:

THIS RT.ORIGINALLY DECREED FOR 640",BUT WITH VARIOUS REDUCTIONS BY TRFRS.IS CLAIMED FOR THE IRRIGATION OF 9159 ACRES UNDER THE DITCHES OF MIDDLETON MILL DITCH COMPANY AND MIDDLETON IRRIGATION ASSOCIATION. ALL THE RIGHTS OF THE TWO ORGANIZATIONS ARE CO-MINGLED AND THE DISTRIBUTION OF THE WATER IS MANAGED MORE OR LESS AS A SINGLE IRRIGATION UNIT. A DOCUMENT FROM THE SCS CITING THE NEED FOR MORE THAN 1 INCH PER ACRE FOR THE SANDY, GRAVELLY SOILS PRESENT ON APPROXIMATELY 32% OF THE LANDS IS ATTACHED.

15. Basis of Claim: DECREED

Case Number:

A63-00124N

Page 10

Date: 09/26/90

MICROFILMED

AUG 14 1992

Court :

Decree date: 1/18/1906

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

2

MAP X-7 (STAR)

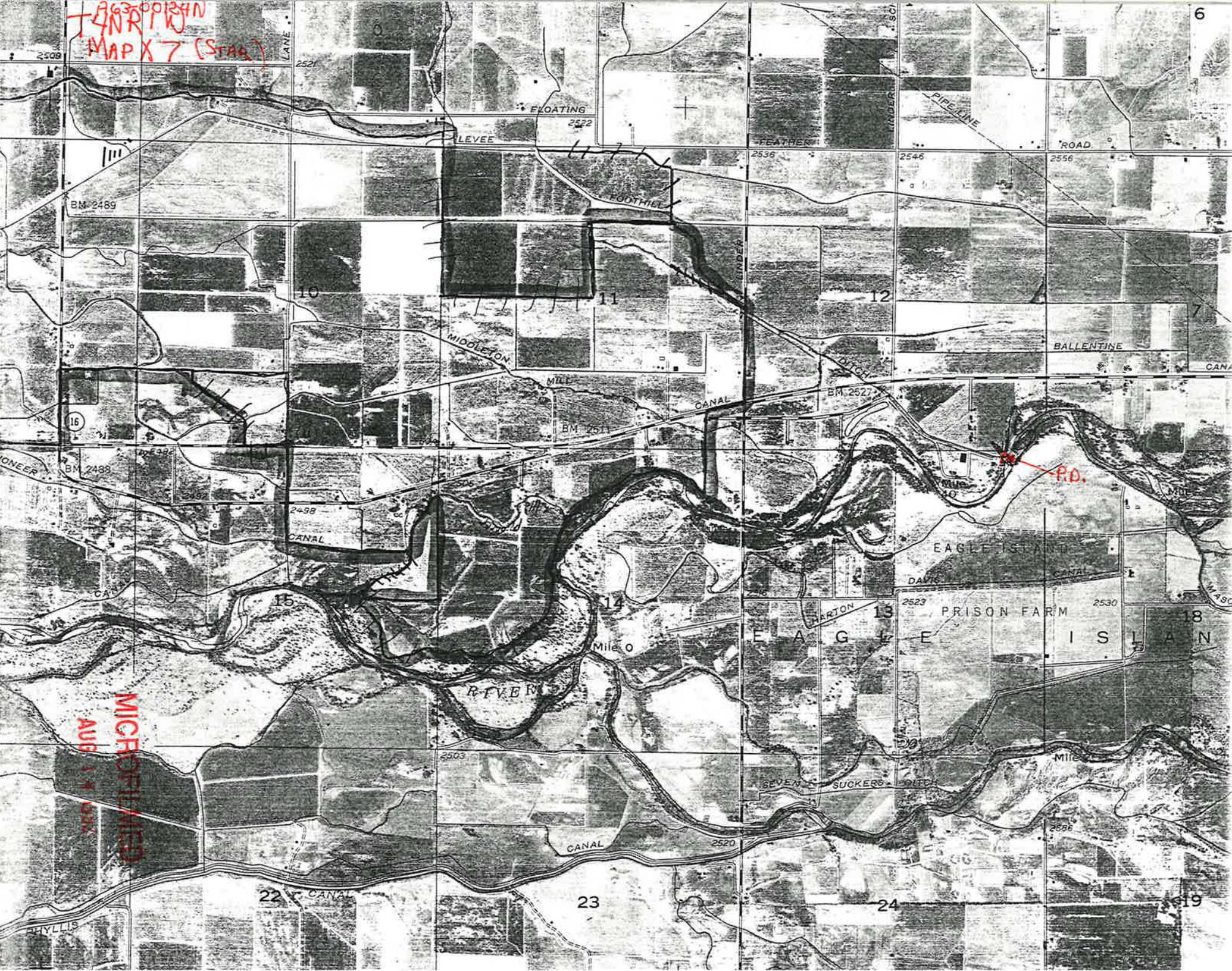
NW \ NE Ne

AUG 14 1992

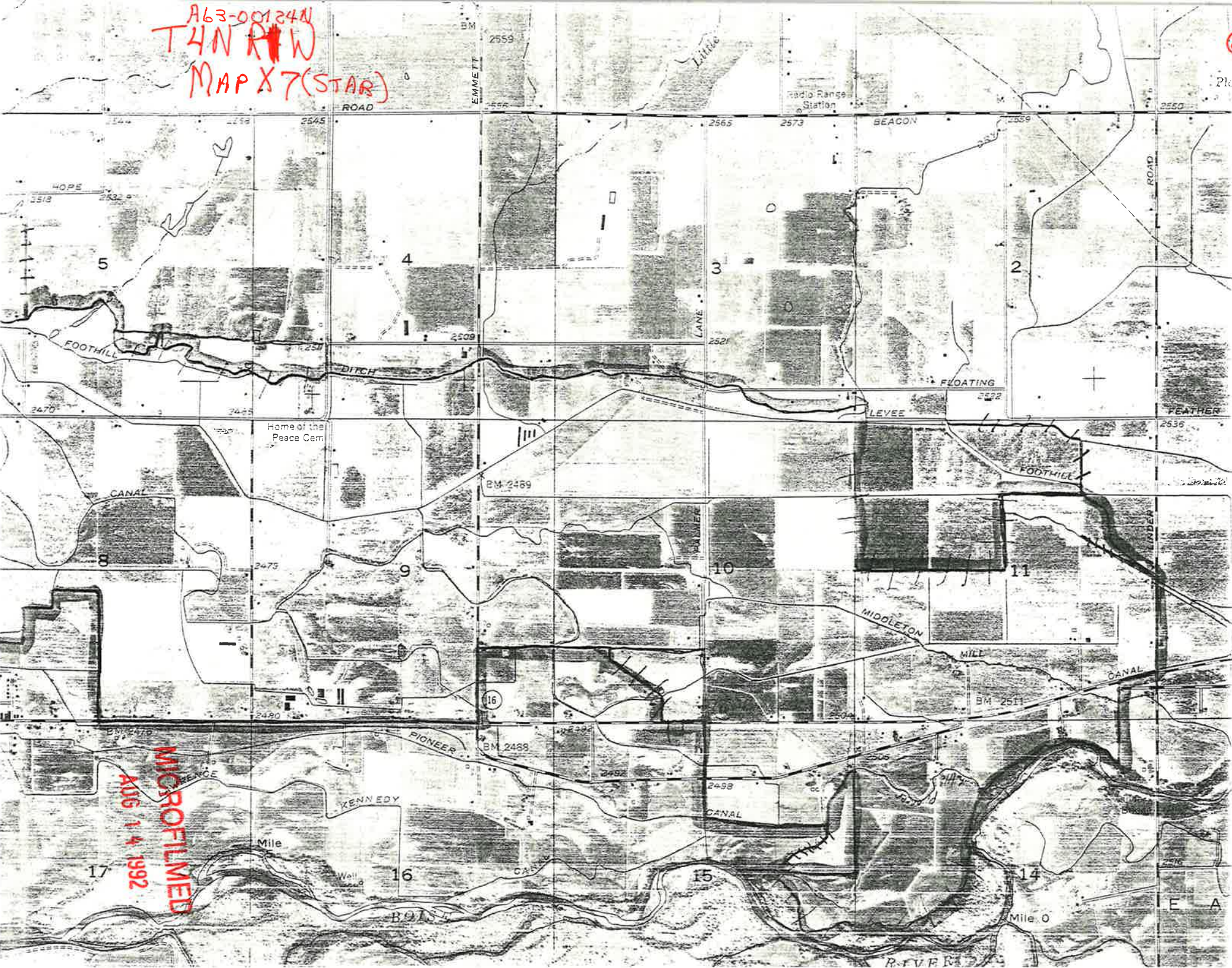
PRISON-FARM

PRISON-FARM

AG3500134N
T4NR1W
MAP X 7 (STAG)

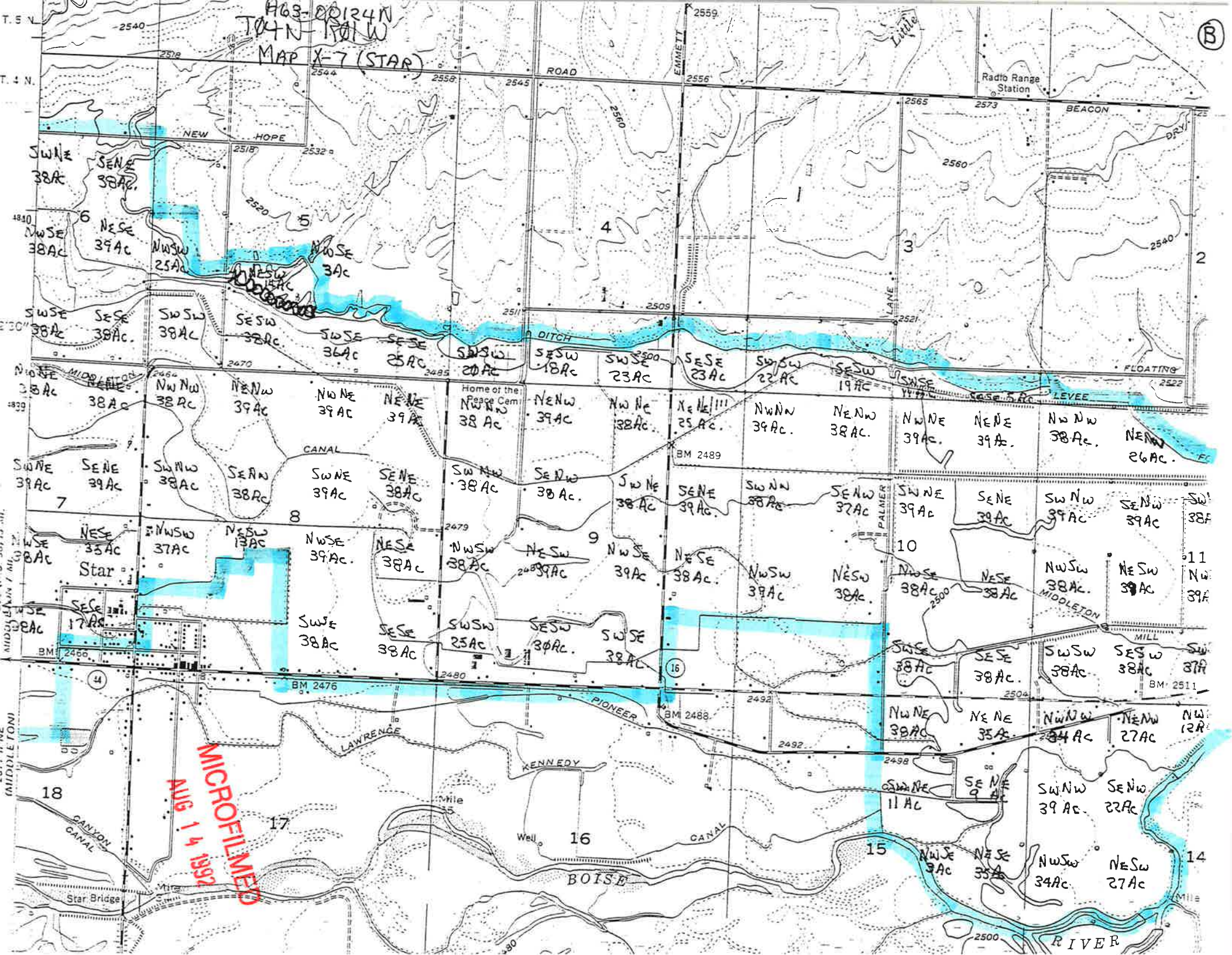


A63-00124N
T4N R1W
MAP X7(STAR)

