

3/2/2017

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

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	31.770 CFS	
GROUND WATER RECHARGE	3 /1	11/15	0.010 CFS	1.4 AF
AESTHETIC STORAGE	01/01	12/31		107.1 AF
DIVERSION TO STORAGE	03/15	11/15	0.650 CFS	
Total Diversion			32.430 CFS	

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

[illegible]

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	6			X														
04N	01W	11			X						X				X	X			
04N	01W	14		X L2															
04N	01W	15	X	X	X	X													
04N	01W	18			X					X									
04N	02W	3													X	X	X	X	

Conditions of Approval:

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1. 135 The boundary encompassing the irrigation 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. 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.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. 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.
9. 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.
10. SD1 This right originated as all or part of right no. 54 in the Stewart Decree and the historic Boise River Water Masters records.
11. Transfer 70947 authorizes the diversion of water for Ground Water Recharge Storage in the amount of 47.2 af to be used for replacement of losses caused by evaporation from 16.93 acres total surface area of six (6) aesthetic ponds authorized for aesthetic storage under rights 63-31811, 63-31812, 63-31813, 63-31814, 63-31974 and

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- 63-31975. Ground Water Recharge Storage is amended to Aesthetic Storage via approval of Transfer No. 76211.
12. Transfer 73827 seeks approval for the diversion of water for Aesthetic Storage in the amount of 66.5 af to be used for replacement of losses caused by evaporation from 19.0 acres total surface area of six (6) aesthetic ponds authorized for aesthetic storage under right 63-32171. This right as herein approved by Transfer 76211 authorizes the diversion of 0.38 cfs and annual volume of 66.5 af for this purpose.
13. 938 Transfer 79691 authorizes the diversion and delivery of 0.02 cfs, 2.1 af of water to storage, and 1.4 af of water to ground water recharge for replacement of evaporation losses from two ponds authorized by Right 63-34017.
14. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

- | | | |
|---|------------|-------------------|
| 1. scurtis | 12/30/2009 | POD |
| Updated Shape | | |
| 2. scurtis | 12/30/2009 | POU |
| Updated Shape | | |
| 3. jhersley | 4/19/2010 | Transferred Right |
| This is now an approved transfer, transfer number = 76211 | | |
| 4. pkelly | 12/31/2015 | Updated Shape |
| Updated POUShape | | |
| 5. rneely | 2/14/2017 | Transferred Right |
| This is now an approved transfer. Transfer Number = 79691 | | |

Dates and Other Information

Decreed Date: 2/6/2008
State or Federal: S
Water District Number: 63
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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