

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: **A67-04434**
Date Received: 10/11/1989
Receipt No: M004919
Received By: _____

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

AMENDED

1. Name: MIDDLE VALLEY DITCH CORP.
Address: C/O MILDRED HORTON, SEC.
RT. 1, BOX 12
MIDVALE ID 83645
2. Date of Priority: JUN 1, 1921
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	22	SE	SW			WASHINGTON
5. Description of diverting works:
DIVERSION DAM
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	09/01	32.000		
7. Total Quantity Appropriated is:
32.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	3	NE	NW		IRR	25.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	3	NW	SW		IRR	20.0
						Section Acres	140.0
		4	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	20.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	620.0
		5	SE	NE		IRR	15.0
			NE	SE		IRR	25.0
			SE	SE		IRR	10.0
						Section Acres	50.0
		8	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	10.0
			SE	NW		IRR	40.0
			NE	SW		IRR	25.0
			NW	SW		IRR	10.0
			SW	SW		IRR	10.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	490.0
		9	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	03W	9	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	25.0
							Section Acres	625.0
		10	NW		NW		IRR	12.0
			SW		NW		IRR	12.0
							Section Acres	24.0
		16	NE		NE		IRR	5.0
			NW		NE		IRR	40.0
			SW		NE		IRR	25.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	35.0
			NW		SE		IRR	5.0
							Section Acres	340.0
		17	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	20.0
			SE		NW		IRR	25.0
			NE		SW		IRR	35.0
			NW		SW		IRR	15.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	03W	17	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	530.0
		18	SE		SE		IRR	5.0
							Section Acres	5.0
		19	NE		NE		IRR	35.0
			NW		NE		IRR	5.0
			SW		NE		IRR	10.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	15.0
			SW		SE		IRR	5.0
			SE		SE		IRR	35.0
							Section Acres	185.0
		20	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	20.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	20.0
			NW		SE		IRR	10.0
							Section Acres	435.0
		21	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NW		IRR	5.0
			NW		NW		IRR	40.0
							Section Acres	45.0
		30	NE		NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	30	NW	NE		IRR	20.0

Section Acres 55.0

14N	03W	33	SE	SW		IRR	10.0
			NE	SE		IRR	35.0
			NW	SE		IRR	10.0
			SW	SE		IRR	30.0
			SE	SE		IRR	40.0

Section Acres 125.0

34	NW	NE		IRR	5.0
	SW	NE		IRR	10.0
	SW	SW		IRR	25.0
	SE	SW		IRR	10.0
	NW	SE		IRR	30.0
	SW	SE		IRR	15.0

Section Acres ~~95.0~~ 80

Total Acres ~~3774.0~~ 3759

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED

AUG 05 1994

For Organizations:

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

Mildred M. Hartono
Signature of Authorized Agent

Secretary Middle Valley Ditch Corp
Title and Organization

June 29, 1994
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of June 19 94
Notary Public

Seal

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994
My Commission Expires

MICROFILMED

AUG 9 5 1994 Date: 06/29/94

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: A67-04434
Date Received: 10/11/1989
Receipt No: M 4919
Received By: 26055

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIDDLE VALLEY DITCH CORP.
Address: C/O MILDRED HORTON, SEC.
RT. 1, BOX 12
MIDVALE, ID

83645

2. Date of Priority: JUN 01, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	09/01	32.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	3	NE	NW		IRR	25.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

A67-04434

Page 1

Date: 10/12/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
13N	03W	3	SE	NW		IRR	10.0	
			NE	SW		IRR	25.0	
			Section Acres					140.0
		4	NE	NE		IRR	40.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	40.0	
			NW	NW		IRR	20.0	
			SW	NW		IRR	40.0	
			SE	NW		IRR	40.0	
			NE	SW		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	40.0	
			SE	SW		IRR	40.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	40.0	
			SE	SE		IRR	40.0	
			Section Acres					620.0
		5	SE	NE		IRR	7.0	
			NE	SE		IRR	10.0	
			SE	SE		IRR	10.0	
			Section Acres					27.0
		8	NE	NE		IRR	40.0	
			NW	NE		IRR	35.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	40.0	
			NW	NW		IRR	25.0	
			SW	NW		IRR	30.0	
			SE	NW		IRR	40.0	
			NE	SW		IRR	40.0	
			NW	SW		IRR	20.0	
			SW	SW		IRR	30.0	
			SE	SW		IRR	40.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	40.0	