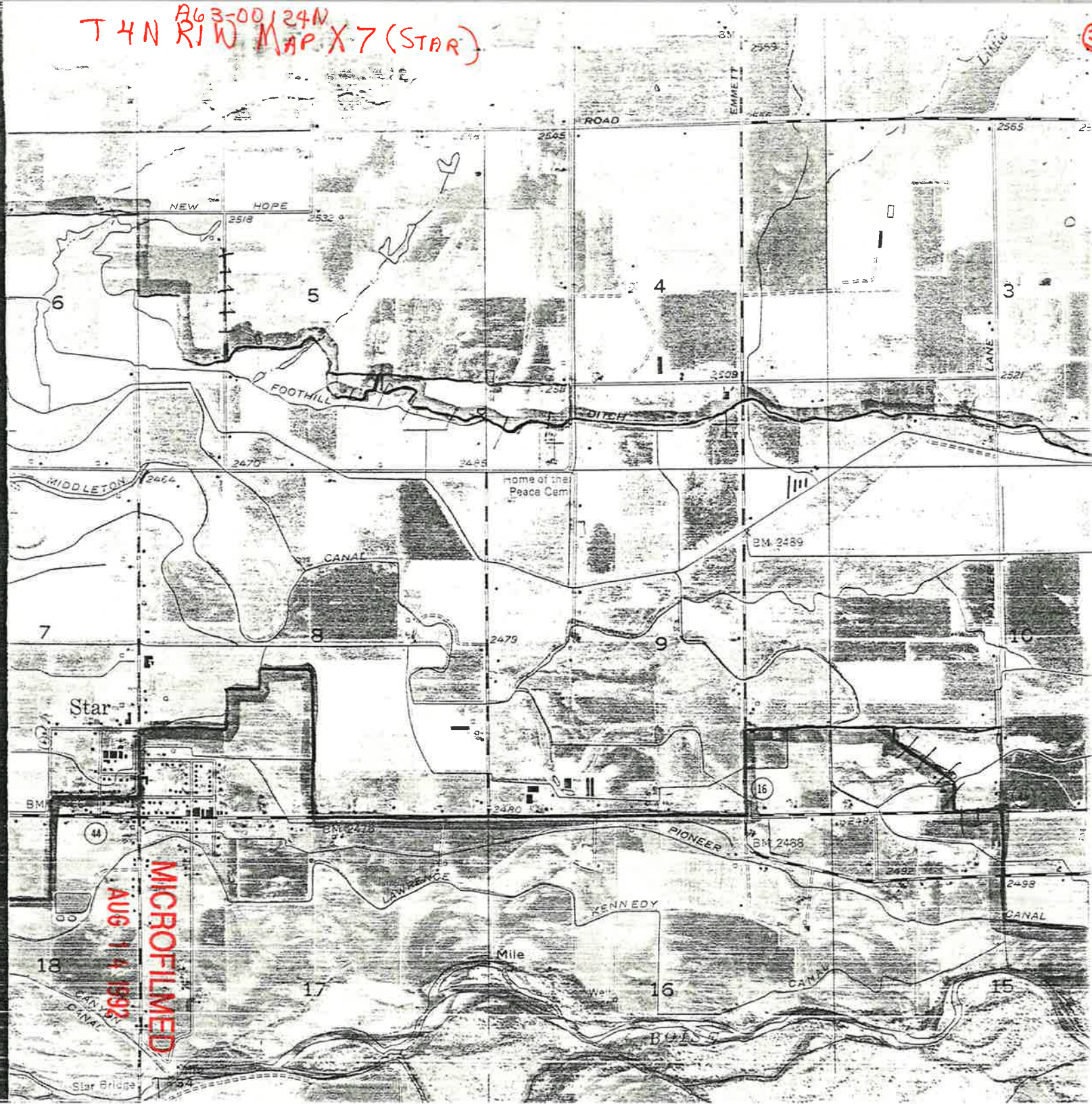


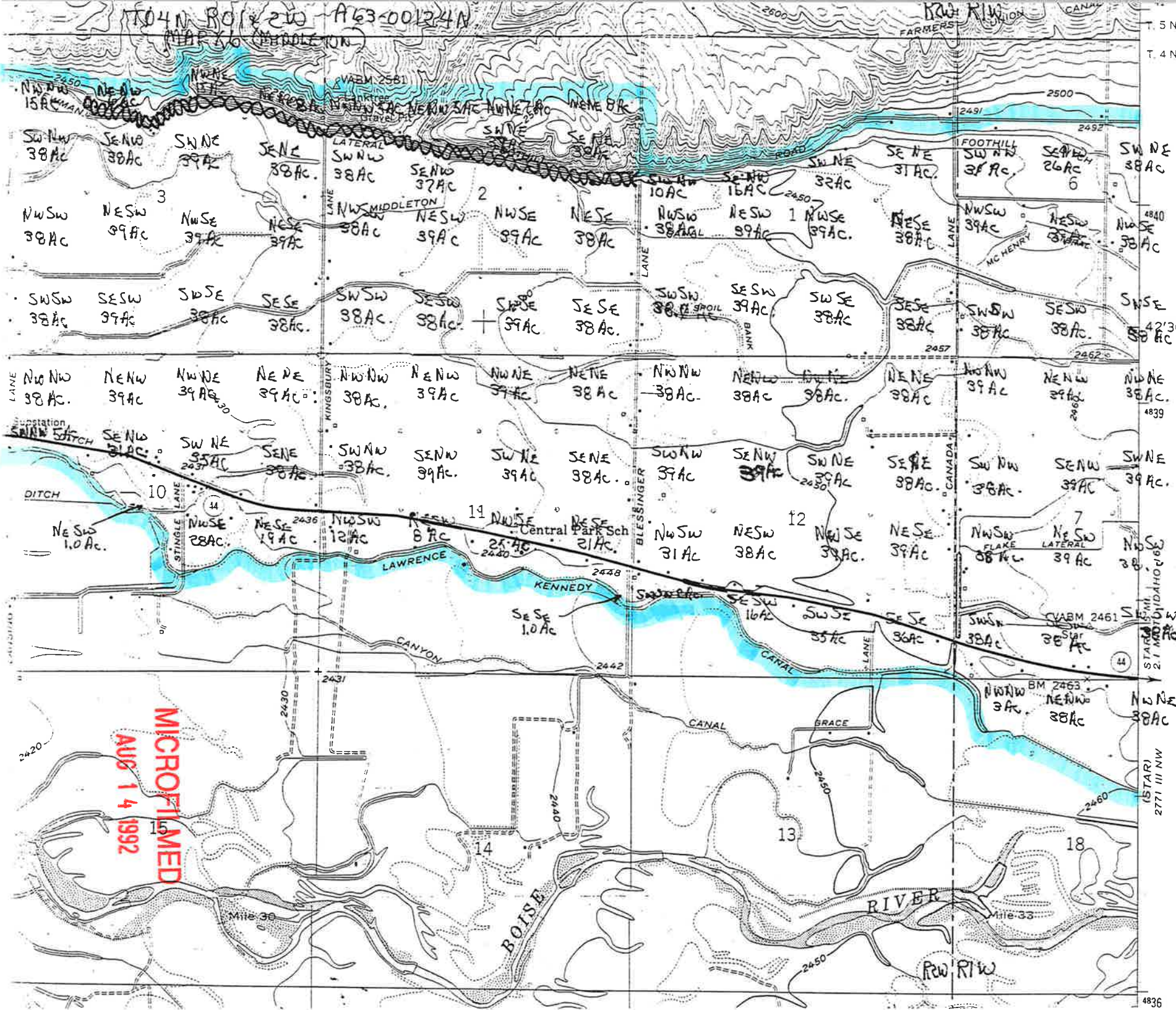
MICROFILMED
AUG 14 1992

(B)



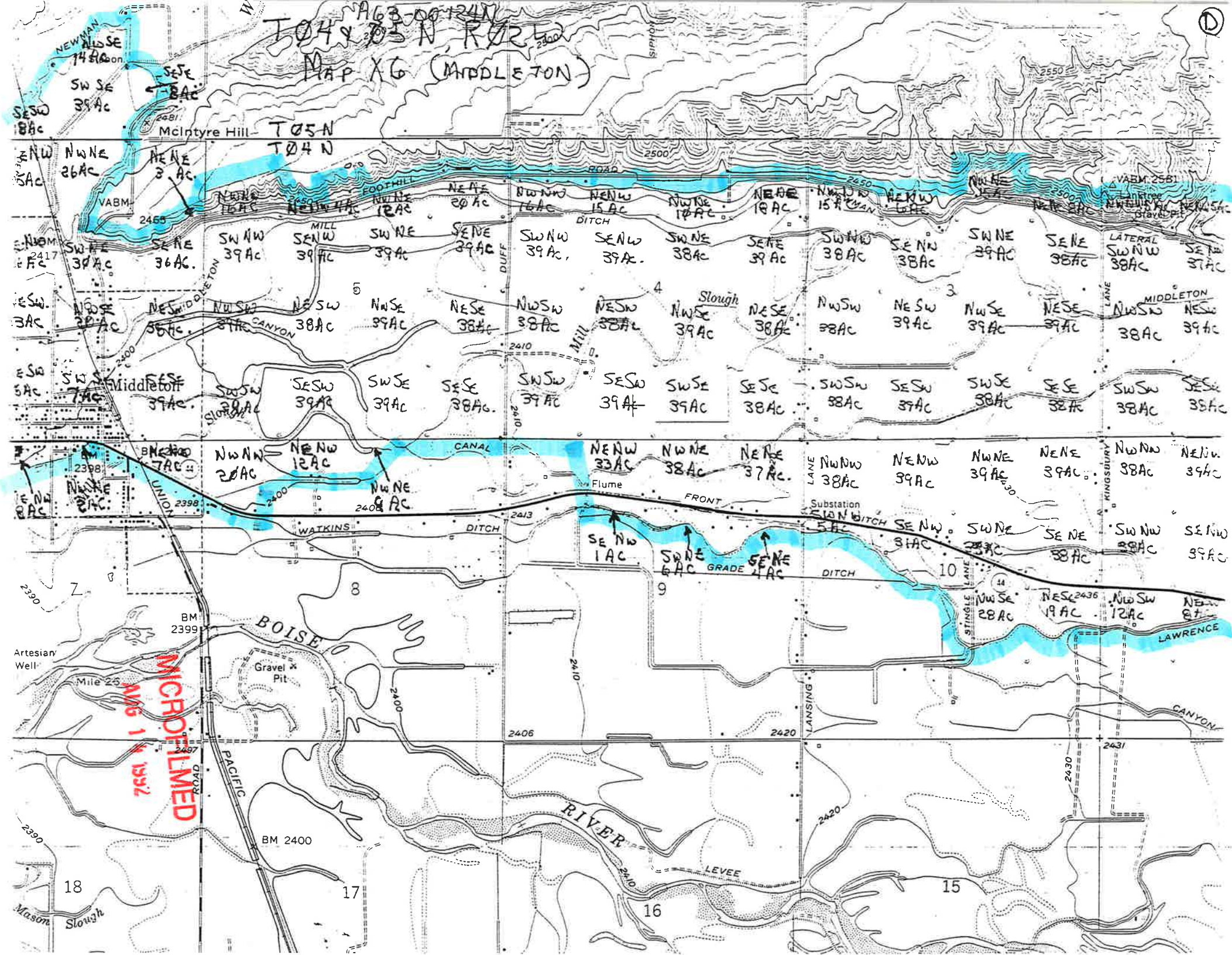
263-00/24N
T 4N R 1W MAP X 7 (STAR)





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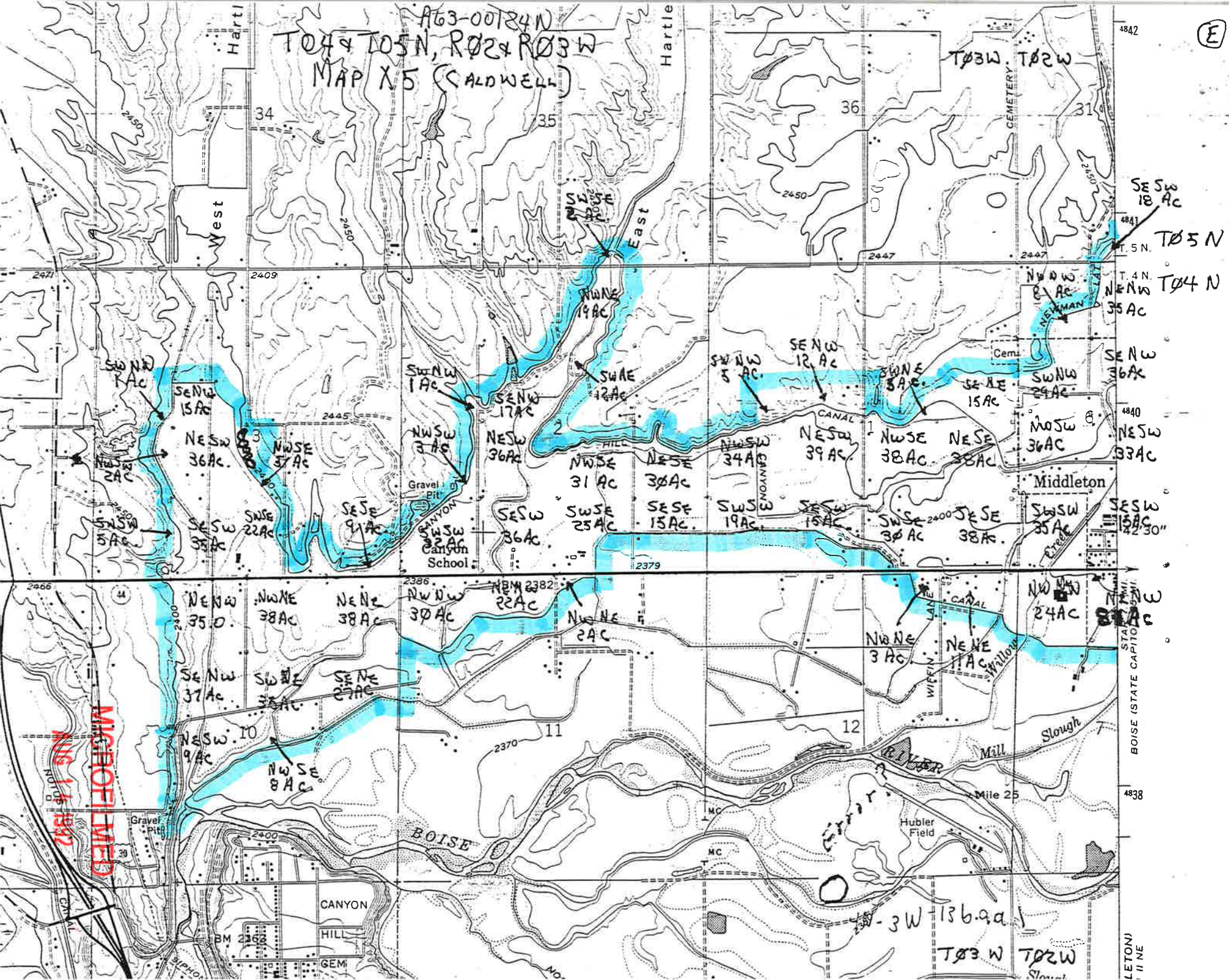
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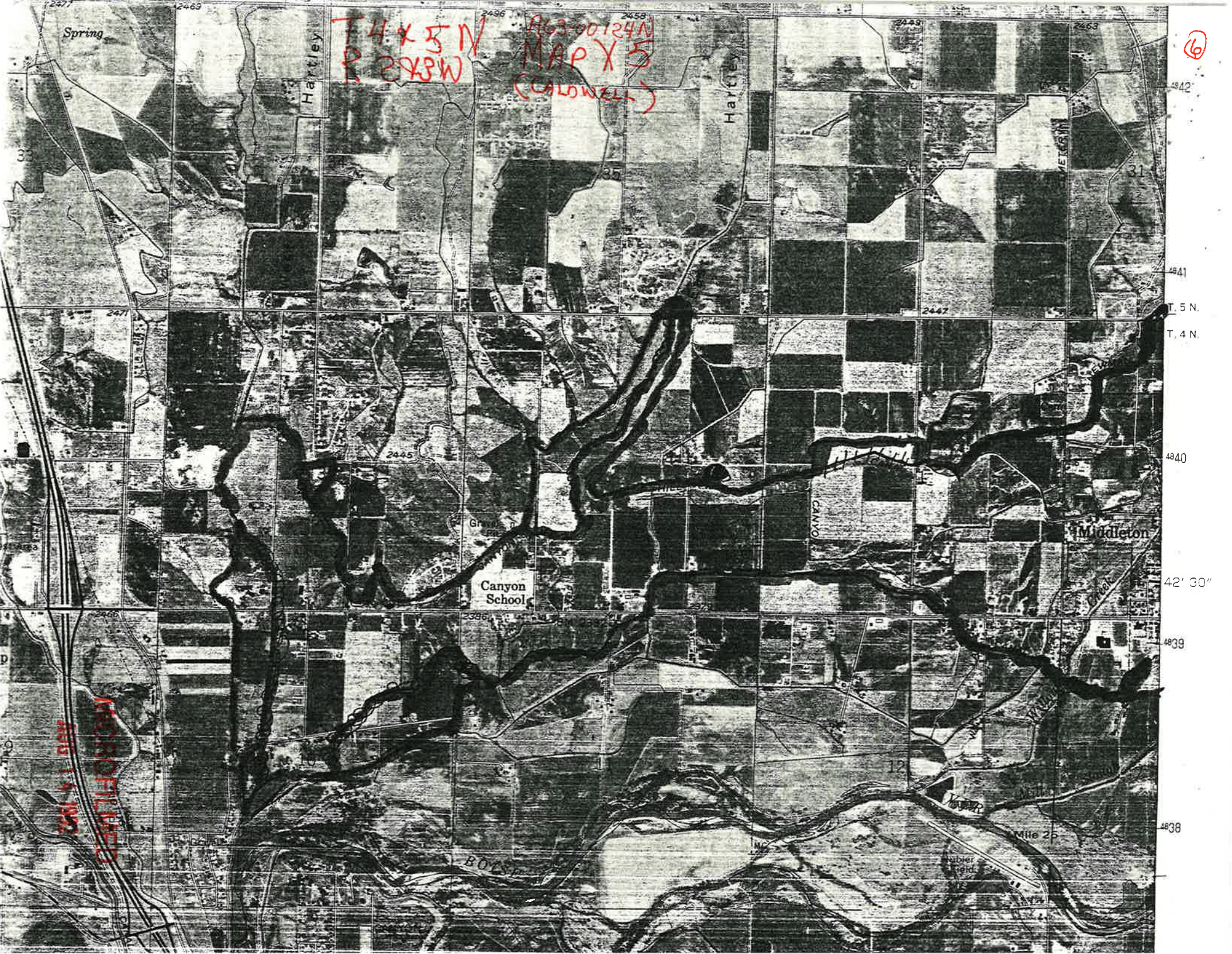
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(E)





III.

That the defendant THE MIDDLETON MILL DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the farm of Davis & Hart, Sec 13, T. 4 N. R. 1 W. E.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

^{T 300, 301, 347, 349, 350, 391, 393}
63 0121 640 inches, from June 1, 1864; and hereby designated as Right No. 3

^{T 300, 301, 391, 393}
63 0125 1885 inches, from June 1, 1871; and hereby designated as Right No. 54.

^{T 300, 301, 393}
63 0126 850 inches, from June 1, 1891; and hereby designated as Right No. 120.

And adjudged to pay \$222.25 costs, in addition to the costs incurred by it.

IV.

That the defendant THOMAS ANDREWS be and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in SE $\frac{1}{4}$ of Sec. 25 and in SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 23, E. $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, E. $\frac{1}{2}$ of NW $\frac{1}{4}$, and lot 2, Sec. 22, all in T. 5 N. R. 5 W. B.M., in the following amounts from the following

^{T 300, 301, 393}
63 0127 185 inches, from June 1, 1864; and hereby designated as Right No. 4.

63 0128 300 inches, from June 1, 1866; and hereby designated as Right No. 29.

63 0129 85 inches, from June 1, 1870; and hereby designated as Right No. 31.

63 0130 45 inches, from June 1, 1888; and hereby designated as Right No. 104.

63 0131 175 inches, from June 1, 1891; and hereby designated as Right No. 121.

And adjudged to pay \$52.50 costs, in addition to the costs incurred by him.

V.

That the defendants T. C. CATLIN and POLETTE MACE be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south bank of said river, on Lot 5, Sec. 17, T. 4 N. R. 1 E. B.M., for use on their lands on Eagle Island, Ada County, Idaho, in the following amounts from the following dates;

^{T 300, 301, 393}
63 0132 143 inches, from June 1, 1864; and hereby designated as Right No. 5.

63 0133 783 inches, from June 1, 1871; and hereby designated as Right No. 52.

And adjudged to pay \$37.52 costs, in addition to the costs incurred by them.

VI.

That the defendant T. C. CATLIN be and he is hereby awarded the use of the waters of Boise River, diverted near the center of the NE $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 1 E. B.M., through what is known as the Davis & Hart ditch, for use upon lands lying under said ditch on Eagle Island, Ada County, Idaho, in the following amount from the following date;

63 0134 185 inches, from June 1, 1864.

And adjudged to pay \$11.55 costs, in addition to the costs incurred by him.

