

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79691**

This is to certify that: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-125G	WR/DECREED	6/1/1871	32.430 cfs	N/A	N/A	9381.5	BOISE RIVER

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-124N	WR/DECREED	6/1/1864	11.880 cfs	N/A	N/A	N/A	BOISE RIVER
63-126E	WR/DECREED	6/1/1891	16.440 cfs	N/A	N/A	N/A	BOISE RIVER
63-161X	WR/DECREED	5/1/1866	0.400 cfs	N/A	N/A	N/A	BOISE RIVER
63-168D	WR/DECREED	6/1/1867	0.410 cfs	N/A	N/A	N/A	BOISE RIVER
63-173	WR/DECREED	6/1/1868	1.400 cfs	N/A	N/A	N/A	BOISE RIVER
63-370	WR/DECREED	4/15/1893	1.600 cfs	N/A	N/A	N/A	BOISE RIVER
63-168B	WR/DECREED	6/1/1867	0.380 cfs	N/A	N/A	N/A	BOISE RIVER
63-254	WR/DECREED	6/1/1866	2.300 cfs	N/A	N/A	N/A	BOISE RIVER
63-255	WR/DECREED	6/1/1866	0.600 cfs	N/A	N/A	N/A	BOISE RIVER
63-32519	WR/DECREED	12/31/1930	10.000 cfs	N/A	N/A	N/A	UNNAMED DRAIN
63-32518	WR/DECREED	12/31/1930	40.000 cfs	N/A	N/A	N/A	UNNAMED DRAIN
63-32520	WR/DECREED	12/31/1930	23.500 cfs	N/A	N/A	N/A	UNNAMED DRAIN
63-32521	WR/DECREED	6/1/1891	4.500 cfs	N/A	N/A	N/A	WASTE WATER
63-32522	WR/DECREED	7/2/1894	13.000 cfs	N/A	N/A	N/A	WASTE WATER
63-198AC	WR/DECREED	6/1/1877	110.090 cfs	N/A	N/A	N/A	BOISE RIVER
63-12304	WR/LICENSE	1/4/1996	10.000 cfs	4090.5 af	909.0	N/A	WILLOW CREEK
63-4960	WR/DECREED	6/1/1950	24.260 cfs	N/A	N/A	N/A	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	NO	YES

SUPPORT DATA

Transfer No. 79691

IN FILE # 63-125G

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79691

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	32.430 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		32.430 cfs	N/A	9380.5	9380.5		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 14th day of February, 2017.



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-125G**As Modified by Transfer No. 79691**

In accordance with the approval of Transfer No. 79691, Water Right No. 63-125G is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1871

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	01/01	to 12/31		107.1 af
DIVERSION TO STORAGE	03/15	to 11/15	0.650 cfs	
IRRIGATION	03/01	to 11/15	31.770 cfs	
GROUND WATER RECHARGE	03/01	to 11/15	0.010 cfs	1.4 af
			32.430 cfs	

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	6			X														
																			0
04N	01W	11			X					X					X	X			
04N	01W	14		X															
				L 2															0
04N	01W	15	X	X	X	X													
04N	01W	18			X					X									
04N	02W	3													X	X	X	X	

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14		X															
				L 2															0

WATER RIGHT NO. 63-125G
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

1. 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. Water is delivered through the Middleton Irrigation Assn. and the Middleton Mill Co. ditch system.
3. 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 9,380.5 acres.
4. 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. 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. 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. 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. 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. 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.

WATER RIGHT NO. 63-125G
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

10. 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 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. 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. 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.

WATER RIGHT NO. 63-124N
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-124N is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1864

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

to

To

11/15

Diversion Rate

11.880 cfs

11.880 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.

WATER RIGHT NO. 63-124N

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. 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.
8. This right originated as all or part of right no. 3 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-126E
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-126E is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1891

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

to

To

11/15

Diversion Rate

16.440 cfs

16.440 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.

WATER RIGHT NO. 63-126E

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. 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.
8. This right originated as all or part of right no. 120 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-161X

As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-161X is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 5/1/1866

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.400 cfs

0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER

L1 (NENE)

Sec 13 Twp 04N Rge 01W ADA County

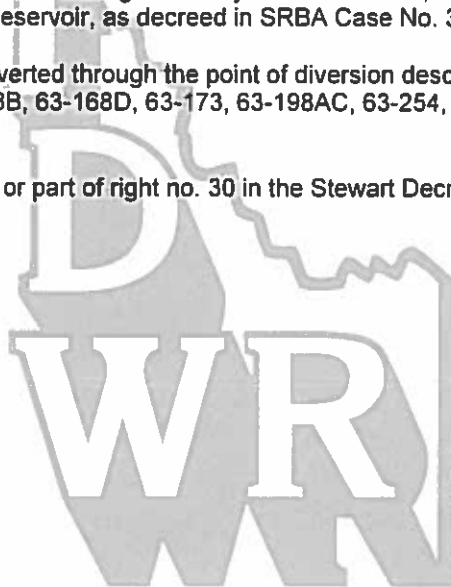
CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.