10. Place of Use: Continued

Township 13N	Range 03W	Section 8	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 40.0
						Section Acres	580.0
		9	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0
						Section Acres	620.0
		10	NW	NW		IRR	12.0
			SW	NW		IRR	12.0
						Section Acres	24.0
		16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	30.0
			NW	SW		IRR	40.0
			SW	SW		IRR	5.0
			SE	SW		IRR	30.0
			NW	SE		IRR	20.0
						Section Acres	445.0
		17	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	03W	17	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	20.0
			SE		NW		IRR	20.0
			NE		SW		IRR	5.0
			NW		SW		IRR	30.0
			SW		SW		IRR	25.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	500.0
		18	SE		SE		IRR	20.0
							Section Acres	20.0
		19	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	20.0
							Section Acres	220.0
		20	NW		NE		IRR	30.0
			SW		NE		IRR	20.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	10.0
			NW		SW		IRR	35.0
			SW		SW		IRR	15.0
			NW		SE		IRR	10.0
							Section Acres	280.0
		21	NW		NW		IRR	10.0
							Section Acres	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	29	NW	NW	IRR	10.0
					Section Acres	10.0
		30	NE	NW	IRR	40.0
					Section Acres	40.0
14N	03W	33	SE	SW	IRR	10.0
			NE	SE	IRR	35.0
			NW	SE	IRR	5.0
			SW	SE	IRR	30.0
			SE	SE	IRR	30.0
					Section Acres	110.0
		34	NW	NE	IRR	5.0
			SW	NE	IRR	10.0
			SE	SW	IRR	5.0
			NW	SE	IRR	30.0
			SW	SE	IRR	15.0
					Section Acres	65.0
					Total Acres	3711.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Secretary of Middle Valley Ditch Corp. that I have signed the foregoing document in the space below as Secretary of Middle Valley Ditch Corp. and that the statements contained in the foregoing document are true and correct.

Mildred M. Hartso
Signature of Authorized Agent
Secretary, Middle Valley Ditch
Title and Organization
Oct. 12, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Oct. 19 89

Linda Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1994

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	23		Decreed	Active	1883-07-07	20		WEISER R	IRRIGATIC	MIDDLE VALL	Claim
67	24		Decreed	Active	1887-11-01	14		WEISER R	IRRIGATIC	MIDDLE VALL	Claim
67	25		Decreed	Active	1889-05-01	10		WEISER R	IRRIGATIC	MIDDLE VALL	Claim
67	4434		Statutory	Active	6/1/1921	32		WEISER R	IRRIGATIC	MIDDLE VALL	Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	23		Decreed	Active	1883-07-07	20	1600	WEISER R	IRRIGATIC	MIDDLE VALL	Recommendation
67	24		Decreed	Active	1887-11-01	14	1120	WEISER R	IRRIGATIC	MIDDLE VALL	Recommendation
67	25		Decreed	Active	1889-05-01	10	800	WEISER R	IRRIGATIC	MIDDLE VALL	Recommendation
						44	3094				
67	4434		B-use	Active	6/1/1921	32	3094	WEISER R	IRRIGATIC	MIDDLE VALL	Recommendation
Total Recommendation =						76	3094				
Ditch Loss Theoretcial Calc =						14.88					
3/8 inches for recommended acreage =						17.88					
Total Flood water recommendation =						32					

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	23		Decreed	Active	1883-07-07	20		WEISER R	IRRIGATIC	MIDDLE VALL	wrWaterRight
67	24		Decreed	Active	1887-11-01	14		WEISER R	IRRIGATIC	MIDDLE VALL	wrWaterRight
67	25		Decreed	Active	1889-05-01	10		WEISER R	IRRIGATIC	MIDDLE VALL	wrWaterRight
67	4434		Statutory	Active	6/1/1921	32		WEISER R	IRRIGATIC	MIDDLE VALL	wrWaterRight