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AUG 14 1992

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:

Ident. Number

Date Received

Receipt Number

39576
A63-00124 (SPLIT)
03/14/1990
C015560

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MIDDLETON MILL DITCH CO.
C/O MAX NISHIOKA 23107 HARTLEY LN. MIDDLETON, ID 83644 Phone (208) 583-2943
Mailing Address _____ Zip 83644

2. Date of Priority (Only one (1) per claim) 06/01/1864

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 04N Range 01W Section 13,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

DIVERSION IN RIVER WITH GRAVITY
DITCHES TO IRRIGATE 9159 ACRES UNDER THE DITCHES OF MIDDLETON
& MIDDLETON IRRIG. ASSOC. THE WATERS ARE CO-MINGLED AND DISTRIBUTED
UNDER THE DITCHES MORE OR LESS AS A COMBINED IRRIG. UNIT.

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AUG 14 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 11.878 (11.88) or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 11.878 (11.88) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5762.988 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER INCIDENTAL TO IRRIGATION

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			SEE ATTACHED LAND LIST																

Total number of acres irrigated 9159

11. In which county (ies) are lands listed above as place of use located? ADA & CANYON COUNTIES

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A63-00173, A63-00125, A63-00126, A63-00168, A63-00161, A63-00198, A63-00168, A63-21502 or None ()

14. Remarks:
THIS RT. ORIGINALLY DECREED FOR 640" BUT WITH VARIOUS REDUCTIONS BY TRS. IS CLAIMED FOR THE IRRIGATION ON 9159 ACRES UNDER THE DITCHES OF MIDDLETON MILL DITCH CO. & MIDDLETON IRRIG. ASSOC. THE SPLIT SUFFIX LETTER FOR THIS RT. WILL HAVE TO BE ASSIGNED FOR THE REDUCED FLOW RATE CLAIMED. (THE SUFFIX COULD WELL BE "N" FROM LOOKING AT TR. RECORDS IN VAULT FILES.)

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AUG 14 1992

Last Name MIDDLETON MILL DITCH Co. Ident No. A63-00124 (SPLIT)

Copies: White -State, Yellow-Claimant

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

9719

1. (in which country) are largely listed above as place of residence. In

* 09100-EJA 10100-EJA 20100-EJA 30100-EJA 40100-EJA 50100-EJA

50815-60843

2000
 1000
 500
 250
 125
 62.5
 31.25
 15.625
 7.8125
 3.90625
 1.953125
 0.9765625
 0.48828125
 0.244140625
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 0.06103515625
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Information Sheet No. 42-1400 a 2/88

Page 2

SEMI # 1 200A

First Name: Michael Last Name: Doyle Ident No: 001012100 (2007)

MIDDLETON MILL DITCH CO. } THESE LANDS ARE UNDER THE DITCHES OF THE MIDDLETON MILL
MIDDLETON IRRIG. ASSOC. } DITCH CO. & THE MIDDLETON IRRIG. ASSOC. THE WATERS OF SOME
12 RITS. ARE CO-MINGLED & DISTRIBUTED UNDER THE DITCHES
MORE OR LESS AS A COMBINED UNIT.
LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Ø 4N	Ø 1W	Ø 3											22.Ø	19.Ø		11.Ø	5.Ø		57.Ø
"	"	Ø 4											2Ø.Ø	18.Ø		23.Ø	23.Ø		84.Ø
"	"	Ø 5									14.Ø	25.Ø	38.Ø	38.Ø		3.Ø	36.Ø	25.Ø	179.Ø
"	"	Ø 6			38.Ø	38.Ø			3Ø.Ø	26.Ø	39.Ø	39.Ø	38.Ø	38.Ø	39.Ø	38.Ø	38.Ø	38.Ø	439.Ø
Ø 4N	Ø 1W	Ø 7	38.Ø	38.Ø	39.Ø	39.Ø	39.Ø	39.Ø	38.Ø	39.Ø	39.Ø	38.Ø	38.Ø	38.Ø	35.Ø	38.Ø	38.Ø	17.Ø	59.Ø.Ø
"	"	Ø 8	39.Ø	39.Ø	39.Ø	38.Ø	39.Ø	38.Ø	38.Ø	38.Ø	13.Ø	37.Ø			38.Ø	39.Ø	38.Ø	38.Ø	511.Ø
"	"	Ø 9	25.Ø	38.Ø	38.Ø	39.Ø	39.Ø	38.Ø	38.Ø	38.Ø	39.Ø	38.Ø	25.Ø	34.Ø	38.Ø	39.Ø	38.Ø		54Ø.Ø
"	"	1Ø	39.Ø	39.Ø	39.Ø	39.Ø	38.Ø	39.Ø	38.Ø	37.Ø	38.Ø	39.Ø			38.Ø	38.Ø	38.Ø	38.Ø	537.Ø
Ø 4N	Ø 1W	11			38.Ø	13.Ø	26.Ø	38.Ø	39.Ø	39.Ø	39.Ø	38.Ø	38.Ø	38.Ø	38.Ø	39.Ø	37.Ø	2Ø.Ø	48Ø.Ø
"	"	14	7.Ø	12.Ø			27.Ø	34.Ø	39.Ø	22.Ø	27.Ø	34.Ø							2Ø2.Ø
"	"	15	35.Ø	38.Ø	11.Ø	9.Ø									35.Ø	3.Ø			131.Ø
"	"	18		38.Ø			38.Ø	3.Ø											79.Ø
Ø 4N	Ø 2W	Ø 1			32.Ø	31.Ø			1Ø.Ø	16.Ø	39.Ø	38.Ø	38.Ø	39.Ø	38.Ø	39.Ø	38.Ø	38.Ø	396.Ø
"	"	Ø 2	8.Ø	7.Ø	37.Ø	38.Ø	5.Ø	5.Ø	38.Ø	37.Ø	39.Ø	38.Ø	38.Ø	38.Ø	38.Ø	39.Ø	39.Ø	38.Ø	4Ø2.Ø
"	"	Ø 3	8.Ø	15.Ø	39.Ø	38.Ø	6.Ø	15.Ø	38.Ø	38.Ø	39.Ø	38.Ø	38.Ø	39.Ø	39.Ø	39.Ø	38.Ø	38.Ø	5Ø5.Ø
"	"	Ø 4	18.Ø	1Ø.Ø	38.Ø	39.Ø	15.Ø	16.Ø	39.Ø	39.Ø	38.Ø	38.Ø	39.Ø	39.Ø	38.Ø	39.Ø	38.Ø	38.Ø	522.Ø
Ø 4N	Ø 2W	Ø 5	Ø.Ø	12.Ø	39.Ø	39.Ø	4.Ø	16.Ø	39.Ø	39.Ø	38.Ø	39.Ø	39.Ø	39.Ø	38.Ø	39.Ø	39.Ø	38.Ø	517.Ø
"	"	Ø 6	3.Ø	26.Ø	3Ø.Ø	36.Ø	35.Ø	8.Ø	29.Ø	36.Ø	35.Ø	36.Ø	35.Ø	15.Ø	38.Ø	2Ø.Ø	1.Ø	39.Ø	426.Ø
"	"	Ø 7	7.Ø	2.Ø			8.Ø	24.Ø											41.Ø
"	"	Ø 8		9.Ø			12.Ø	2Ø.Ø											41.Ø
Ø 4N	Ø 2W	Ø 9	37.Ø	38.Ø	6.Ø	4.Ø	33.Ø			1Ø									119.Ø
"	"	1Ø	39.Ø	39.Ø	35.Ø	38.Ø	39.Ø	38.Ø	5.Ø	31.Ø	1.Ø				19.Ø	28.Ø			312.Ø
"	"	11	38.Ø	39.Ø	39.Ø	38.Ø	39.Ø	38.Ø	38.Ø	39.Ø	8.Ø	12.Ø			21.Ø	25.Ø	1.Ø		375.Ø
"	"	12	38.Ø	38.Ø	39.Ø	38.Ø	38.Ø	38.Ø	39.Ø	39.Ø	38.Ø	31.Ø	2Ø.Ø	16.Ø	39.Ø	39.Ø	35.Ø	36.Ø	543.Ø
Ø 4N	Ø 3W	Ø 1			5.Ø	15.Ø			5.Ø	12.Ø	39.Ø	34.Ø	19.Ø	15.Ø	38.Ø	38.Ø	3Ø.Ø	38.Ø	288.Ø
"	"	Ø 2			19.Ø	12.Ø			1.Ø	17.Ø	36.Ø	3.Ø	32.Ø	36.Ø	34.Ø	21.Ø	25.Ø	15.Ø	257.Ø
"	"	Ø 3							1.Ø	15.Ø	36.Ø	2Ø.Ø	5.Ø	35.Ø		5.Ø	22.Ø	9.Ø	13Ø.Ø
"	"	1Ø	38.Ø	38.Ø	35.Ø	27.Ø	35.Ø		37.Ø	9.Ø					8.Ø				227.Ø
Ø 4N	Ø 3W	11			2.Ø			22.Ø	3Ø.Ø										54.Ø
"	"	12	11.Ø	3.Ø															14.Ø
Ø 5N	Ø 2W	31											18.Ø		14.Ø	39.Ø	8.Ø		79.Ø
Ø 5N	Ø 3W	35														2.Ø			2.Ø
TOTAL ACRES IRRIGATED																			9159.Ø

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AUG 14 1992

Scale: 2 inches equals 1 mile

[illegible]

AUG 14 1952

Last Name MIDDLETON MIL DITCH, CO Ident No. A63-00124 (SP-1) Copies: White-State, Yellow-Claimant

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

Decree X

If applicable provide IDWR Water Right Number 63-00124

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT

Title

of MIDDLETON Mill DITCH Co, that I have signed the foregoing

Organization

document in the space below as PRESIDENT of MIDDLETON Mill DITCH Co.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Max Mishnick

Title and Organization PRESIDENT OF MIDDLETON Mill DITCH Co. Date 3/14/90

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

Subscribed and sworn (or affirmed) before me this 14th day of MARCH 1990

SEAL

Notary Public Donette Sulby

Residing at BOISE, ID

My Commission Expires 11/08/1994

Please Print Name

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 _____

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AUG 14 1992

Last Name MIDDLETON Mill Ditch Co. Ident. Number 63-00124 (SPLIT)

Copies White-State, Yellow-Claimant



United States
Department of
Agriculture

Soil
Conservation
Service

118 W. Franklin
Meridian, Idaho 83642

February 12, 1990

Middleton Irrigation Association
% Sam Rosti
1460 N. Pollard
Star, Idaho 83669

Middleton Mill Ditch Company
% Martin Galvin
P.O. Box 115
Middleton, Idaho 83644

Dear Mr. Rosti:

The soils information requested regarding water holding capacities of various soils within the Middleton Irrigation Association is as follows:

67.8% are silt loam soils and have a water holding capacity of approximately 2.1 inches per foot;

32.2% are sandy to gravelly loam soils, and have a water holding capacity of approximately 1.5 inches per foot.

Irrigation water allotment for typical silt loam soils is 1.0 inches per acre.

It would be a safe assumption that the sandy, gravelly soils within the Middleton irrigation Association lands would require more frequent irrigation because of the lower water holding capacity. It would further appear that the 1.0 inches per acre allotment for silt loam soils would be insufficient for the sandy, gravelly soils. The irrigation water deficit is approximately 28% on the sandy, gravelly soils which make up 32.2% of the lands in your irrigation project area.

If you need further information please give us a call.

Sincerely,

Mike Liechty
Mike Liechty
Conservation Technician
Ada County

James D. Schmollinger
James D. Schmollinger
Soil Conservationist
Canyon County

MICROFILMED

AUG 14 1992

MICROFILMED

AUG 14 1992



The Soil Conservation Service
is an agency of the
Department of Agriculture

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

RIGHT NUMBER: 63-124N

NAME AND ADDRESS: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON ID 83644

~~23107 HARTLEY LN~~
~~MIDDLETON ID 83644~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 11.880 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1864

POINT OF DIVERSION:

T04N R01W S13 NENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	11.880 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

9404 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9404 ACRES WITHIN THE BOUNDARY OF THE MIDDLETON MILL DITCH COMPANY AND THE MIDDLETON IRRIGATION ASSOCIATION.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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.

Total acres authorized for irrigation under Rights 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255 and 63-370 are reduced by 16.0 acres per approval of Transfer 70947 to a total of 9404 acres based on the acres claimed under these rights in the Snake River Basin Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS DESIGNATED AS NO 3 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.

WATER IS DELIVERED THROUGH THE MIDDLETON IRRIGATION ASSOCIATION AND THE MIDDLETON MILL COMPANY DITCH SYSTEM

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, AND 63-370.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-124.

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

In Re SRBA

Case No. 39576

)
)
)
)
)
**Water Rights: 63-124N, 63-125G,
63-126E, 63-161X, 63-168D, 63-173, 63-370
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 25, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 25, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Middleton Mill Ditch Co.
PO Box 848
Middleton ID 83644

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 25, 2008

MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON ID 83644

Re: Water Right Nos. 63-124N, 63-125G, 63-126E, 63-161X, 63-168D, 63-173, 63-370

Dear Sir or Madam:

Enclosed are copies of the above referenced water rights which reflect your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures



Middleton Mill & Irrigation
PO Box 848
Middleton, ID 83644

IDAHO DEPARTMENT OF WATER RESOURCES

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

Please change
your database

to reflect our
New address: Box 848
Middleton, ID
83644

phone: 585-3207

FAX: 585-2317

Thank You

Glenn Stokes, Secretary

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

RIGHT NUMBER: 63-124N

NAME AND ADDRESS: MIDDLETON MILL DITCH CO
23107 HARTLEY LN
MIDDLETON ID 83644

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 11.880 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1864

POINT OF DIVERSION:

T04N R01W S13 NENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	11.880 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

~~9420 ACRES TOTAL~~

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9404 9420 ACRES WITHIN THE BOUNDARY OF THE MIDDLETON MILL DITCH COMPANY AND THE MIDDLETON IRRIGATION ASSOCIATION.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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.

Total acres authorized for irrigation under Rights 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255 and 63-370 are reduced by 16.0 acres per approval of Transfer 70947 to a total of 9404 acres based on the acres claimed under these rights in the Snake River Basin Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS DESIGNATED AS NO 3 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.

WATER IS DELIVERED THROUGH THE MIDDLETON IRRIGATION ASSOCIATION AND THE MIDDLETON MILL COMPANY DITCH SYSTEM

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, AND 63-370.

~~THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370 63-31937.~~

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-124.

WATER RIGHT NO. 63-124N
As Modified by Transfer No. 70947

In accordance with the approval of Transfer No. 70947, Water Right No. 63-124N is now described as follows.

Right Holder: MIDDLETON MILL DITCH CO
23107 HARTLEY LN
MIDDLETON ID 83644

Priority Date: June 01, 1864

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	11.88 CFS	
			11.88 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L1 (NENE) Sec. 13 Twp 04N Rge 01W ADA County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Total acres authorized for irrigation under Rights 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255 and 63-370 are reduced by 16.0 acres per approval of Transfer 70947 to a total of 9404 acres based on the acres claimed under these rights in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized and the validity of these rights in the ongoing Snake River Basin Adjudication.
3. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

WATER RIGHT NO. 63-124N
As Modified by Transfer No. 70947

CONDITIONS OF APPROVAL

- 5. Rights 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255 and 63-370 are also diverted through the point of diversion described above.
- 6. This right is designated as no. 3 in the Stewart Decree and the Boise River Water Masters records.
- 7. Water is delivered through the Middleton Irrigation Association and the Middleton Mill Co. ditch system.

