

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/2/2017

Water Right 63-4960

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLETON IRRIGATION ASSN PO BOX 848 MIDDLETON, ID 83644 (208) 585-3207

Current Owner	MIDDLETON MILL DITCH CO PO BOX 848 MIDDLETON, ID 83644 (208)585-3207
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Priority Date: 6/1/1950

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>Volume</u>
IRRIGATION	03/01	11/15	24.260 CFS	
	<u>Total Diversion</u>		24.260 CFS	

Source and Point(s) of Diversion

BOISE RIVER	NENE	Sec. 13, Twp 04N, Rge 01W, ADA County
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Place Of Use

IRRIGATION
Large POU not Displayed

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. F01 Water is delivered through the Middleton Irrigation Assn. and the Middleton Mill Co. ditch system.
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.
4. X35 Rights 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370, 63-4960, 63-12304, 63-32518, 63-32519, 63-32520, 63-32521 and 63-32522 when combined shall not exceed the irrigation of 9,390.5 acres.
5. 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

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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 Reservoirs 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.

6. F06 The following rights are diverted through the point of diversion described above: 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370, 63-4960 and 63-12305.

Comments:

1. jshurte 12/18/2013 cfs amount

The cfs amount is based upon watermasters records showing a maximum diversion rate of 238 cfs in 1975 from the Middleton canal.. Prior to 1950 there were two ditches one for each company and in 1950 they merged. Their total water rights prior to this right were 213.74 cfs. Minus the 238 cfs that gives 24.26 cfs available with the 1950 priority date as this would have been the first time both canals were joined and capable of delivering the 238 cfs. No evidence was submitted supporting the 1932 priority date nor the total 32.65 cfs claimed.

2. rneely 2/14/2017 Transferred Right

This is now an approved transfer. Transfer Number = 79691

Dates and Other Information

Decreed Date: 6/18/2014

Water District Number: 63

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A