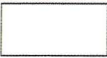


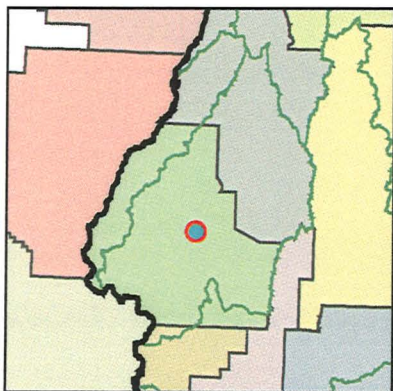
Middle Valley Ditch Corp

SRBA Recommendations: 67-23, 67-24, 67-25

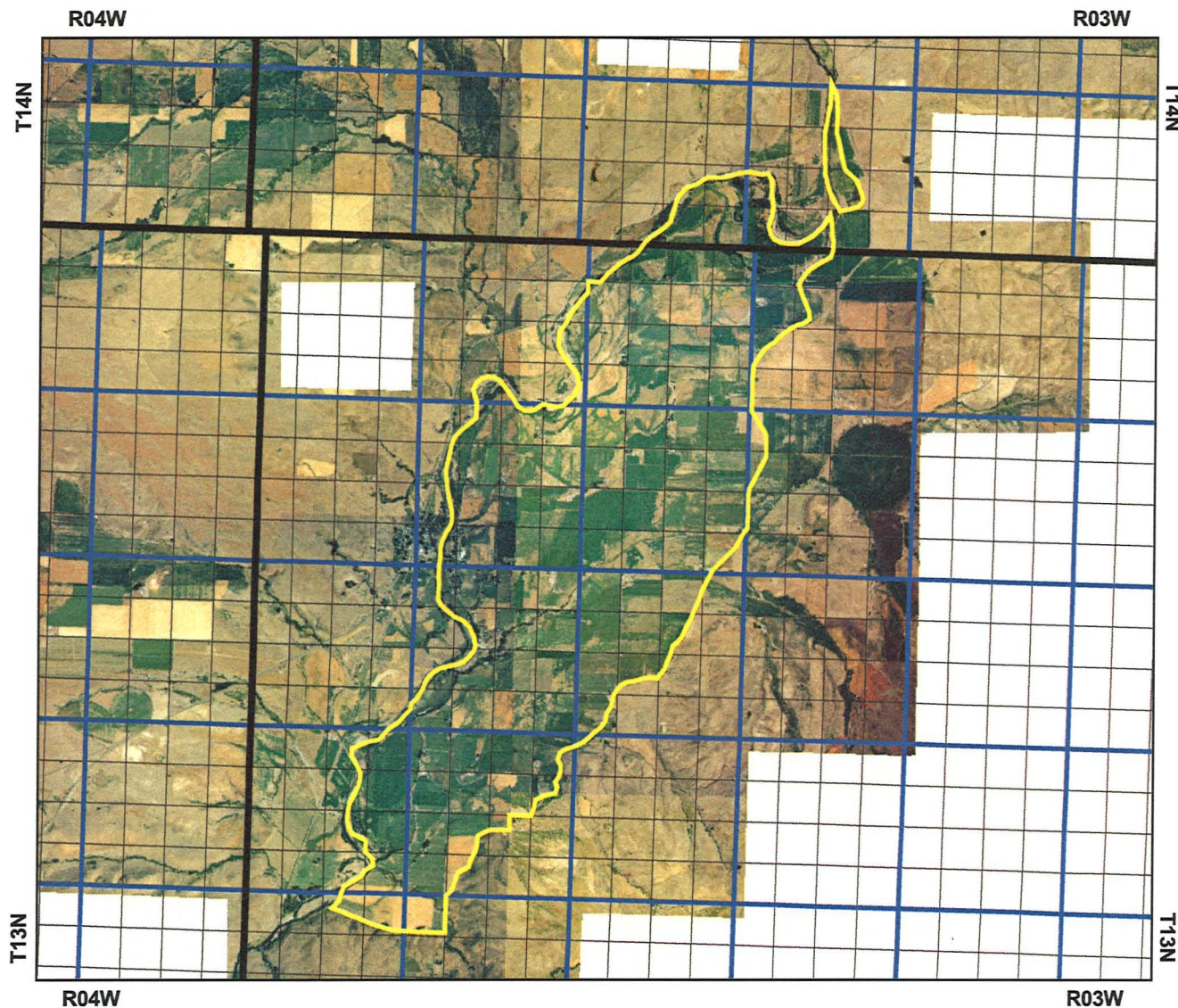
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 2 4 Miles



Prepared by D. Favreau
On Monday, September 25, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4434 V1

WATER RIGHT NUMBER: 67-4434 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLE VALLEY DITCH CORP C/O TERRY HORTON 2574 SCHOOL RD MIDVALE, ID 83645

Priority Date: 06/01/1921

Basis: Beneficial Use

Status:

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	32.000 CFS	
	<u>Total Diversion:</u>	32.000 CFS	

Location of Point(s) of Diversion

WEISER RIVER	SE1/4SW1/4	Sec. 22, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	03W	3					X	X	X	X			X	X					
							L 3	L 4											
13N	03W	4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3	L 4											
13N	03W	5				X								X	X		X	X	
13N	03W	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
13N	03W	9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
13N	03W	10						X	X			X							
13N	03W	16	X	X	X		X	X	X	X	X	X	X			X			
13N	03W	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Adjudication Recommendation Report 67-4434 V1

13N 03W	18														X
13N 03W	19	X	X	X	X								X	X	X
13N 03W	20	X	X	X	X	X	X	X	X	X	X	X		X	
13N 03W	21					X									
13N 03W	29					X									
13N 03W	30	X	X												
14N 03W	33											X	X	X	X
14N 03W	34		X	X		X		X	X	X	X	X		X	X

Total Acres: 3094

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.

Comments:

1. mcase 7/12/2004 POD
Comment: Updated shape
2. dfavreau 9/25/2006 period of use
Comment: claimed 04/01 to 09/01. Used standard.