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 28th day of June, 2007


Administrator, Water Management Division

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

In Re SRBA

Case No. 39576

)
)
)
)
)

Water Rights: 63-124N, 63-126E,
63-161X, 63-168D, 63-173, 63-370

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐

Address change

☐

Substitution of Party

XX IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

XX Other – Conditions & Remarks

☐

IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 26, 2007



Signature of IDWR Representative



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 26, 2007

MIDDLETON MILL DITCH CO
23107 HARTLEY LN
MIDDLETON ID 83644

Re: Water Right Nos. 63-124N, 63-125G, 63-126E, 63-161X, 63-168D,
63-173, 63-370

Dear Sir or Madam:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70947

This is to certify that: MIDDLETON MILL DITCH CO
PO BOX 214
MIDDLETON ID 83644-0214
(208)585-6676

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>
63-125G	AJC/Decreed	06/01/1871	32.43 cfs	N/A	N/A	9,420.0	BOISE RIVER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<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>
63-124N	AJC/Decreed	06/01/1864	11.88 cfs	N/A	N/A	9,420.0	BOISE RIVER
63-126E	AJC/Decreed	06/01/1891	16.44 cfs	N/A	N/A	9,420.0	BOISE RIVER
63-161X	AJC/Decreed	05/01/1866	0.40 cfs	N/A	N/A	9,420.0	BOISE RIVER
63-168D	AJC/Decreed	06/01/1867	0.41 cfs	N/A	N/A	9,420.0	BOISE RIVER
63-173	AJC/Decreed	06/01/1868	1.40 cfs	N/A	N/A	9,420.0	BOISE RIVER
63-370	AJC/Decreed	04/15/1893	1.60 cfs	N/A	N/A	9,420.0	BOISE RIVER
PD 63-168B	AJC/Decreed	06/01/1867	0.38 cfs	N/A	N/A	9,420.0	BOISE RIVER 5/1/07
PD 63-198AC	AJC/Decreed	06/01/1877	110.09 cfs	N/A	N/A	9,420.0	BOISE RIVER 5/1/07
PD 63-254	AJC/Decreed	06/01/1866	2.30 cfs	N/A	N/A	9,420.0	BOISE RIVER " "
PD 63-255	AJC/Decreed	06/01/1866	0.60 cfs	N/A	N/A	9,420.0	BOISE RIVER " "

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>
63-125G	NO	NO	NO	NO	YES	YES

SUPPORT DATA

IN FILE # 63-125G

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70947

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-125G	63-125G	32.43 cfs	N/A	N/A	9,404.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		32.43 cfs	N/A	N/A	9,404.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of June, 20 07



Administrator, Water Management Division

(Internet)

RECEIVED

JUL 29 2004

WATER RESOURCES
WESTERN REGION

Transfer No. 70947

Page 1 of 6

STATE OF IDAHO WESTERN
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Middleton Mill Ditch Company Phone (208) 585-2943
Post Office address 23107 Hartley Lane, Middleton, ID 83644

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes 16.93 acres of ponds are being developed for aesthetic purposes in conjunction with the non-farm development of Rivervine Subdivision in Ada County. This transfer is mitigation for the evaporative loss from the excavated. See accompanying Application Permit.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | DESCRIPTION OF WATER(S) DIVERSION | | | | | |
|--|------------|-----------------------|------------------------------|---------------|---------------------|
| 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
| 63-125G | 06/01/1871 | .32 cfs | Grnd H2O Recharge | 3/15 | to 11/15 |
| | | 32.11 | Irrigation | 3/15 | to 11/15 |
| | | | | | to |
| | | | | | to |
| 2. Total amount of water being transferred | | .32 of 32.43 | cubic feet per second and/or | --- | acre-feet per annum |
| 3. Source of water | | Boise River | tributary to | Snake River | |
| 4. Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use: 9143 acres within service area boundary

[illegible]

Total acres 9143

PART 1

6. General Information:

- General Information:
- a. Description of diversion system No diversion systems will be modified. Proposed ponds will fill through groundwater seepage.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? x Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The use of land is changing from agriculture to residential subdivision so the change in water use will have no negative effect on the land.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. SEE ATTACHED Decreed to SEE ATTACHED
in case of SEE ATTACHED vs. SEE ATTACHED
dated SEE ATTACHED In SEE ATTACHED county of SEE ATTACHED
- b. License No. WATER RIGHT issued by the Idaho Department of Water Resources.
- c. Claim No. PRINT OUT FOR on file with the Idaho Department of Water Resources.
- d. Transfer No. NO. 63-125G which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label documents as attachment A. Check appropriate box below:
- ☐ Tax Notice ☐ Warranty Deed ☐ Other SEE ATTACHED

3. Source of water SEE ATTACHED tributary to SEE ATTACHED

4. Date or priority NO. 63-125G

5. Water is used for the following purposes:

amount SEE ATTACHED for SEE ATTACHED purposes from SEE ATTACHED to SEE ATTACHED
(cfs/ac-ft)
amount SEE ATTACHED for SEE ATTACHED purposes from SEE ATTACHED to SEE ATTACHED
(cfs/ac-ft)
amount SEE ATTACHED for SEE ATTACHED purposes from SEE ATTACHED to SEE ATTACHED
(cfs/ac-ft)

6. Total amount of water under right SEE ATTACHED cubic feet per second and/or SEE ATTACHED acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres SEE ATTACHED

9. Describe any other water rights used for the same purpose as described above SEE ATTACHED

PART 2

Transfer No. 70947

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>1W</u>	<u>15</u>	<u>-</u>	<u>1.84</u>	<u>10.19</u>	<u>4.90</u>													<u>16.93</u>

Total acres 16.93**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE
ATTACHED
DRAWINGS IN
NARRATIVE
APP. A

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount 32 (cfs/ac-ft) 0.24 cfs	Hours/days/year 24/214/1	Period of Use 3/15 to 11/15
<i>AK</i>	Groundwater Recharge			

2. Quantity and quality of return flows and location of discharge:
REFER TO ATTACHED NARRATIVE.

3. Describe effects on other water uses resulting from the proposed change:
Other water users should not be effected as a result of this change. There are no other water users downstream of this property. This property is the downstream most property before the Middleton-Mill ditch's confluence (and return to) the Boise River. REFER TO ATTACHED NARRATIVE.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this third day of September, 2003.

Allen F. [Signature]
(Signature of Applicant)

Jerry A. Kiser
(Notary Public)

My commission expires 12/15/08

FOR DEPARTMENT USE ONLY

fee received 12/18/03

Transfer contains 6 pages and 6 attachments

Received by KG Date 9/29/03 Protest filed by _____

Prelim. check by g Fee \$250 W031196

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

See “attached narrative” in scanned documents.

06/17/2005

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

RIGHT NUMBER: 63-124N

NAME AND ADDRESS: MIDDLETON MILL DITCH CO
23107 HARTLEY LN
MIDDLETON ID 83644

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 11.880 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1864

POINT OF DIVERSION:
T04N R01W S13 NENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	11.880 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

9420 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9420 ACRES WITHIN THE BOUNDARY OF THE MIDDLETON MILL DITCH COMPANY AND THE MIDDLETON IRRIGATION ASSOCIATION.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS DESIGNATED AS NO 3 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.

WATER IS DELIVERED THROUGH THE MIDDLETON IRRIGATION ASSOCIATION AND THE MIDDLETON MILL COMPANY DITCH SYSTEM

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370, 63-31937.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-124.

RECEIVED

JUN 24 2005

WATER RESOURCES
WESTERN REGION

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.

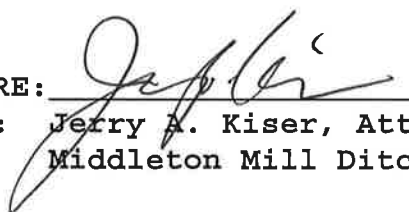
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: JUNE 24, 2005.

Water right number: 63-124N

MIDDLETON MILL DITCH CO
C/O VICKI KUENLZI
22847 KINGSBURY LANE
MIDDLETON, ID 83644
Telephone Number: (208) 585-2232

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

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

DATE: 6-24-05 SIGNATURE: 
Please print your name: Jerry A. Kiser, Attorney for
Middleton Mill Ditch Co.

STOPPELLO & KISER
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

RECEIVED

JUN 16 2005

WATER RESOURCES
WESTERN REGION

FRANK W. STOPPELLO
JERRY A. KISER
F. MATTHEW STOPPELLO

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

June 16, 2005

HAND-DELIVERED

Mel Schulte
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Amended Claims for Middleton Mill Ditch Company
and Middleton Irrigation Association, Inc.

Dear Mel:

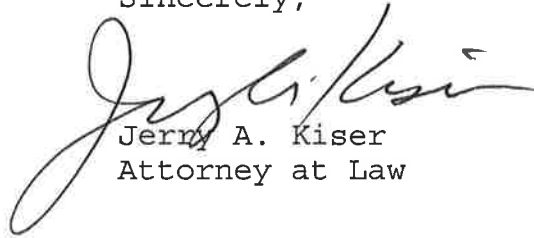
Enclosed are Amended Notices of Claims for various water rights held by the Middleton Canal Companies, together with a copy of each to be returned to myself after filing. These claims increase the irrigated acreage served by the canal companies. Also enclosed is a check in the amount of \$261.00 representing the additional fee for filing these claims.

I am also enclosing the boundary and place of use map for the companies. The companies noticed one minor adjustment needed to the correction which was made after you and I met. Unfortunately on the small map, it is difficult to show this change. However, I feel that by the attached diagram and description, I can identify the error and adjustment needed. On the enclosed color boundary map, I have put a yellow sticky with an arrow identifying the location of the area needing adjustment. If you recall when we adjusted the boundary at our meeting, I identified an area where the boundary goes due north and then curves back down to the west and south. Enclosed is a diagram marked "A" showing this area in larger size. The diagram shows in black ink the existing boundary as shown on the current map. The red line shows the area which still needs to be corrected. If you will look on the map there is a field to the west of the curved portion of the boundary which is red. The area which needs to be included is roughly the bottom third of the red portion shown on the map. In other words, the west curved portion shown on the diagram does not continue south all the way to Floating Feather Road, but jogs west then south to Floating Feather.

Mel Schulte
June 16, 2005
Page Two

I realize that it is difficult to describe this, so if you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry A. Kiser".

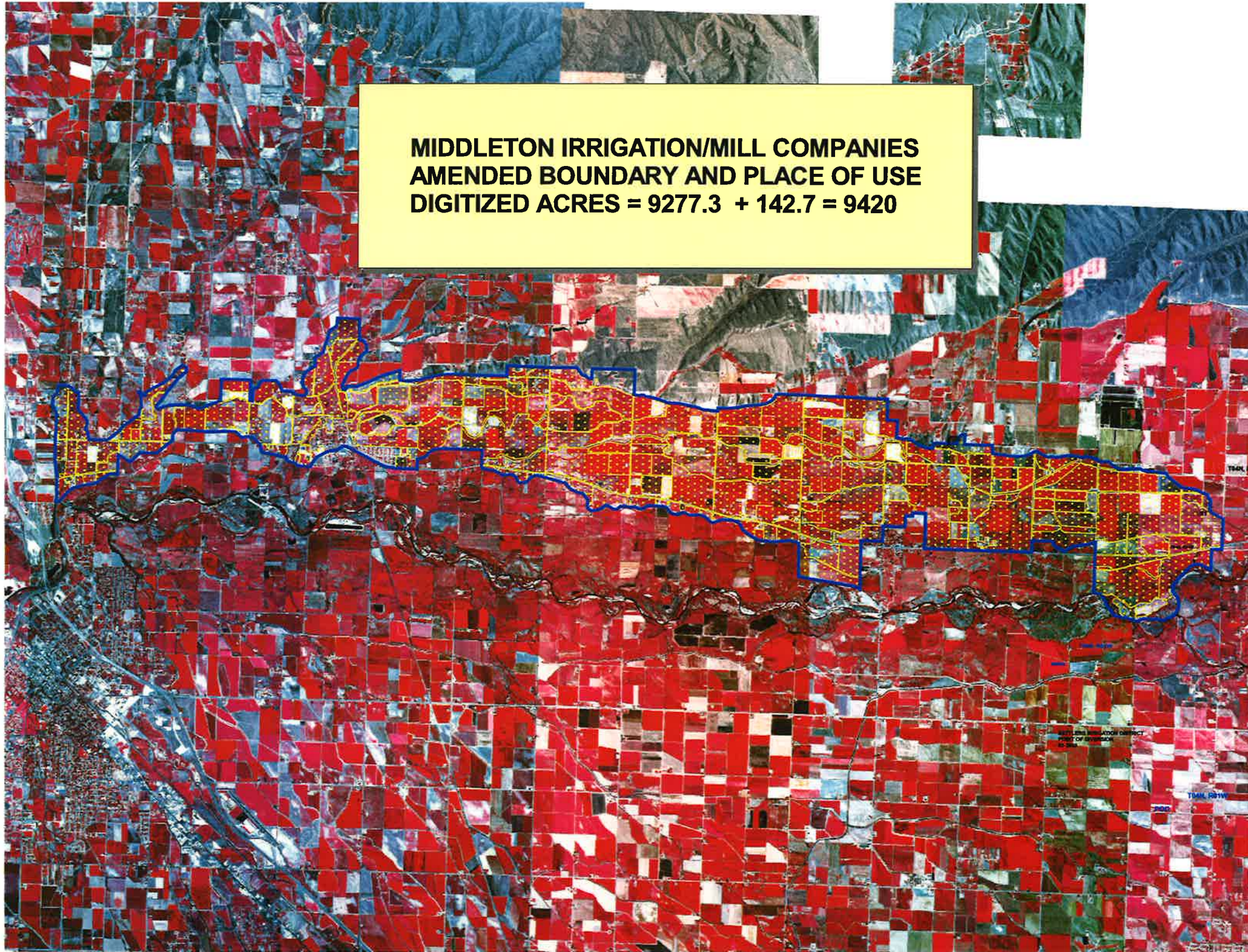
Jerry A. Kiser
Attorney at Law

JAK:jf

Enclosures

cc: Middleton (w/o enc.)

**MIDDLETON IRRIGATION/MILL COMPANIES
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 9277.3 + 142.7 = 9420**



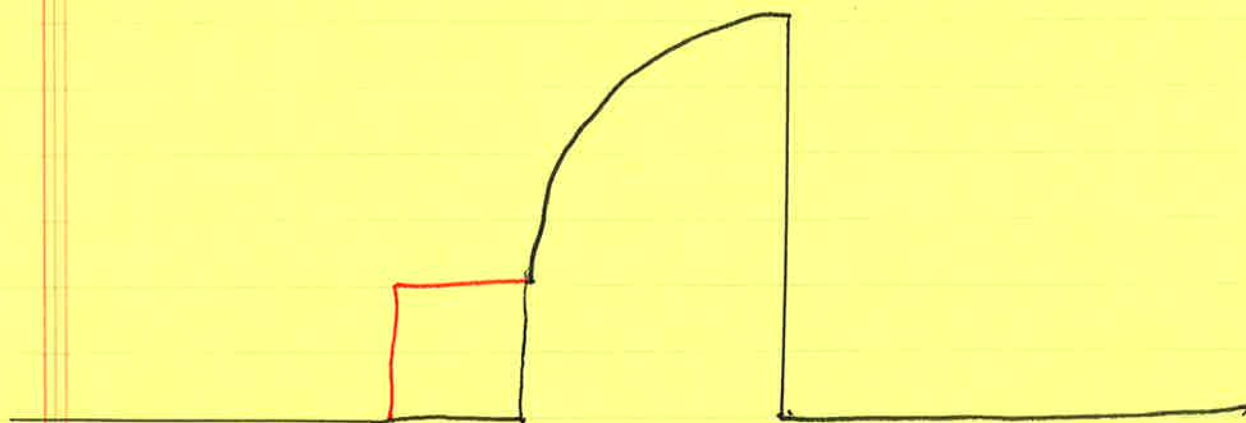


Diagram of additional area/ change of boundary.

Change completed 6-17-05
M.T.S.

A.

Idaho Department of Water Resources Receipt

Receipt ID W033065

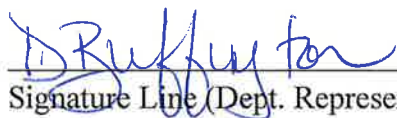
Payment Amount Date Received Region Status

Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$261.00	ADJUDICATION FILING FEE	0337		42503	1155



Signature Line (Dept. Representative)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-124NOwner: Middleton Mill Ditch Co. Phone No. 585-2922 = Martin Galvin

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6-1-1864 = same as decreed(If priority date, based on your exam, seems questionable, explain below.)

_____Source: Boise River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	1		NE	NE	13	4N	1W	Oda	USGS map during field review

Description of diverting works

Concrete structure and headgates divert water to
a canal shared by Middleton Irrigation and Middleton Mill

OVERLAP REVIEWOther water rights with the same point of diversion: See attached POD list

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

No**WATER USES**☒ No change☐ Different Uses

Use Irrigation From 4-1 To 10-31 Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only NA

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES: NA

- ☐ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☐ Changes shown below:

9420 acres within the boundary of Middleton Irrigation Assoc. and Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: Approximately one mile from the POD
the main canal splits into two smaller ditches.
Several laterals divert water from the two ditches
and several drain ditches return runoff water
to the ditches.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
N.A.					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Designated as right #3
The 9420 acre place of use is composed of 9277.3
designated acres plus 142.7 shares within the City of
Middleton.
Martin Galvin and Sam Fasti assisted in the review
of the boundary and place of use map. Martin Galvin
assisted in the review of the POD and ditch system.

The season of use for this right and all other Boise River diversions complies with the historical practices of the Boise River water master.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3-3-2003 with Martin Galvin

FIELD EXAMINER: Mel Schulte

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-124N V1

WATER RIGHT NUMBER: 63-124N V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLETON MILL DITCH CO 23107 HARTLEY LN MIDDLETON, ID 83644 (208)585-2943
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020

Amended

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01	to 11/15	11.880 CFS	
	<u>Total Diversion:</u>		11.880 CFS	

Location of Point(s) of Diversion

BOISE RIVER	L1 (NE1/4NE1/4)	Sec. 13, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-124N V1

4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Remarks:

1. Explanatory THIS RIGHT IS DESIGNATED AS NO 3 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. Explanatory WATER IS DELIVERED THROUGH THE MIDDLETON IRRIGATION ASSOCIATION AND THE MIDDLETON MILL COMPANY DITCH SYSTEM
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370, 63-31937.
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9159 ACRES WITHIN THE BOUNDARY OF THE MIDDLETON MILL DITCH COMPANY AND THE MIDDLETON IRRIGATION ASSOCIATION.
6. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-124.

Comments:

1. mcase 7/21/2004 POD
Comment: Correlated PODID 609409 from SpatialDataID 342561 to SpatialDataID 302230
2. mcase 7/21/2004 POD
Comment: Correlated PODID 609409 from SpatialDataID 342561 to SpatialDataID 302230

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-124N

WATER RIGHT NUMBER: 63-124N

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLETON DITCH CO

, ZZ

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	11.880 CFS	
	<u>Total Diversion:</u>	11.880 CFS	

Location of Point(s) of Diversion
BOISE RIVER

Place of UseConditions of Approval:Remarks:

1. General LANDS UNDER CANAL SYSTEM.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124N

WATER RIGHT NUMBER: 63-124N

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLETON MILL DITCH CO MAX NISHIOKA 23107 HARTLEY LN MIDDLETON, ID 83644 (208)585-2943
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	11.880 CFS	
	<u>Total Diversion:</u>	11.880 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4NE1/4NE1/4	Sec. 13, Twp 04N, Rge 01W, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01W S03	SWSW	22.0	T04N R01W S03	SESW	19.0
T04N R01W S03	SWSE	11.0	T04N R01W S03	SESE	5.0
T04N R01W S04	SWSW	20.0	T04N R01W S04	SESW	18.0
T04N R01W S04	SWSE	23.0	T04N R01W S04	SESE	23.0
T04N R01W S05	NESW	14.0	T04N R01W S05	NWSW	25.0
T04N R01W S05	SWSW	38.0	T04N R01W S05	SESW	38.0
T04N R01W S05	NWSE	3.0	T04N R01W S05	SWSE	36.0
T04N R01W S05	SESE	25.0	T04N R01W S06	SWNE	38.0
T04N R01W S06	SENE	38.0	T04N R01W S06	SWNW	30.0
T04N R01W S06	SENW	26.0	T04N R01W S06	NESW	39.0
T04N R01W S06	NWSW	39.0	T04N R01W S06	SWSW	38.0
T04N R01W S06	SESW	38.0	T04N R01W S06	NESE	39.0
T04N R01W S06	NWSE	38.0	T04N R01W S06	SWSE	38.0
T04N R01W S06	SESE	38.0	T04N R01W S07	NENE	38.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124N

T04N R01W S07	NWNE	38.0	T04N R01W S07	SWNE	39.0
T04N R01W S07	SENE	39.0	T04N R01W S07	NENW	39.0
T04N R01W S07	NWNW	39.0	T04N R01W S07	SWNW	38.0
T04N R01W S07	SENE	39.0	T04N R01W S07	NESW	39.0
T04N R01W S07	NWSW	38.0	T04N R01W S07	SWSW	38.0
T04N R01W S07	SESW	38.0	T04N R01W S07	NESE	35.0
T04N R01W S07	NWSE	38.0	T04N R01W S07	SWSE	38.0
T04N R01W S07	SESE	17.0	T04N R01W S08	NENE	39.0
T04N R01W S08	NWNE	39.0	T04N R01W S08	SWNE	39.0
T04N R01W S08	SENE	38.0	T04N R01W S08	NENW	39.0
T04N R01W S08	NWNW	38.0	T04N R01W S08	SWNW	38.0
T04N R01W S08	SENE	38.0	T04N R01W S08	NESW	13.0
T04N R01W S08	NWSW	37.0	T04N R01W S08	NESE	38.0
T04N R01W S08	NWSE	39.0	T04N R01W S08	SWSE	38.0
T04N R01W S08	SESE	38.0	T04N R01W S09	NENE	25.0
T04N R01W S09	NWNE	38.0	T04N R01W S09	SWNE	38.0
T04N R01W S09	SENE	39.0	T04N R01W S09	NENW	39.0
T04N R01W S09	NWNW	38.0	T04N R01W S09	SWNW	38.0
T04N R01W S09	SENE	38.0	T04N R01W S09	NESW	39.0
T04N R01W S09	NWSW	38.0	T04N R01W S09	SWSW	25.0
T04N R01W S09	SESW	30.0	T04N R01W S09	NESE	38.0
T04N R01W S09	NWSE	39.0	T04N R01W S09	SWSE	38.0
T04N R01W S10	NENE	39.0	T04N R01W S10	NWNE	39.0
T04N R01W S10	SWNE	39.0	T04N R01W S10	SENE	39.0
T04N R01W S10	NENW	38.0	T04N R01W S10	NWNW	39.0
T04N R01W S10	SWNW	38.0	T04N R01W S10	SENE	37.0
T04N R01W S10	NESW	38.0	T04N R01W S10	NWSW	39.0
T04N R01W S10	NESE	38.0	T04N R01W S10	NWSE	38.0
T04N R01W S10	SWSE	38.0	T04N R01W S10	SESE	38.0
T04N R01W S11	SWNE	38.0	T04N R01W S11	SENE	13.0
T04N R01W S11	NENW	26.0	T04N R01W S11	NWNW	38.0
T04N R01W S11	SWNW	39.0	T04N R01W S11	SENE	39.0
T04N R01W S11	NESW	39.0	T04N R01W S11	NWSW	38.0
T04N R01W S11	SWSW	38.0	T04N R01W S11	SESW	38.0
T04N R01W S11	NESE	38.0	T04N R01W S11	NWSE	39.0
T04N R01W S11	SWSE	37.0	T04N R01W S11	SESE	20.0
T04N R01W S14	NENE	7.0	T04N R01W S14	NWNE	12.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124N

T04N R01W S14	NENW	27.0	T04N R01W S14	NWNW	34.0
T04N R01W S14	SWNW	39.0	T04N R01W S14	SENW	22.0
T04N R01W S14	NESW	27.0	T04N R01W S14	NWSW	34.0
T04N R01W S15	NENE	35.0	T04N R01W S15	NWNE	38.0
T04N R01W S15	SWNE	11.0	T04N R01W S15	SENE	9.0
T04N R01W S15	NESE	35.0	T04N R01W S15	NWSE	3.0
T04N R01W S18	NWNE	38.0	T04N R01W S18	NENW	38.0
T04N R01W S18	NWNW	3.0	T04N R02W S01	SWNE	32.0
T04N R02W S01	SENE	31.0	T04N R02W S01	SWNW	10.0
T04N R02W S01	SENW	16.0	T04N R02W S01	NESW	39.0
T04N R02W S01	NWSW	38.0	T04N R02W S01	SWSW	38.0
T04N R02W S01	SESW	39.0	T04N R02W S01	NESE	38.0
T04N R02W S01	NWSE	39.0	T04N R02W S01	SWSE	38.0
T04N R02W S01	SESE	38.0	T04N R02W S02	NENE	8.0
T04N R02W S02	NWNE	7.0	T04N R02W S02	SWNE	37.0
T04N R02W S02	SENE	38.0	T04N R02W S02	NENW	5.0
T04N R02W S02	NWNW	5.0	T04N R02W S02	SWNW	38.0
T04N R02W S02	SENW	37.0	T04N R02W S02	NESW	39.0
T04N R02W S02	NWSW	38.0	T04N R02W S02	SWSW	38.0
T04N R02W S02	SESW	38.0	T04N R02W S02	NESE	38.0
T04N R02W S02	NWSE	39.0	T04N R02W S02	SWSE	39.0
T04N R02W S02	SESE	38.0	T04N R02W S03	NENE	8.0
T04N R02W S03	NWNE	15.0	T04N R02W S03	SWNE	39.0
T04N R02W S03	SENE	38.0	T04N R02W S03	NENW	6.0
T04N R02W S03	NWNW	15.0	T04N R02W S03	SWNW	38.0
T04N R02W S03	SENW	38.0	T04N R02W S03	NESW	39.0
T04N R02W S03	NWSW	38.0	T04N R02W S03	SWSW	38.0
T04N R02W S03	SESW	39.0	T04N R02W S03	NESE	39.0
T04N R02W S03	NWSE	39.0	T04N R02W S03	SWSE	38.0
T04N R02W S03	SESE	38.0	T04N R02W S04	NENE	18.0
T04N R02W S04	NWNE	10.0	T04N R02W S04	SWNE	38.0
T04N R02W S04	SENE	39.0	T04N R02W S04	NENW	15.0
T04N R02W S04	NWNW	16.0	T04N R02W S04	SWNW	39.0
T04N R02W S04	SENW	39.0	T04N R02W S04	NESW	38.0
T04N R02W S04	NWSW	38.0	T04N R02W S04	SWSW	39.0
T04N R02W S04	SESW	39.0	T04N R02W S04	NESE	38.0
T04N R02W S04	NWSE	39.0	T04N R02W S04	SWSE	39.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124N

T04N R02W S04	SESE	38.0	T04N R02W S05	NENE	20.0
T04N R02W S05	NWNE	12.0	T04N R02W S05	SWNE	39.0
T04N R02W S05	SENE	39.0	T04N R02W S05	NENW	4.0
T04N R02W S05	NWNW	16.0	T04N R02W S05	SWNW	39.0
T04N R02W S05	SENE	39.0	T04N R02W S05	NESW	38.0
T04N R02W S05	NWSW	39.0	T04N R02W S05	SWSW	39.0
T04N R02W S05	SESW	39.0	T04N R02W S05	NESE	38.0
T04N R02W S05	NWSE	39.0	T04N R02W S05	SWSE	39.0
T04N R02W S05	SESE	38.0	T04N R02W S06	NENE	3.0
T04N R02W S06	NWNE	26.0	T04N R02W S06	SWNE	30.0
T04N R02W S06	SENE	36.0	T04N R02W S06	NENW	35.0
T04N R02W S06	NWNW	8.0	T04N R02W S06	SWNW	29.0
T04N R02W S06	SENE	36.0	T04N R02W S06	NESW	33.0
T04N R02W S06	NWSW	36.0	T04N R02W S06	SWSW	35.0
T04N R02W S06	SESW	15.0	T04N R02W S06	NESE	38.0
T04N R02W S06	NWSE	20.0	T04N R02W S06	SWSE	7.0
T04N R02W S06	SESE	39.0	T04N R02W S07	NENE	7.0
T04N R02W S07	NWNE	2.0	T04N R02W S07	NENW	8.0
T04N R02W S07	NWNW	24.0	T04N R02W S08	NWNE	9.0
T04N R02W S08	NENW	12.0	T04N R02W S08	NWNW	20.0
T04N R02W S09	NENE	37.0	T04N R02W S09	NWNE	38.0
T04N R02W S09	SWNE	6.0	T04N R02W S09	SENE	4.0
T04N R02W S09	NENW	33.0	T04N R02W S09	SENE	1.0
T04N R02W S10	NENE	39.0	T04N R02W S10	NWNE	39.0
T04N R02W S10	SWNE	35.0	T04N R02W S10	SENE	38.0
T04N R02W S10	NENW	39.0	T04N R02W S10	NWNW	38.0
T04N R02W S10	SWNW	5.0	T04N R02W S10	SENE	31.0
T04N R02W S10	NESW	1.0	T04N R02W S10	NESE	19.0
T04N R02W S10	NWSE	28.0	T04N R02W S11	NENE	38.0
T04N R02W S11	NWNE	39.0	T04N R02W S11	SWNE	39.0
T04N R02W S11	SENE	38.0	T04N R02W S11	NENW	39.0
T04N R02W S11	NWNW	38.0	T04N R02W S11	SWNW	38.0
T04N R02W S11	SENE	39.0	T04N R02W S11	NESW	8.0
T04N R02W S11	NWSW	12.0	T04N R02W S11	NESE	21.0
T04N R02W S11	NWSE	25.0	T04N R02W S11	SESE	1.0
T04N R02W S12	NENE	38.0	T04N R02W S12	NWNE	38.0
T04N R02W S12	SWNE	39.0	T04N R02W S12	SENE	38.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124N

T04N R02W S12	NENW	38.0	T04N R02W S12	NWNW	38.0
T04N R02W S12	SWNW	39.0	T04N R02W S12	SESW	39.0
T04N R02W S12	NESW	38.0	T04N R02W S12	NWSW	31.0
T04N R02W S12	SWSW	2.0	T04N R02W S12	SESW	16.0
T04N R02W S12	NESE	39.0	T04N R02W S12	NWSE	39.0
T04N R02W S12	SWSE	35.0	T04N R02W S12	SESE	36.0
T04N R03W S01	SWNE	5.0	T04N R03W S01	SENE	15.0
T04N R03W S01	SWNW	5.0	T04N R03W S01	SESW	12.0
T04N R03W S01	NESW	39.0	T04N R03W S01	NWSW	34.0
T04N R03W S01	SWSW	19.0	T04N R03W S01	SESW	15.0
T04N R03W S01	NESE	38.0	T04N R03W S01	NWSE	38.0
T04N R03W S01	SWSE	30.0	T04N R03W S01	SESE	38.0
T04N R03W S02	NWNE	19.0	T04N R03W S02	SWNE	12.0
T04N R03W S02	SWNW	1.0	T04N R03W S02	SESW	17.0
T04N R03W S02	NESW	36.0	T04N R03W S02	NWSW	3.0
T04N R03W S02	SWSW	32.0	T04N R03W S02	SESW	36.0
T04N R03W S02	NESE	30.0	T04N R03W S02	NWSE	31.0
T04N R03W S02	SWSE	25.0	T04N R03W S02	SESE	15.0
T04N R03W S03	SWNW	1.0	T04N R03W S03	SESW	15.0
T04N R03W S03	NESW	36.0	T04N R03W S03	NWSW	2.0
T04N R03W S03	SWSW	5.0	T04N R03W S03	SESW	35.0
T04N R03W S03	NWSE	5.0	T04N R03W S03	SWSE	22.0
T04N R03W S03	SESE	9.0	T04N R03W S10	NENE	38.0
T04N R03W S10	NWNE	38.0	T04N R03W S10	SWNE	35.0
T04N R03W S10	SENE	27.0	T04N R03W S10	NENW	35.0
T04N R03W S10	SESW	37.0	T04N R03W S10	NESW	9.0
T04N R03W S10	NWSE	8.0	T04N R03W S11	NWNE	2.0
T04N R03W S11	NENW	22.0	T04N R03W S11	NWNW	30.0
T04N R03W S12	NENE	11.0	T04N R03W S12	NWNE	3.0
T05N R02W S31	SESW	18.0	T05N R02W S31	NWSE	14.0
T05N R02W S31	SWSE	39.0	T05N R02W S31	SESE	8.0
T05N R02W S35	SWSE	2.0			

Total Acres: 9159

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-124N

Remarks:

1. General THIS RT.ORIGINALLY DECREED FOR 640",BUT WITH VARIOUS REDUCTIONS BY TRFRS.IS CLAIMED FOR THE IRRIGATION OF 9159 ACRES UNDER THE DITCHES OF MIDDLETON MILL DITCH COMPANY AND MIDDLETON IRRIGATION ASSOCIATION. ALL THE RIGHTS OF THE TWO ORGANIZATIONS ARE CO-MINGLED AND THE DISTRIBUTION OF THE WATER IS MANAGED MORE OR LESS AS A SINGLE IRRIGATION UNIT. A DOCUMENT FROM THE SCS CITING THE NEED FOR MORE THAN 1 INCH PER ACRE FOR THE SANDY, GRAVELLY SOILS PRESENT ON APPROXIMATELY 32% OF THE LANDS IS ATTACHED.

Comments:Dates and Other Information:

Claim Received Date: 3/14/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

III.

That the defendant THE MIDDLETON MILL DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the farm of Davis & Hart, Sec 13, T. 4 N. R. 1 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

63 0124 ^{T 300, 301, 347, 349, 350, 391, 393} 1640 inches, from June 1, 1864; and hereby designated as Right No. 3
 63 0125 ^{T 300, 301, 391, 393} 1685 inches, from June 1, 1871; and hereby designated as Right No. 54.
 63 0126 850 inches, from June 1, 1891; and hereby designated as Right No. 120.
 And adjudged to pay \$222.25 costs, in addition to the costs incurred by it.

IV.

That the defendant THOMAS ANDREWS be and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in SE $\frac{1}{4}$ of Sec. 25 and in SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 23, E. $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, E. $\frac{1}{2}$ of NW $\frac{1}{4}$, and lot 2, Sec. 22, all in T. 5 N. R. 5 W. B.M., in the following amounts from the following dates;

63 0127 ¹⁸⁵ 185 inches, from June 1, 1864; and hereby designated as Right No. 4.
 63 0128 ³⁰⁰ 300 inches, from June 1, 1865; and hereby designated as Right No. 29.
 63 0129 ⁸⁵ 85 inches, from June 1, 1870; and hereby designated as Right No. 31.
 63 0130 ⁴⁵ 45 inches, from June 1, 1888; and hereby designated as Right No. 104.
 63 0131 ¹⁷⁵ 175 inches, from June 1, 1891; and hereby designated as Right No. 121.
 And adjudged to pay \$52.50 costs, in addition to the costs incurred by him.

V.