Combined use
condition added

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4434 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 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

Combined Use Limits: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>
POU	9/25/2006 10:59:37 AM	dfavreau			
POD	9/25/2006 11:28:09 AM	dfavreau			
Source	9/25/2006 11:28:42 AM	dfavreau			
Source	9/25/2006 11:29:04 AM	dfavreau			
Use	9/25/2006 11:29:56 AM	dfavreau			
Season	9/25/2006 11:30:21 AM	dfavreau			
Quantity	9/25/2006 11:33:16 AM	dfavreau			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	9/25/2006 11:30:22 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4434 V1

Quantity	9/25/2006 11:33:16 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - water master records
POU	9/25/2006 10:59:37 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (No) 14. Is a POU remark and/or condition required?
POD	9/25/2006 11:28:09 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	9/25/2006 11:28:43 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - GPS point
Source	9/25/2006 11:29:05 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - GPS point, same as decreed claims on ditch

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4434 V1

Use	9/25/2006 11:29:57 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Ditch Company
POU	9/25/2006 11:06:33 AM	dfavreau	Updated shape for Active POU
POU	9/25/2006 11:07:29 AM	dfavreau	Updated PLS for Active POU

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-4434

MIDDLE VALLEY DITCH CORP
C/O TERRY HORTON
2574 SCHOOL RD
MIDVALE ID 83645

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

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

DATE: 11-29-06

SIGNATURE: _____

Please print your name: _____

Harmon H. Horton
Pres. M.V.D.C.

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

SCANNED
DEC 11 2006

09/27/2006

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

RIGHT NUMBER: 67-4434

NAME AND ADDRESS: MIDDLE VALLEY DITCH CORP
C/O TERRY HORTON
2574 SCHOOL RD
MIDVALE ID 83645

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 32.000 CFS

PRIORITY DATE: 06/01/1921

POINT OF DIVERSION:

T14N R03W S22 NESESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	32.000 CFS

PLACE OF USE:

3094 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 when combined with Rights No. 67-23, 67-24, and 67-25 can be used to irrigate up to 3094 acres within the boundary of the Middle Valley Ditch Co.

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 - Beneficial Use

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Craig L. Saxton

FIELD EXAM DATE: 9/27/2006

FOR CLAIM(S) 67-4434

FORMULA: $S = (W)(i)(0.0667)$

i TABLE:

S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

Type of Soil

Medium clay loam..... 0.5 to 1.5

Impervious clay..... 0.5

Medium soils..... 1

Somewhat pervious soils..... 1.5 to 2.0

..... 2.5 to 5.0

WORK SHEET

CONVEYANCE LOSS =

SS = (CFS/MILE)(MILE)

LENGTH OF DITCH

37
0

CONVEYANCE LOSS

TOP OF DITCH = W

Section

Section

Section

To

/2

MEASUREMENT

= A

In. = 1 Mile = B

1/5,280 = Mile

from aerial photography
total ditch length. Length

value

KEY

Data Entry Cells

Ditch Loss in CFS

Middle Valley Bkch Corp
Terry Horton
2204 Valley Rd.
Midvale, ID 83645
355-2315

Charge - 2/23/05
- Now

2574 School Rd
Midvale, ID 83645

OK across 3094 total acres

Warntjes, Anita

From: Kathy & Bosco Bosler [boscob@ruralnetwork.net]
Sent: Tuesday, August 02, 2005 5:11 PM
To: Warntjes, Anita
Subject: Re: Monroe Creek Irrigation District & Middle Valley Ditch Company

Anita,

Middle Valley ditch has the capability of carrying 5000" (100 cfs) in their canal. They regularly carry 3500" of decreed water and storage water. Hope this helps.

I'll be there tomorrow to pick up papers and map on Farmers Canal.

See you then, Bosco

Warntjes, Anita writes:

> Hi Bosco:
>
> Dave said that because there is little time between the Monroe Creek
> Degree (copy I sent you last email) and their claim, we will recommend the
> 753 acres and not to worry about the fact they only sent in 622 acres to
> Danielle. So, if you have not contacted them just forget my request.
>
> I do have another request though. We need to know what the total
> diversion capacity is for the Middle Valley Ditch. Can you help us with
> that?

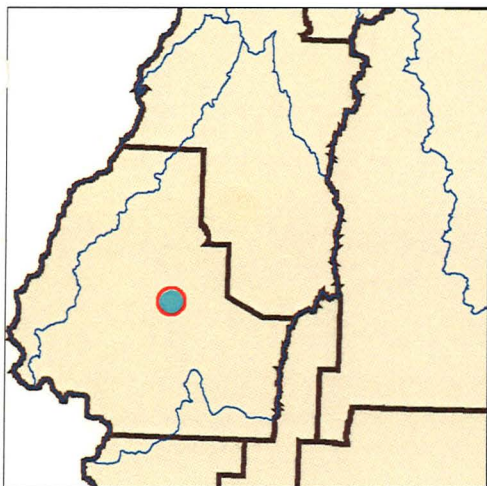
Middle Valley Ditch Corp *Company*

[illegible]