That the defendants T. C. CATLIN and POLETTE MACE be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south bank of said river, on Lot 5, Sec. 17, T. 4 N. R. 1 E. B.M., for use on their lands on Eagle Island, Ada County, Idaho, in the following amounts from the following dates;

63 0132 ¹⁴³ 143 inches, from June 1, 1864; and hereby designated as Right NO. 5.
 63 0133 ³⁹³ 393 inches, from June 1, 1871; and hereby designated as Right No. 52.
 And adjudged to pay \$37.52 costs, in addition to the costs incurred by them.

VI.

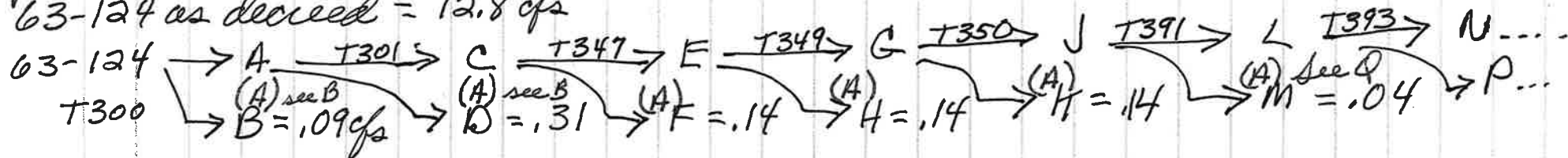
That the defendant T. C. CATLIN be and he is hereby awarded the use of the waters of Boise River, diverted near the center of the NE $\frac{1}{4}$ of Sec. 18, T. 4 N. R. 1 E. B.M., through what is known as the Davis & Hart ditch, for use upon lands lying under said ditch on Eagle Island, Ada County, Idaho, in the following amount from the following date;

63 0134 165 inches, from June 1, 1864.
 And adjudged to pay \$11.55 costs, in addition to the costs incurred by him.

Split tree 63-124

63-124N

63-124 as decreed = 12.8 cfs



--- (A) N = 11.88 cfs

--- (A) see P = .06 cfs

Total = 12.8 cfs.

A63-124B = .40 (B+D)

A63-124Q = .10 cfs (M+P)

Total = 12.8

POQ in TO4N, RO1W, S13, NENE

Basin	Sequence	Suffix	Basin	Status	Right ID	Priority Date	Rate(cfs)	Volume(af)	Source	Water Use(s)	Owner(s)
63	21502		Beneficial Use	Active	227800	9/10/1921	52.5		WASTE WATER	IRRIGATION	MIDDLETON IRRIGATION ASSN (Current); MIDDLETON MILL DITCH CO (Current)
63	124	N	Decreed	Active	316201	1864-06-01	11.88		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	125	G	Decreed	Active	316291	1871-06-01	32.43		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	126	E	Decreed	Active	316403	1891-06-01	16.44		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	161	X	Decreed	Active	318393	1866-05-01	0.4		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	168	B	Decreed	Active	228801	1867-06-01	0.38		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)
63	168	D	Decreed	Active	228906	1867-06-01	0.41		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	173		Decreed	Active	228907	1868-06-01	1.4		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	198	AC	Decreed	Active	228161	1877-06-01	110.09		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)
63	254		Decreed	Active	228162	1866-06-01	2.3		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)
63	255		Decreed	Active	228163	1866-06-01	0.6		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)
63	370		Decreed	Active	228164	1893-04-15	1.6		BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)
63	3618	E	Permit	Active	560601	1/1/1955		6380	BOISE RIVER	IRRIGATION FROM STORAGE, IRRIGATION STORAGE	MIDDLETON IRRIGATION ASSN (Current)
63	3618	F	Permit	Active	560602	1/1/1955		4620	BOISE RIVER	IRRIGATION FROM STORAGE, IRRIGATION STORAGE	MIDDLETON MILL DITCH CO (Current)
63	4500		Statutory Claim	Active	269786	6/1/1940	0.07		GROUND WATER	COMMERCIAL, DOMESTIC, IRRIGATION	FROST, WILLIAM D (Current)

12

MIDDLETON MILL DITCH CO &
MIDDLETON IRRIGATION ASSOCIATION
POINT OF DIVERSION IN T04N, R01W, S13

BALLE

DITCH

BM 2527

CANAL

2519

POD

NENE

Linder
Bridge

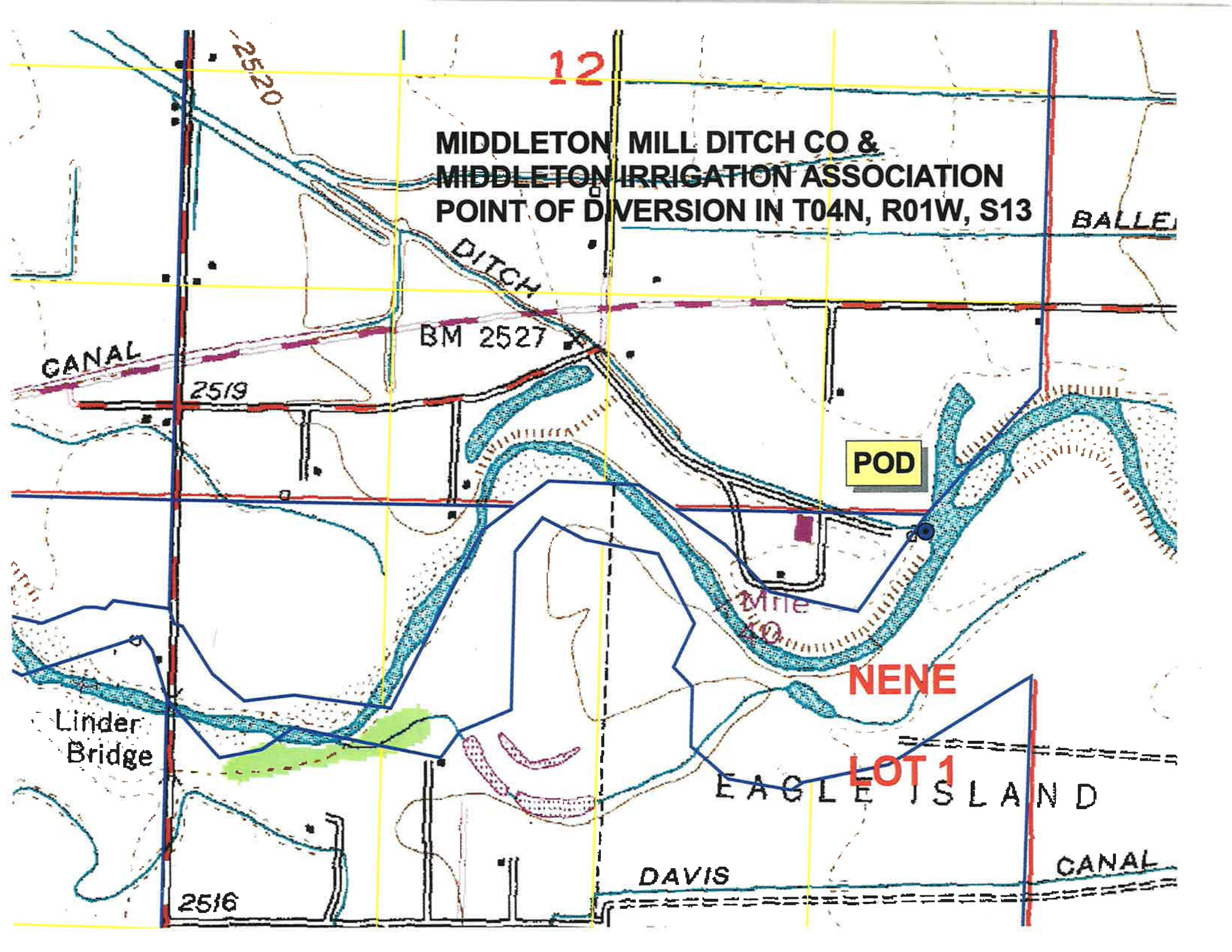
LOT 1

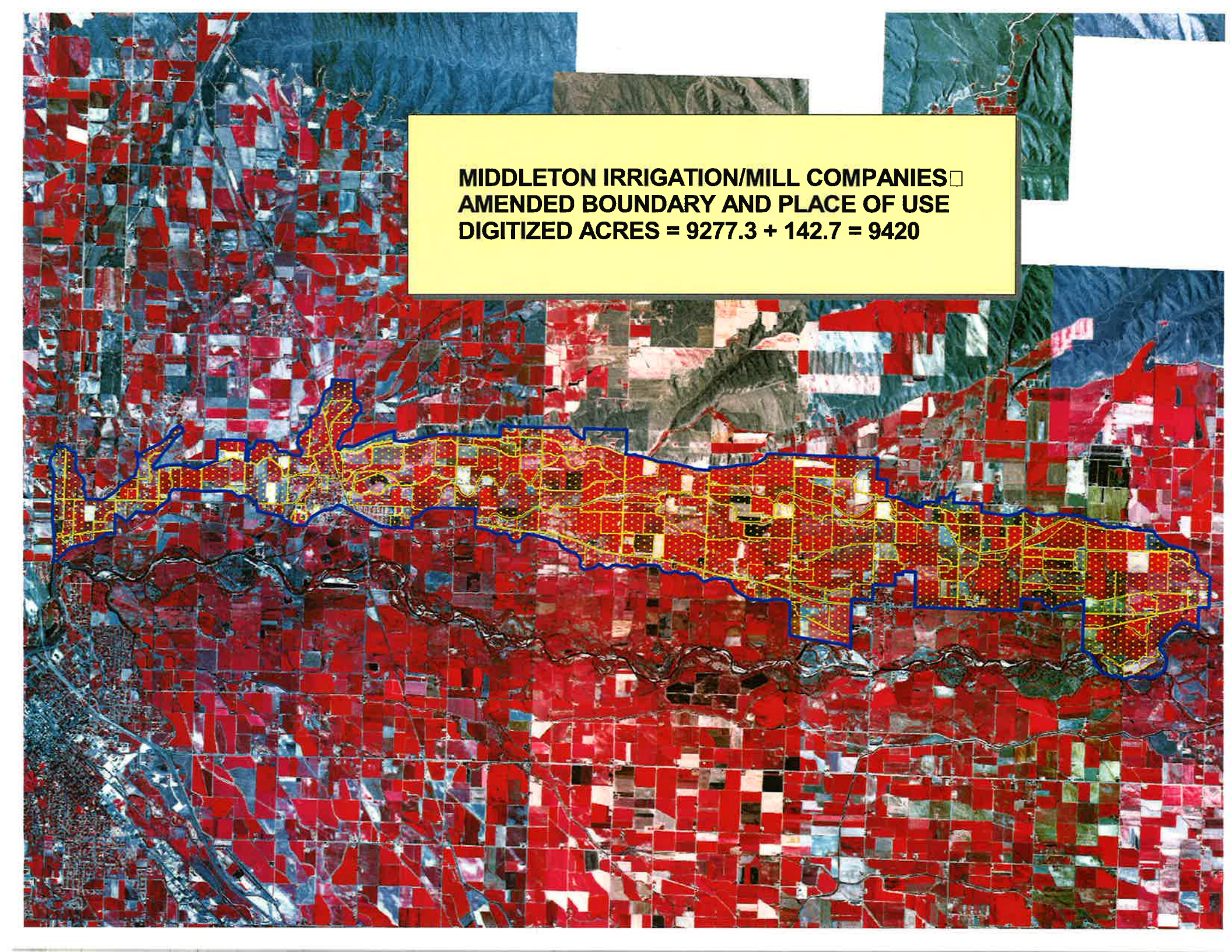
EAGLE ISLAND

DAVIS

CANAL

2516



An aerial photograph of a large agricultural area, likely a valley or basin, characterized by a dense grid of rectangular fields. A significant portion of these fields is highlighted in red, indicating a specific land use or ownership. A blue line traces an irregular boundary across the landscape, enclosing a large area of the red-highlighted fields. Within this blue boundary, a network of yellow lines is visible, possibly representing irrigation canals or smaller land parcels. The background shows a mix of green and brown terrain, suggesting a transition to less developed or forested land.

**MIDDLETON IRRIGATION/MILL COMPANIES
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 9277.3 + 142.7 = 9420**

Sec. 11

Sec. 12

T04N, R01W

Middleton Mill
& Middleton Irr.
Point of Diversion

79.72
N. 89° 50' W.

EAST 80.20

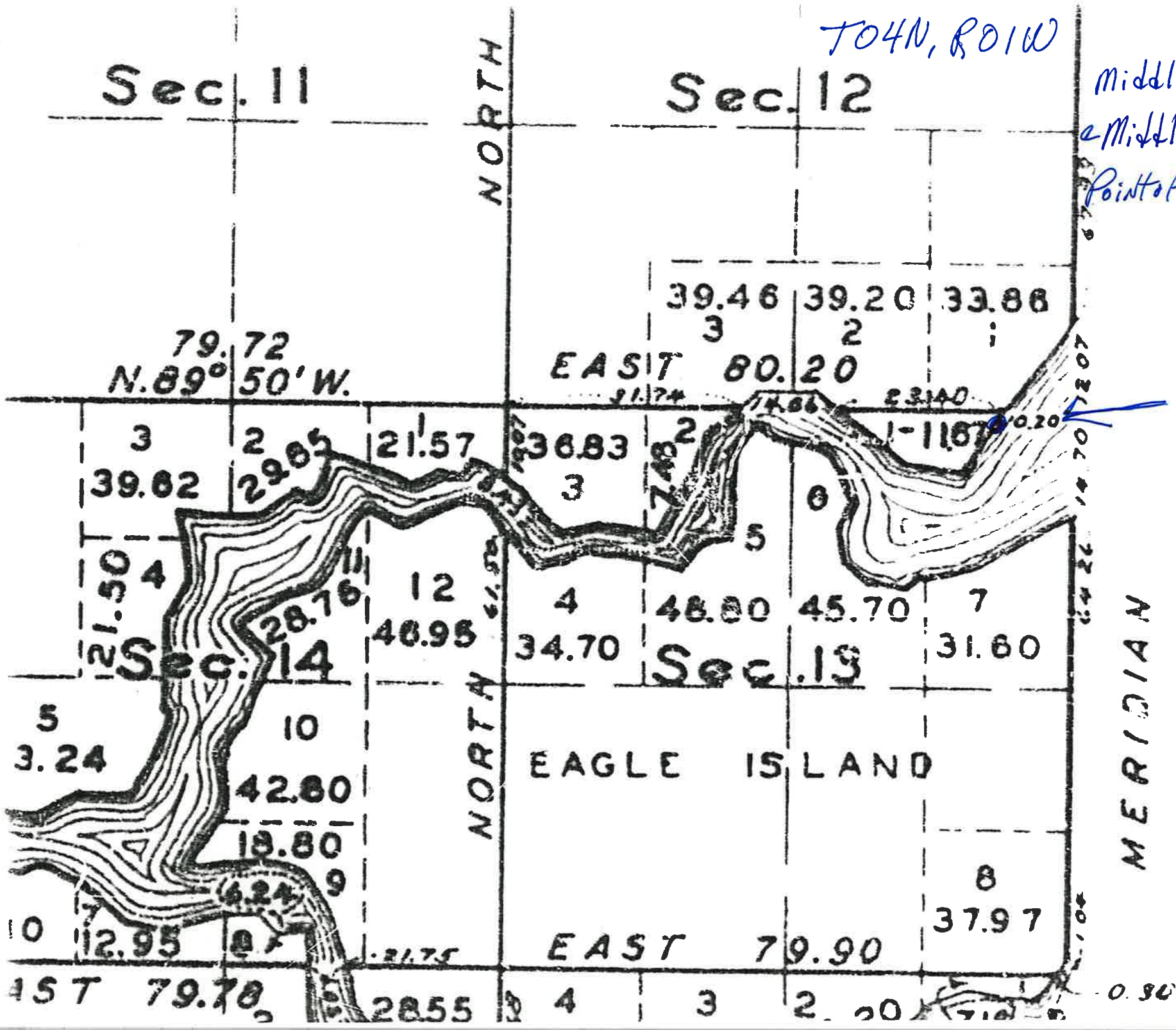
PQD

Sec. 14

Sec. 13

EAGLE ISLAND

MERIDIAN



STOPPELLO & KISER
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

FRANK W. STOPPELLO
JERRY A. KISER

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

March 13, 2003

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

MAR 14 2003

**WATER RESOURCES
WESTERN REGION**

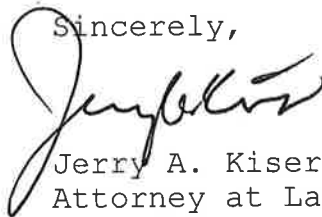
Re: Middleton Mill Ditch Company and Middleton
Irrigation Association/Snake River Basin
Adjudication

Dear Jan:

Pursuant to our conversation on March 12, 2003, this letter is to notify you that I am representing Middleton Mill Ditch Company and Middleton Irrigation Association in the Snake River Basin Adjudication. Please take whatever actions are necessary so the Department's records reflect this fact.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,



Jerry A. Kiser
Attorney at Law

JAK:jf

cc: Middleton



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 28, 2000

Middleton Mill Ditch Company
Paul Okamura
23500 Emmett Road
Caldwell, ID 83607

Subject: Middleton Mill Ditch Company Boundary Map

Dear Paul;

I have enclosed a map that, due to our records, meets the extents of your company's irrigation boundary. If this map is correct, give me a call and let me know. If I need to make changes, indicate them on the map. You can then either mail the map back to me, or I will be happy to meet with you at your convenience. I will make the changes and send you a final copy of the boundary. Thanks again for all your cooperation.