Idaho Department of Water Resources

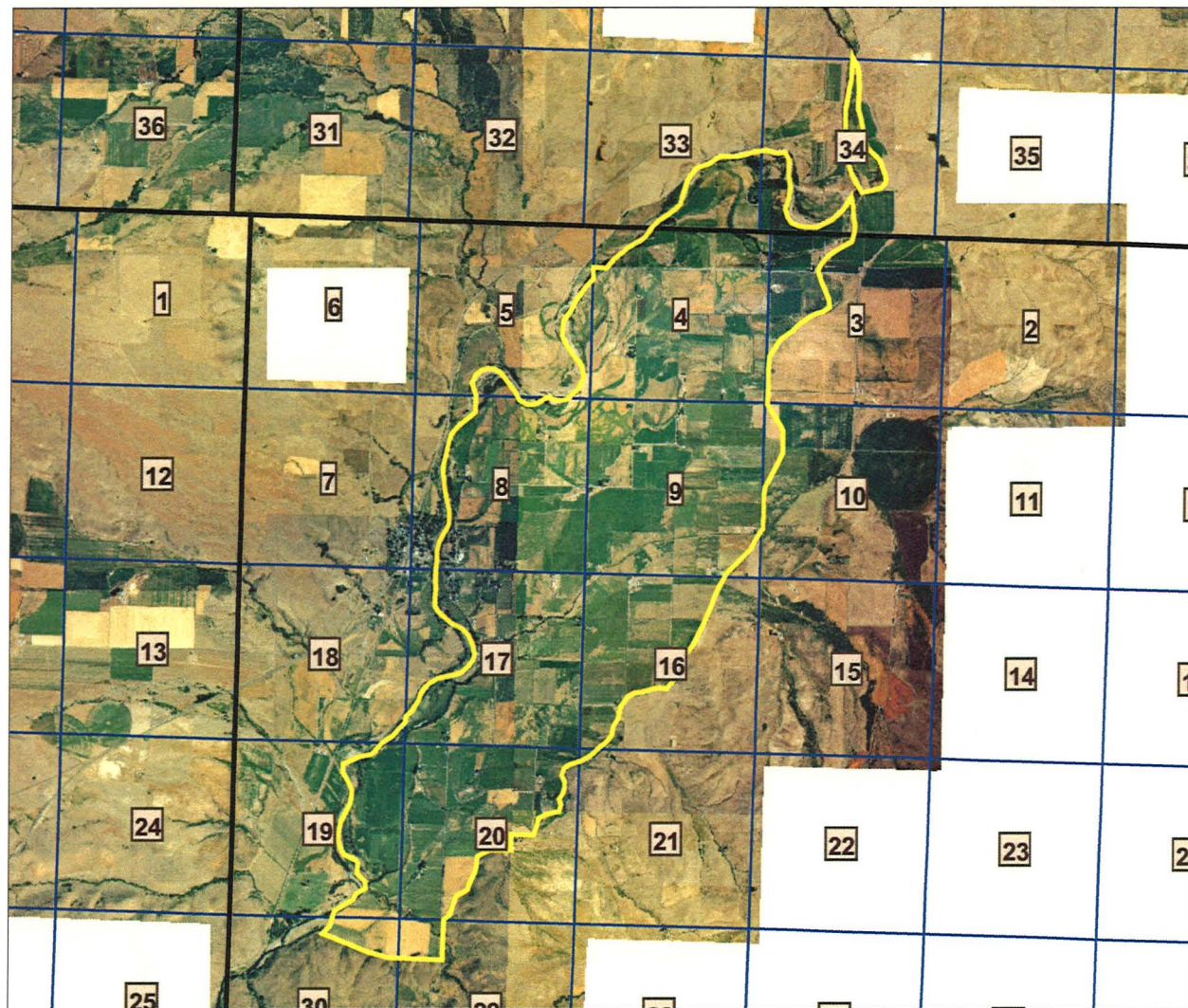


Middle Valley Ditch Company



Legend

- Middle_valley_dcor_sab.shp
- Townships
- Section Lines



0 2 4 Miles

Prepared by D. Narsavage
On Tuesday, May 17, 2005
1987 Aerial Photography

T13N R03W
T14N R03W

RECEIVED

JUL 26 2005

DEPARTMENT OF
WATER RESOURCES

*Middle Valley Ditch Corporation
c/o Terry Horton
2574 School Road
Midvale, Idaho 83645*

*Adjudication Bureau
Idaho Dept. of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Idaho 83720-0098*

Craig Saxton,

Water Right #67-04434

We have been asked to send proof of priority date of a Statutory Claim dated June 1, 1921.

I am sending some copies of minutes that are dated in 1915, 1916, 1917, a newspaper clipping of a Notice of Assessment in 1918, Certificate of Water Right in 1919, Receipt from the State of Idaho to Middle Valley Ditch Corp. dated March 7, 1930 and a copy of a Certificate from the State of Idaho where Middle Valley Irrigating Ditch Co. became Middle Valley Ditch Corp.

*I hope this is proof enough for what you need. If you have any questions please feel free to call me
Terry Horton, (208) 355-2315.*

Thank you,

*Terry Horton, Secretary/Treasurer
Middle Valley Ditch Corp.
7/21/2005*

SCANNED

JUL 26 2005

Minutes of Annual Meeting Jan 4th 1915

Midvale Idaho the Thirtyfirst. (31) Annual Meeting of The Middle Valley Irrigating Ditch Co. Was called to Order By Chairman. C. G. Hallstrom. on Monday Jan 4th 1915. for the Purpose of Electing Officers for the Present year. first in order Was ~~A~~ Nominations for Directors the following stockholder Was placed in nomination. and Received the No of Votes as per each Name as follows.

Ed. J. Fletcher.	143 $\frac{3}{4}$	Elected.
L. Carledine	123 $\frac{3}{4}$	Elected.
L. H. Heartley	101 $\frac{3}{4}$	Elected.
Lee. Hamilton.	92 $\frac{3}{4}$	Elected.
R. E. Linder	119 $\frac{1}{2}$	Elected.
R. S. Reavis.	20 $\frac{1}{2}$	
J. H. Rhea.	63 $\frac{3}{4}$	
C. S. Mackey.	70 $\frac{1}{2}$	

Ed. J. Fletcher. L. Carledine, L. H. Heartley. Lee. Hamilton. & R. E. Linder. Was declared Elected. and qualified. Proxy voted Chris Meyer. By C. D. Waldron. W. P. Clements By J. H. Goodnight. J. H. Preston. & R. E. Wilson. By J. H. Rhea. After qualifying the New Board Proceeded to Organize. By Electing Ed. J. Fletcher President. and R. E. Linder Vice President. J. H. Rhea Was appointed Secretary & Alma Rhea. Treasurer. Voting More the Board adjourned S. D. J. H. Rhea. Sec.

SCANNED

JUL 26 2005

Midvale Jan 11th 1915. Board Met for Business. Full Board Present. House called to order By Ed. J. Fletcher. Chairman.

Being no Money in the Co. Treas. and the Co.
 Being in need of Money for present expenses
 the Board decided to borrow the sum of
 \$300.00 of Alma. Pickett for 60 days at 10 Percent
 Interest. After which the Board proceeded to
 appoint R. E. Linder to assist in Preliminary
 survey of Reservoir. site to be done about
 Apr 1st 1916. Nothing More Before the House the
 Board adjourned. S.D. J. H. Ragsdale Sec.

Midvale May 20th 1916.

Board Met to consider claims for Labor Done on
 Co Ditch. Present Was. R. E. Linder. L. H. Hartley and
 Lee. Hamilton. House Called to order By Vice. Pres.
 R. E. Linder. The Board proceeded to consider and
 order paid the following claims to wit

Frank. Raro. Carried to	27 ⁰⁰	Carried to Account.
Joe Brown. settled By	130 ⁸⁵	Order to Treasurer.
Albert Hartley settled By	55 ⁴⁵	Paid May 1 st 1916 \$10.00 By Bal of 45 ⁴⁵ Order to treasurer
Jorn. Linder. settled By	73 ¹⁰	Order to treasurer.
Paul. William ^{to J. W. Williams 18.00} ^{By J. W. Williams 54.00}	12 ⁰⁰	settled By order to treasurer.
R. S. Reavis. Carried	107 ⁶⁰	To Account.
J. M. Patter. Carried to	48 ⁵⁰	Account.
W. E. Brown. settled By	41 ⁶⁰	Order to Treasurer.
J. G. Reavis. Carried to	33 ⁷⁵	Account.
Don. Reavis Carried to	17 ¹⁰	Father's Account.
Luther. Caldwell. settled By	33 ⁵⁰	Order to treasurer.
Alc. Shaw. Carried to	35 ⁵⁰	Account.
O. B. Ristvet. Carried to	53 ⁶⁰	Account.
J. D. Caldwell. Carried to	24 ²⁵	Account.
Karl. Williams. settled By	23 ³⁵	Order to treasurer.
J. H. Preston. Carried to	29 ⁰⁰	Account.
J. M. Ader. Carried to	34 ²⁵	Account.
Ray. Doe. settled By	9 ³⁵	Order to treasurer.

SCANNED

JUL 26 2005

the purpose of arriving at same understanding as to how the Co. should raise money to pay the Co's present indebtedness. \$8000.00 which is now due.

Nothing More Before the House

the Board adjourned. S.D.