If you have any questions, please don't hesitate to call me at (208) 327-7998.

Sincerely,

A handwritten signature in cursive script that reads "Mark D. Larson".

Mark Larson
GIS Specialist
Adjudication Technical Section

TFR # 300 SPLIT
FOWLER DECREE

63-00124, (RIVER RT. # 3)
 63-00124 A
 63-00124 B

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 300.

This is to certify that Emma M. Fowler, of Middleton, County of Ada, State of Idaho, has the right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case entitled "Farmers' Cooperative Ditch Company, Ltd., Plaintiffs, vs. Riverside Irrigation District, Defendant", George H. Stewart, District Judge, wherein certain water was decreed to the Middleton Mill Ditch Co., Ltd., in Water District No. 12A, dedicated to Lot 3, Sec. 11, T. 4 N., R. 3 W., B.M., and other lands, bearing dates of priority of June 1, 1864, June 1, 1871, and June 1, 1891; that, upon the application of Emma M. Fowler for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.35 second feet of the waters of Boise River, upon the lands above described, is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall, by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

		0.35 second feet:				Total
		NW ¹ ₄	NE ¹ ₄	SW ¹ ₄	SE ¹ ₄	
Twp.	Rge, Sec.	NW ¹ ₄ NE ¹ ₄ SW ¹ ₄ SE ¹ ₄	NW ¹ ₄ NE ¹ ₄ SW ¹ ₄ SE ¹ ₄	NW ¹ ₄ NE ¹ ₄ SW ¹ ₄ SE ¹ ₄	NW ¹ ₄ NE ¹ ₄ SW ¹ ₄ SE ¹ ₄	
4N	1W 1			40 40		80

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands herein described, as provided by the laws of the State of Idaho.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 20th day of April, 1921.

Commissioner of Reclamation.

By _____ Deputy.

Recorded in Water Dist. EE-A-
Point of Diversion - SW¹₄SE¹₄-24-4N1E
Carried thro New Dry Cr. Ditch Co.'s ditch.

MICROFILMED

T-300
[Signature]

MICROFILMED
AUG 14 1982

Tr # 300 FOWLER

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION.

In the Matter of the Application)
of Emma M. Fowler, for Transfer)
of Water Right: Case #80:)
Water District #12-A)

ORDER GRANTING TRANSFER.

WHEREAS, On the 20th day of April, 1921, at the Department of Reclamation of the State of Idaho, the matter of the application of Emma M. Fowler for transfer of water right came regularly on for hearing, pursuant to the published notice, and,

WHEREAS, No one appeared, either in person or by affidavit, to protest the said application, and the evidence filed with the application shows a greater duty of water by reason of the transfer, and that no one would be injured thereby;

IT IS, THEREFORE, Hereby ordered that the said application be granted and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this department, at Boise, Idaho, this 20th day of April, 1921.

W. G. SWENDSEN,

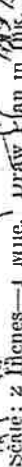
Commissioner of Reclamation.

By _____

Deputy.

MICROFILMED
AUG 14 1982

Aug 14 1892



TER #1300
FOWLER

TFR #301
GROOME

SPLIT

63-00124 A → 63-00124 C
→ 63-00124 D

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 301.

This is to certify that John F. Groome, of Caldwell, County of Canyon, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case entitled "Farmers' Cooperative Ditch Co., Ltd., plaintiff, vs. Riverside Irrigation District, et al, defendants", George H. Stewart, District Judge, wherein certain water, decreed to the Middleton Ditch Company, Ltd., in Water District #12A, was dedicated to the S $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ & NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 12, and S $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 2, in Twp. 4 N., R. 2 W., B.M., said rights bearing dates of priority of June 1, 1864, June 1, 1871, and June 1, 1891; that, upon the application of John F. Groome for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 2.55 second feet of the waters of Boise River, upon the lands above described, is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for irrigation and domestic purposes, and shall not exceed the following amount, to-wit:

1.54
2.55 sec.ft.

Twp.	Rge.	Sec.	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Totals
4N	1W	1			40	40	80

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands herein described, as provided by the laws of the State of Idaho.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 20th day of April, 1921.

W. G. SWENDSEN.
Commissioner of Reclamation.

By _____ Deputy.

Recorded in Water Dist. #12A-
Point of Div. - SW $\frac{1}{4}$ SE $\frac{1}{4}$ -24-4N-1E.
Carried thro New Dry Ck. Ditch ditch.

~~MICROFILMED~~
AUG 14 1992

TFR #1301
GROOME

S T A T E O F I D A H O.
D E P A R T M E N T O F R E C L A M A T I O N.

In the Matter of the Application)
of John F. Groome, for transfer)
of water right: Case #81;)
Water Dist. #12 A)

ORDER GRANTING TRANSFER.

WHEREAS, On the 20th day of April, 1921, at the Department of Reclamation of the State of Idaho, the matter of the application of John F. Groome for transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared, either in person or by affidavit, to protest the said application, and the evidence filed with the application shows a greater duty of water by reason of the transfer, and that no one would be injured thereby;

IT IS, THEREFORE, Hereby ordered that the said application be granted and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this department, at Boise, Idaho, this 20th day of April, 1921.

W. G. SWEIDSEN.

Commissioner of Reclamation.

By _____
Deputy.

MICROFILMED

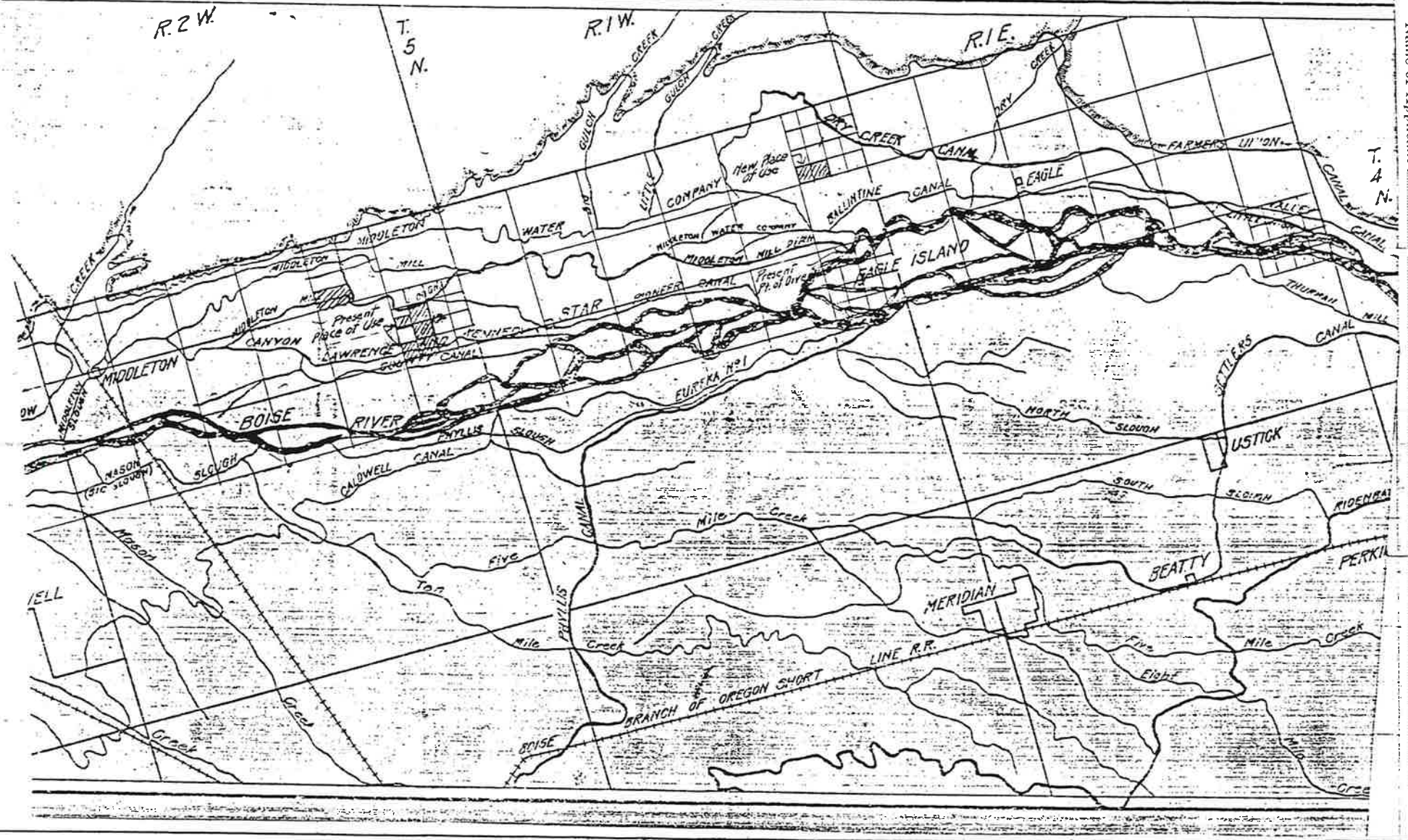
AUG 14 1986

T.R.#301
C ROOM E

~~MICROFILME~~
~~AUG 14 1992~~

Name of Applicant

Scale: 2 Inches—1 Mile. Draw Plan in Ink.



RF 347
WHITE

SPLIT
63-00124 C
*

63-00124 E
63-00124 F

STATE OF IDAHO
Department of Reclamation
Certificate of Water Right
Transferred Right No. 347.

This is to certify that C. E. White of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon, in the case entitled "Farmers' Co-operative Ditch Company, a corporation, Plaintiff, vs. Riverside Irrigation District, et al, Defendants", wherein certain water was decreed to the Middleton Mill Ditch Company, for irrigation of the following described lands: Lots 20, 21, 22, 23, 24, 48, 49 and 50 of Fruitdale Farm, in Canyon County, Idaho; that a copy of said decree is on file in the Department of Reclamation of the State of Idaho; that C. E. White is entitled to one (1) share of the Capital Stock of the said Middleton Mill Ditch Company, as shown by Stock Certificate No. 1014; that, upon the application of the said C. E. White for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.14 second feet of the waters of Boise River, upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.14 sec. ft., dated June 1, 1864

Twp.	Rge.	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Totals
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
4 N.	1 E.	31													20
															20

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

That said water will be diverted in Section 9, Township 3 North, Range 2 East of Boise Meridian, and will be conducted to the place of use through the Settlers' Ditch.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 6th day of February, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

MICROFILMED
AUG 14 1992

TFR# 347

WHITE

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

In the Matter of the Application)
of C. E. White for Transfer of)
Water Right: Water District No. 12-A) ORDER GRANTING TRANSFER
Case No. 132.)

WHEREAS, On January 10, 1925, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of C. E. White, for transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared, either in person or by affidavit, to protest said application, and the evidence filed by the applicant shows that a greater duty of water would result by reason of the said transfer, and that no one would be injured thereby:

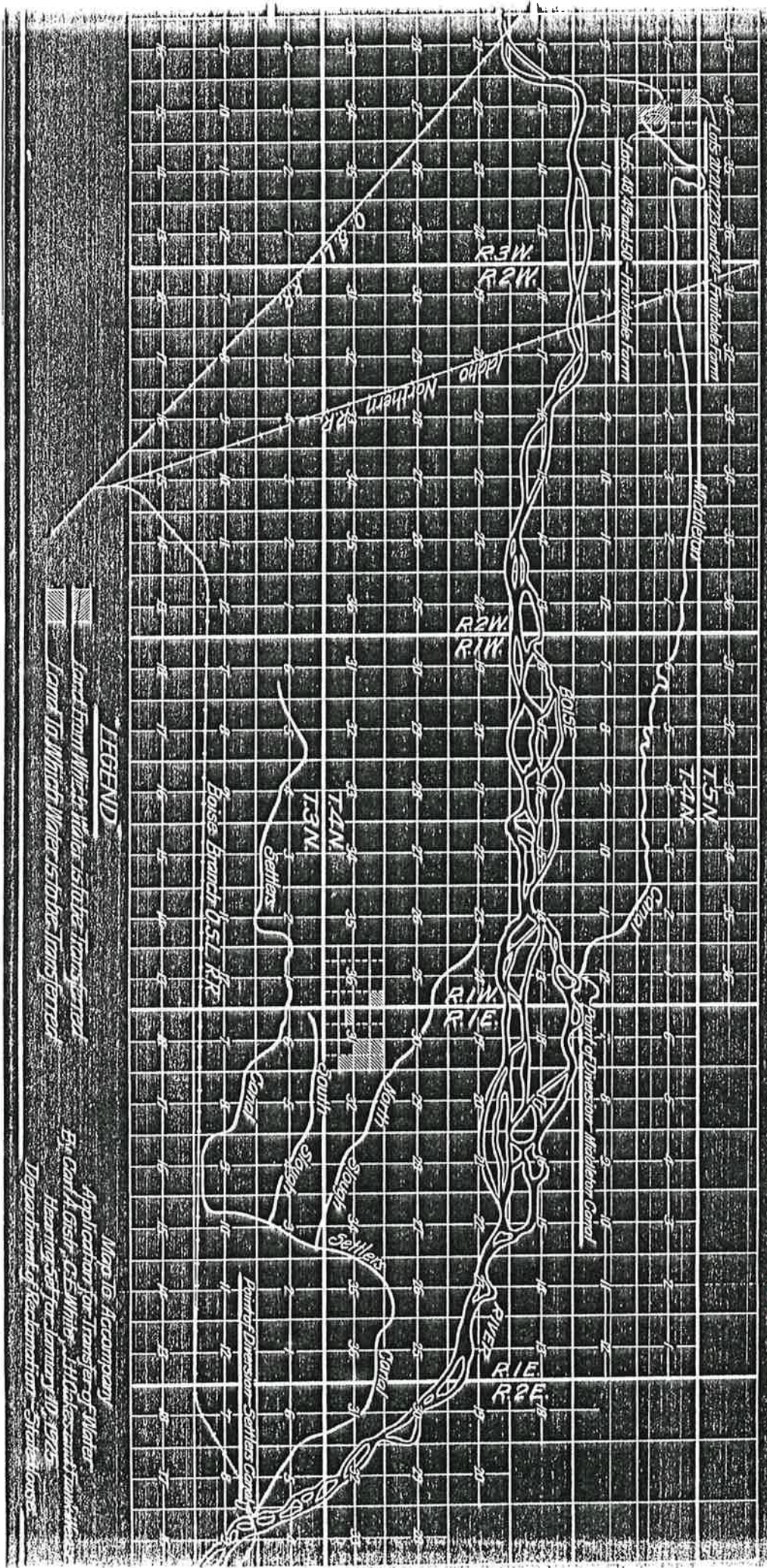
THEREFORE, IT IS HEREBY ORDERED, That the said application be granted, and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 6th day of February, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Assistant

MICROFILMED
AUG 14 1992



LEGEND

Land From Which Water is to be Transferred

Land To Which Water is to be Transferred

Map to Accompany

Application for Transfer of Water

By Carl A. Smith, G.S. White, H. A. S. and T. A. S.

Hearings of Testimony, July 19, 1925

Department of Reclamation, Stakeholders

MICROFILMED

AUG 14 1992

TR # 347

WHITE

TFR # 348

OAKES

(NEVER FINALIZED)

STATE OF IDAHO
Department of Reclamation
Certificate of Water Right
Transferred Right No. 348

(CERTIFICATE REFUSED
TRANSACTION NOT COMPLETED)

This is to certify that J. H. Oakes, of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon, in the case entitled "Farmers' Co-operative Ditch Company, a corporation, Plaintiff, vs. Riverside Irrigation District, et al, Defendants", wherein certain water was decreed to the Middleton Mill Ditch Company, for irrigation of the following described lands: Lots 20, 21, 22, 23, 24, 48, 49 and 50 of Fruitdale Farm, in Canyon County, Idaho; that a copy of said decree is on file in the Department of Reclamation of the State of Idaho; that J. H. Oakes is entitled to one (1) share of the Capital Stock of the said Middleton Mill Ditch Company, as shown by Stock Certificate No. 1015; that, upon the application of the said J. H. Oakes, for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.14 second feet of the waters of Boise River, upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.14 sec. ft., dated

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N.	1 E.	31	40	40	40	40													160

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

That said water will be diverted in Section 9, Township 3 North, Range 2 East of Boise Meridian and will be conducted to the place of use through the Settlers' Ditch.

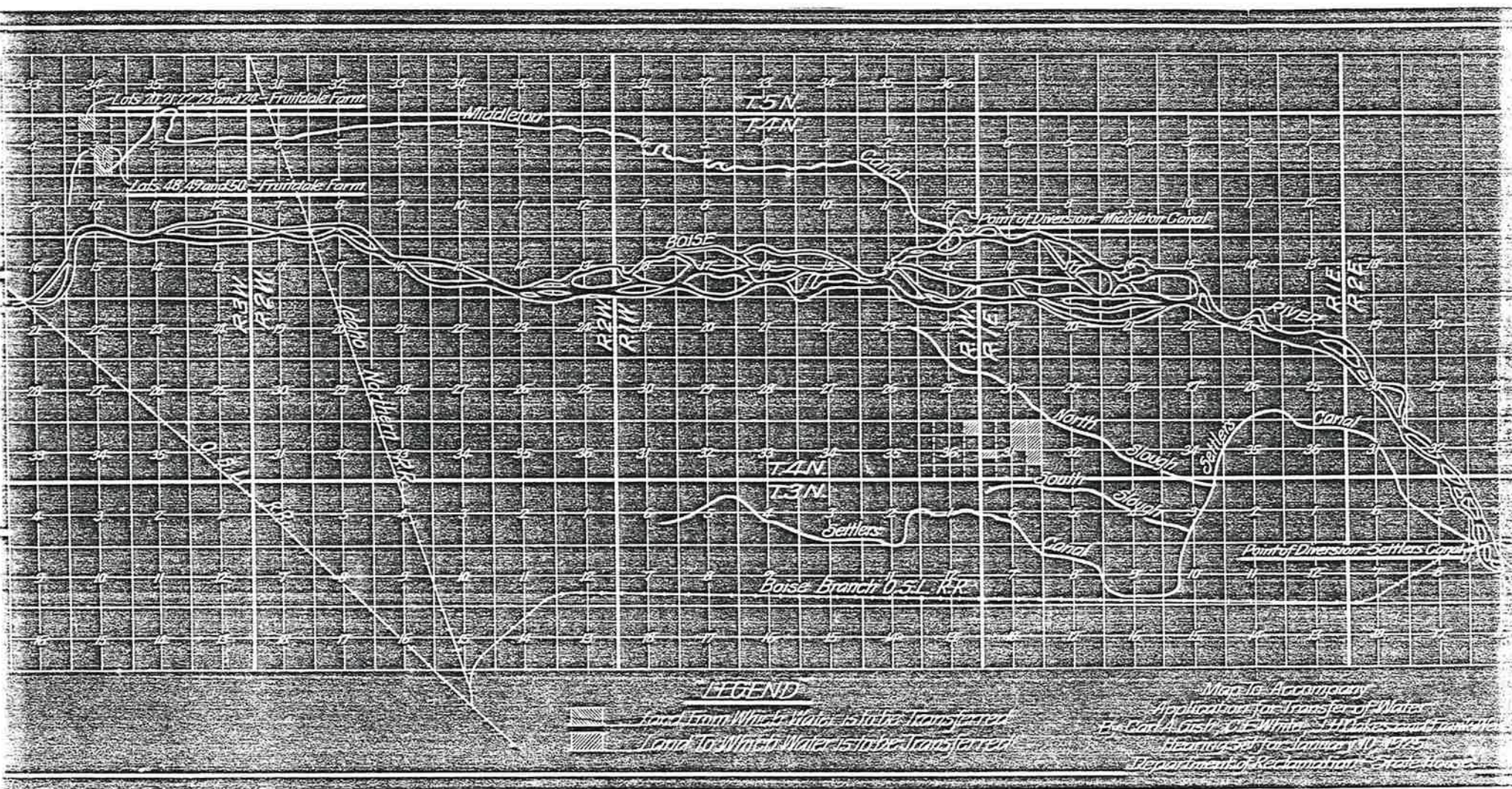
WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this day of January, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Assistant

MICROFILMED
AUG 14 1992

Tr #340
DAKES



~~MICROFILMED~~

~~AUG 14 1992~~

63-00124 H

MICROFILMED
AUG 14 1992

TFR# 349
WEASEL

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

In the Matter of the Application
of Frank Weasel for Transfer of
Water Right: Water District No. 12-A
Case No. 124.

ORDER GRANTING TRANSFER

WHEREAS, On January 10, 1925, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of Frank Weasel, for transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared, either in person or by affidavit, to protest said application, and the evidence filed by the applicant shows that a greater duty of water would result by reason of the said transfer, and that no one would be injured thereby:

THEREFORE, IT IS HEREBY ORDERED, That the said application be granted, and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 6th day of February, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

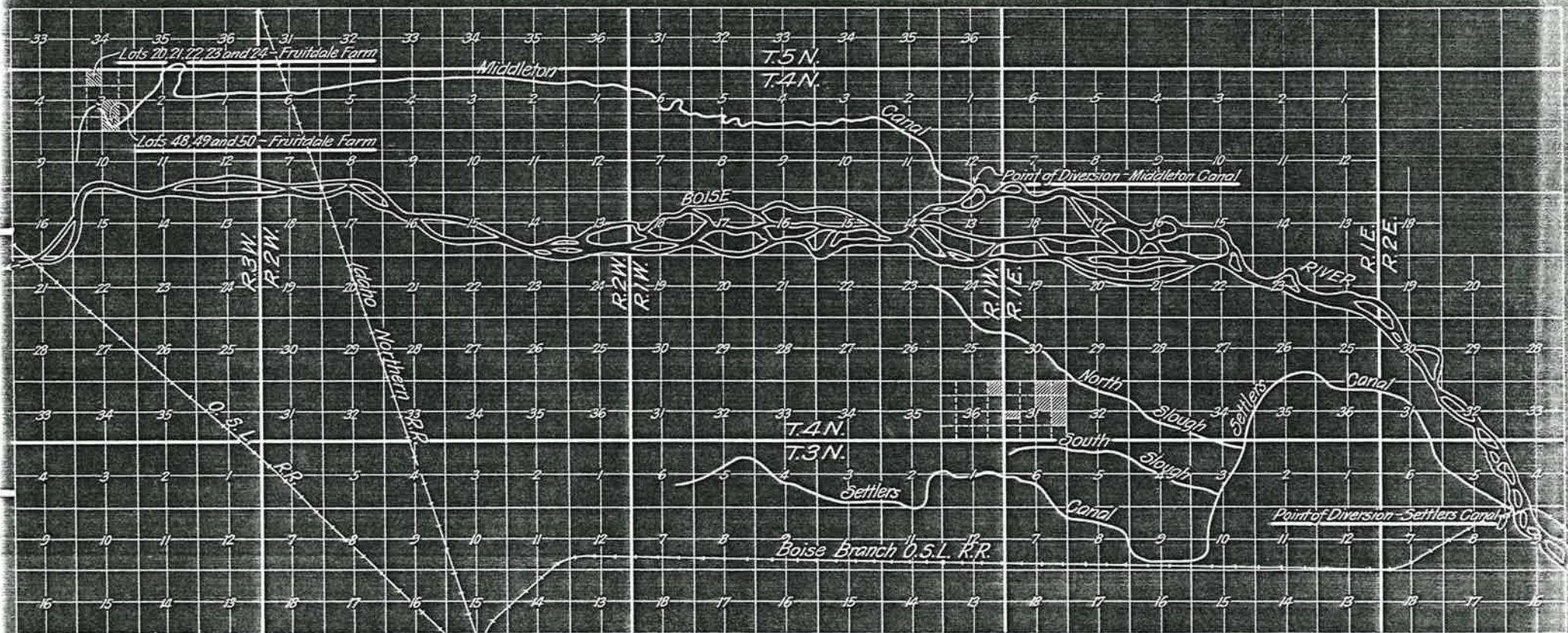
By _____
Assistant

~~MICROFILMED~~

~~AUG 14 1992~~

T.F.R. # 349
WEASSEL

~~MICROFILMED~~
~~AUG 14 1992~~



LEGEND

-  Land From Which Water is to be Transferred
-  Land To Which Water is to be Transferred

Map To Accompany
Application for Transfer of Water
By Carl A. Gish, C.E. White, J.H. Cakes and Frank Weasel
Hearing Set for January 10, 1925
Department of Reclamation - State House.

TFR#350
GISH

SPLIT



63-00124G

63-00124J

63-00124K

STATE OF IDAHO
Department of Reclamation
Certificate of Water Right
Transferred Right No. 350.

This is to certify that Carl A. Gish, of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon, in the case entitled "Farmers' Co-operative Ditch Company, a corporation, Plaintiff, vs. River-side Irrigation District, et al, Defendants", wherein certain water was decreed to the Middleton Mill Ditch Company, for irrigation of the following described lands: Lots 20, 21, 22, 23, 24, 48, 49 and 50 of Fruitdale Farm, in Canyon County, Idaho; that a copy of said decree is on file in the Department of Reclamation of the State of Idaho; that Carl A. Gish is entitled to one (1) share of the Capital Stock of the Middleton Mill Ditch Company, as shown by Stock Certificate No. 1013; that, upon the application of the said Carl A. Gish for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.14 second feet of the waters of Boise River, upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.14 sec. ft., dated June 1, 1864

Twp.	Rge.	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
4 N.	1 W.	36	40				40

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

That said water will be diverted in Section 9, Township 3 North, Range 2 East of Boise Meridian, and will be conducted to the place of use through the Settlers' Ditch.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 6th day of February, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

TFR # 350
GISH

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

In the Matter of the Application
of Carl A. Gish for Transfer of
Water Right: Water District No. 12-A
Case No. 132.

ORDER GRANTING TRANSFER

WHEREAS, On January 10, 1925, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of Carl A. Gish, for transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared, either in person or by affidavit, to protest said application, and the evidence filed by the applicant shows that a greater duty of water would result by reason of the said transfer, and that no one would be injured thereby:

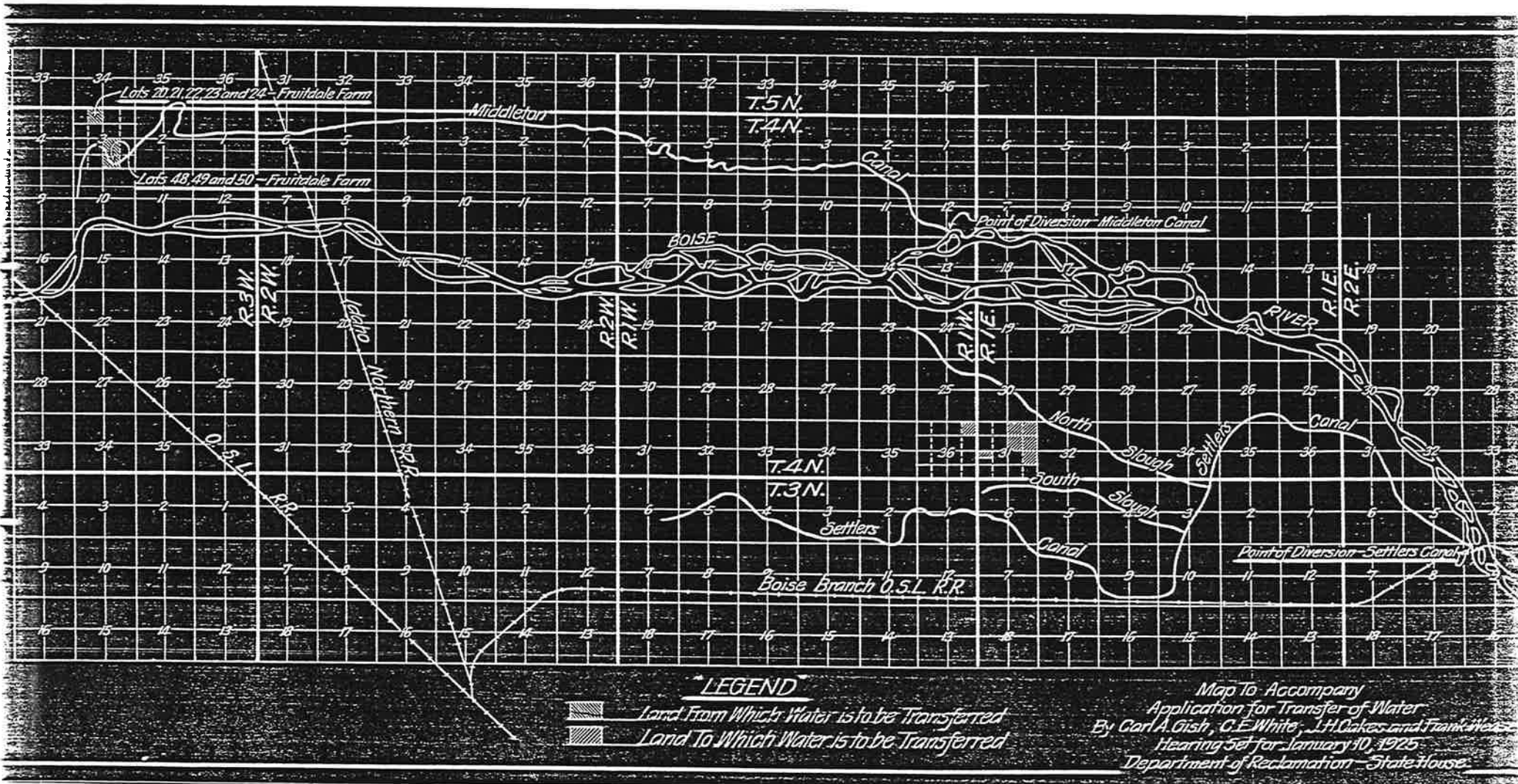
THEREFORE, IT IS HEREBY ORDERED, That the said application be granted, and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 6th day of February, 1925.

W. C. SWINDSEN
Commissioner of Reclamation

By _____
Assistant

TFR # 350
GISH



TER# 391
CHASE

SPLIT

63-00124 J

63-00124 L

63-00124 M

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 391

This is to certify that Rush Chase, of Eagle, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers' Cooperative Ditch Company, plaintiff, vs. Riverside Irrigation District, Ltd., et al., defendants, George H. Stewart, District Judge, wherein certain water was decreed to the Middleton Mill Ditch Company for the irrigation of lands lying under the Middleton Mill Ditch, and that a copy of said decree is now on file in the Department of Reclamation of the State of Idaho, at Boise; that Rush Chase is now the owner and holder of 0.15 second feet of said water, said right bearing dates of priority of June 1, 1864, and June 1, 1871; that, upon the application of the said Rush Chase for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho and the said application having been granted, the right to the use of 0.15 second feet of the waters of Boise River is hereby abandoned upon the lands for which it was decreed and that the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are described as follows, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.15 sec. ft., dated June 1, 1864 and June 1, 1971 - 1871

Lot 2 of Academy Place Sub-Division, in Section 5
and 6, Township 5 North, Range 1 East, T1N5R1E, Boise Meridian.

That the above described water was at one time diverted from said stream in Section 12, Twp. 4 North, Range 1 W., B. M. and conducted through the Middleton Mill Ditch but will hereafter, by authority of this certificate, be diverted in Section 32, Twp. 4 North, Range 2 E., B. M. and conducted through the Farmers' Union Ditch Company's Canal.

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

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 13th day of August, 1926.

(SEAL)

W. G. SWENDSEN
Commissioner of Reclamation

By Geo. H. Carter
Assistant

TR#391
CHASE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application
of Rush Chase, for a Transfer of
Water Right: Water Dist. #12-A;
Case #192.

ORDER GRANTING TRANSFER

WHEREAS, On the 31st day of July, 1926, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of Rush Chase for a transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared at the hearing to protest the said application, and the evidence submitted by the applicant with his application shows a greater duty of water would result by reason of the transfer, and that no one would be injured thereby;

IT IS, THEREFORE, Hereby ordered that the said application for a transfer be granted and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, this 8th day of July, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By

G. H. Carter
Assistant

TFR # 393
BOWERMAN

SPLIT

63-00124L

63-00124N

63-00124P

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 393

This is to certify that A. C. Bowerman, of Star, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers' Cooperative Ditch Company, plaintiff, vs. Riverside Irrigation District, Ltd., et al., defendants, George H. Stewart, District Judge, wherein certain water was decreed to the Middleton Mill Ditch Company for the irrigation of lands lying under the Middleton Mill Ditch, in Water District 12-A, and that a copy of said decree is now on file in the Department of Reclamation of the State of Idaho, at Boise; that A. C. Bowerman is now the owner and holder of 0.288 second feet of said water, said right bearing dates of priority of June 1, 1864, June 1, 1871, and June 1, 1891; that, upon the application of the said A. C. Bowerman for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.288 second feet of the waters of Boise River is hereby abandoned upon the lands for which it was decreed and that the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following tabulation, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.288 sec.ft., dated June 1, 1864; June 1, 1871; June 1, 1891;											
		NW $\frac{1}{4}$		NE $\frac{1}{4}$		SW $\frac{1}{4}$		SE $\frac{1}{4}$			
Twp.	Rge.	Sec.	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Total
4 N.	2 W	5			40				40		80

That the said water was originally diverted from said stream in the NW $\frac{1}{4}$ of Section 13, Township 4 North, Range 1 West of Boise Meridian and conducted through the Middleton Mill Ditch but will hereafter, by authority of this certificate, be diverted in Section 32, Township 4 North, Range 2 East of Boise Meridian and conducted through the Farmers' Union Ditch Company's Canal.

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

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 15th day of September, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant.

RECORDED