J. H. Rhea. Secy.

Midvale, Idaho. June 16th 1917

on Saturday the 16th day of June 1917 at 2 o'clock P.M. in the I.O.O.F. Hall a meeting of the stock holders of the Middle Valley Irrigating Ditch Company was held for the purpose of deciding by a vote of the stockholders of said Co. whether or not the debt of the Co. amounting to \$8000.00 with interest due, be paid by assessments to be levied from time to time on the stock of the Co. until the said debt of \$8000.00 and interest is paid. to be paid in installments of \$2000.00 per year until said debt & interest is paid in full. the following stock holders was present & voted as follows by Ballot authorizing the Board of Directors of the Co. there in favor of borrowing \$8500.00 Voting yes and there opposed Voting no. it being understood that a 2/3 vote would bind & pledge each holders stock for his or her proportional part according to No of shares held. in the M V I D Co. the Result follows.

J. H. Preston.	Prody ^{Pr}	J. H. Rhea. Voted	yes	9	shares.
Lucinda Eelran.		..	..	4	
C. J. Halstrom.		..	..	14	
J. H. Rhea.		..	..	2 3/4	
R. I. Bredin					

SCANNED

JUL 26 2005

President
Halston &
a temporary
act a
Henne
elected
ied at
fixed
J H Rhea
ner and

183.00 per day for man ^{two things} and 5.00 per day
for man and team for 8 hours day
Carried,

Bills ordered paid Midvale P. Co \$2.00
Edo E McKinnis 3.00

Jerse H. H. H. elected foreman of ditch
clearing work.

Moved that we adjourn. Seconded
Carried.
Attest Am Henke

L W Hamilton

Notice of Assessment.

Notice is hereby given that at a regular meeting of the Directors of the Midvale Valley Irrigating Ditch Company, held April 6, 1918, an assessment of four dollars was levied on each share of outstanding stock of said corporation. If such assessment be not paid on any such stock on or before May 8, 1918, said stock will be advertised and sold to pay said assessment and costs.

Dated April 6, 1918.

MIDDLE VALLEY IRRIGATING DITCH CO.
adv. A. M. HENKE, Secretary.

SCANNED

JUL 26 2005

Certificate of Water Right

THIS IS TO CERTIFY, That Middle Valley Irrigation Ditch Company

The point of diversion is located in the Middle Valley Ditch which heads in the SW¹ of the SW¹ Sec. 22 T. 14 N R. 3W BM

FLOOD WATER SEASON

LOW WATER SEASON

[illegible]

WITNESS the seal and signature of the State Engineer of the State of Idaho, affixed at Boise,
Idaho, this 13th day of March, 1919.

_____, 1919.
And Fleckie

 State Engineer.

SCANNED

III 26 2005

Boise, Idaho, March 7, 1920

RECEIVED FROM

Middlebury, Vt. of

DETAIL	AMOUNT	
Articles of Incorporation (Domestic or Foreign)		
Filing Articles	5	00
Recording	4	20
Issuing Certificate	2	10
Annual License Tax		
Designation of Agent		
Notary Public (Northern Counties)		
Notary Public (Southwestern Counties)		
Notary Public (Southeastern Counties)		
Registering Trade-Mark or Trade-Name		
Constitution, Laws, etc.		
Miscellaneous	3	00
TOTAL	\$ 14	30

Secretary of State

By T. H. Adams Chief Clerk

State of Idaho



Department of State.

C E R T I F I C A T E

I, FRED E. LUKENS, Secretary of State of the State of Idaho, do hereby certify that I am the legal custodian of the records of said State pertaining to all corporations, both foreign and domestic, which have qualified to do business under the general laws of the State of Idaho.

I FURTHER CERTIFY That the said corporation records show that a merger agreement was filed and recorded in this office on the 5th day of March, 1930, merging the

Middle Valley Irrigating Ditch Company,
a domestic corporation heretofore qualified to transact business in this state, and the

Middle Valley Ditch Corporation,
a domestic corporation heretofore qualified to transact business in this state, into the

MIDDLE VALLEY DITCH CORPORATION

in accordance with Sections 38 and 39 of Chapter 262 of the Session Laws of 1929.

IN TESTIMONY WHEREOF,

I have hereunto
set my hand and
affixed the Great
Seal of the State.
Done at Boise, the
Capital of Idaho,
this 31st day of
March, A.D. 1930.



Fred E. Lukens
Secretary of State

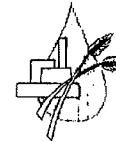
SCANNED

JUL 26 2005

- 32 cts from the
company?
Cathcart

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that MIDDLE VALLEY DITCH CORPORATION

(Name of Claimant)

c/o Mildred Horton, Midvale, ID 83645

Telephone No. 355-2380

(Mailing Address)

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1921

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

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

Weiser River tributary to Snake River

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>32 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>9/1</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

- (4) 32 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SF $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22 Twp. 14N Rge. 3W B.M., County of Washington

Additional points of diversion:

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

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

SEE ATTACHED LAND LIST

[illegible]

No. of acres 3681

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

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

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

Middle Valley Ditch Corporation

DESCRIPTION OF LAND UNDER MIDDLE VALLEY DITCH CORP.

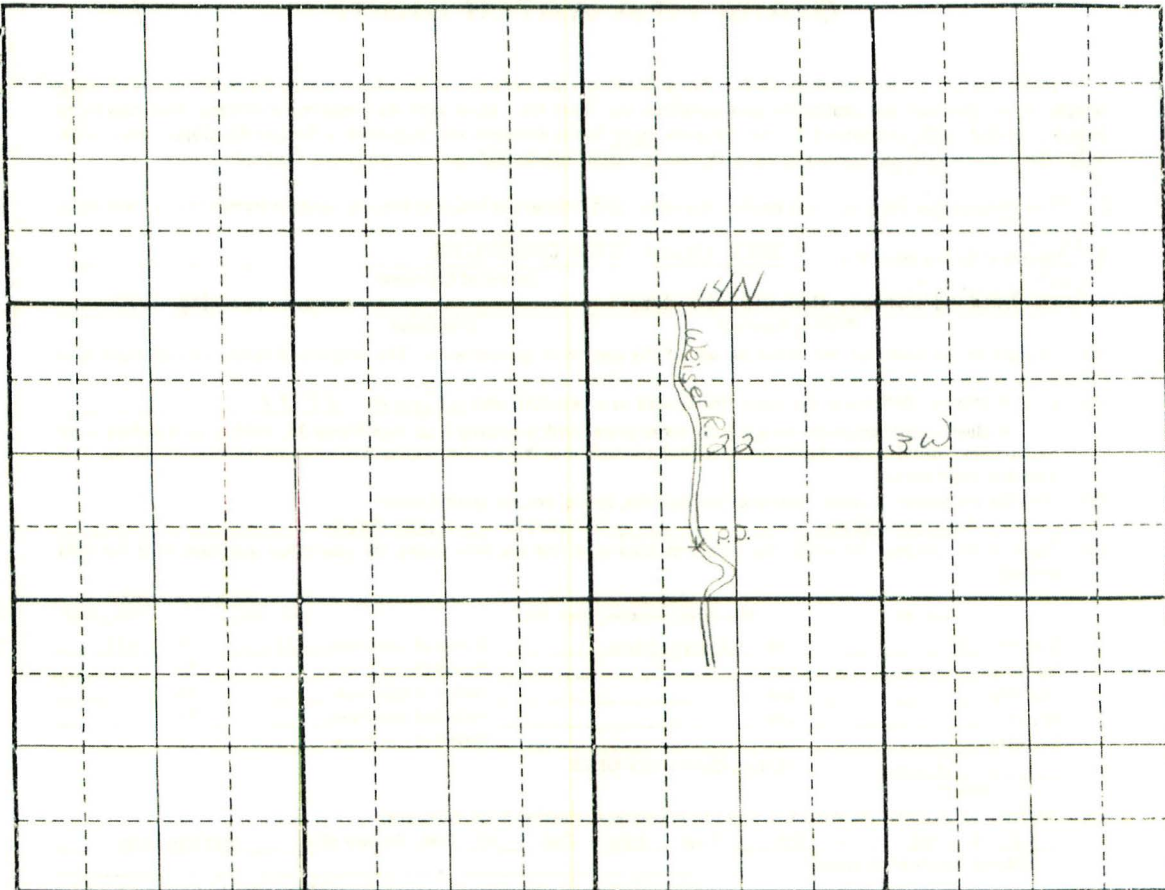
MAY 12, 1977 LAND LIST ATTACHMENT

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	
3N	3W	3					25	40	40	10	25								140
		4	40	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	620
		5				7								10			10		27
		8	40	35	40	40	40	25	30	40	40	20	30	40	40	40	40	40	580
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	30	620
		10					12	12											24
		16	40	40	40	40	40	40	40	40	30	40	5	30	20				445
		17	40	40	40	40	40	20		20	5	30	25	40	40	40	40	40	580
		18	40	40	40	40													20
		19	40	40	40	40								40				20	220
		20		30	20		40	40	40	40	10	35	15		10				280
		21						10											10
		29						10											10
		30					40												40
4N	3W	33												10	35	5	30	30	110
		34		5	10									5		30	15		65

Total number of acres irrigated 3711

(8) Remarks



Scale: 2 inches equal 1 mile.

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

State of Idaho

County of

Washington

)
) ss.

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

Sworn to before me this 19th day of

July

, 19 82.

Middle Valley Ditch Corp.
Philip E. Hopton
(Claimant) President

Sharon A. Selnes
Notary Public
Residing at Malvada, Idaho

My commission expires 9.30.82

FOR DEPARTMENT USE ONLY

Received by nn Date 7-21-82 Exception filed by: Forwarded to Date
Prelim. check by JS Date 7-22-82 claimant by:
\$30.00 fee received by JP Date 7/21/82 1124071
Published in Upper County News Reporter
Dates 8/12 & 8/19/82