WATER RIGHT NO. 63-161X
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. This right originated as all or part of right no. 30 in the Stewart Decree and the historic Boise River Water Masters records.



WATER RIGHT NO. 63-168D
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-168D is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1867

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From
03/01

To
to 11/15

Diversion Rate

0.410 cfs
0.410 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.

WATER RIGHT NO. 63-168D

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. 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.
8. This right originated as all or part of right no. 35 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-173
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-173 is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1868

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
1.400 cfs
1.400 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.
5. 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.

Transfer No. 79691

WATER RIGHT NO. 63-173
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. This right originated as all or part of right no. 40 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-370

As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-370 is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 4/15/1893

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
1.600 cfs
1.600 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.
5. 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.

Transfer No. 79691

WATER RIGHT NO. 63-370

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. This right originated as all or part of right no. 123A in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-168B

As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-168B is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1867

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
0.380 cfs
0.380 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.

Transfer No. 79691

WATER RIGHT NO. 63-168B

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. 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.
8. This right originated as all or part of right no. 35 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-254
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-254 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1866

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
03/01

To
to 11/15

Diversion Rate
2.300 cfs
2.300 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.
5. 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.

Transfer No. 79691

WATER RIGHT NO. 63-254
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. This right originated as all or part of right no. 31-A in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-255
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-255 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1866

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
0.600 cfs
0.600 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 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. Water is delivered through the Middleton Irrigation Association and the Middle Mill Co. ditch system.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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 9,380.5 acres.
5. 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.

Transfer No. 79691

WATER RIGHT NO. 63-255
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. This right originated as all or part of right no. 31-B in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-32519
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-32519 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN INC
MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 12/31/1930

Source: UNNAMED DRAIN **Tributary:** BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 11/15	10.000 cfs
			10.000 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED DRAIN SWNWSE Sec 2 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. 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. 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.
3. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This wastewater can be used to irrigate up to 3,570 acres from the point of diversion known as Allens Check within the boundary of the Middleton Mill Ditch Company and the Middleton Irrigation Association.
5. 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 9,380.5 acres.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

Transfer No. 79691

WATER RIGHT NO. 63-32518

As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-32518 is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
MIDDLETON IRRIGATION ASSN INC
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 12/31/1930

Source: UNNAMED DRAIN **Tributary:** BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 11/15	40.000 cfs 40.000 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED DRAIN NWSESE Sec 1 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. 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. 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.
3. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This wastewater right can be used to irrigate up to 4,778 acres from the point of diversion known as Herbs Check within the boundaries of the Middleton Mill Ditch Company and Middleton Irrigation Association.
5. 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 9,380.5 acres.
6. This right when combined with all other rights for the same place of use shall not exceed .02 cfs per acre at the field headgate.

Transfer No. 79691

WATER RIGHT NO. 63-32520
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-32520 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN INC
MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 12/31/1930

Source: UNNAMED DRAIN **Tributary:** BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 11/15	23.500 cfs
			23.500 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED DRAIN NWSWSW Sec 5 Twp 04N Rge 01W CANYON County

CONDITIONS OF APPROVAL

1. 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. 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.
3. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This drainage water can be used to irrigate up to 5,193 acres from the point of diversion known as the Star Feeder within the boundaries of the Middleton Mill Ditch Company and Middleton Irrigation Association.
5. 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 9,380.5 acres.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

Transfer No. 79691

WATER RIGHT NO. 63-32521
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-32521 is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
MIDDLETON IRRIGATION ASSN INC
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1891

Source: WASTE WATER

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
4.500 cfs
4.500 cfs

LOCATION OF POINT(S) OF DIVERSION

WASTE WATER NWNWSW Sec 12 Twp 04N Rge 01W CANYON County

CONDITIONS OF APPROVAL

1. 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. 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.
3. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This wastewater right can be used to irrigate up to 9,380.5 acres within the boundary of the Middleton Mill Ditch Company and the Middleton Irrigation Association.
5. 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 9,380.5 acres.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

Transfer No. 79691

WATER RIGHT NO. 63-32522
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-32522 is now described as follows:

Right Holder: MIDDLETON MILL DITCH CO
MIDDLETON IRRIGATION ASSN INC
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 7/2/1894

Source: WASTE WATER

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From
03/01

To
to 11/15

Diversion Rate
13,000 cfs
13,000 cfs

LOCATION OF POINT(S) OF DIVERSION

WASTE WATER

NWSENW

Sec 2 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. 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. 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.
3. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This wastewater right can be used to irrigate up to 3,570 acres within the boundary of the Middleton Mill Ditch Company and the Middleton Irrigation Association.
5. 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 9,380.5 acres.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

Transfer No. 79691

WATER RIGHT NO. 63-198AC
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-198AC is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN
 PO BOX 848
 MIDDLETON, ID 83644

Priority Date: 6/1/1877

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC STORAGE
 DIVERSION TO STORAGE
 IRRIGATION

<u>From</u>		<u>To</u>
01/01	to	12/31
03/01	to	11/15
03/01	to	11/15

Diversion Rate

0.330 cfs
 109.760 cfs
 110.090 cfs

Diversion Volume

56.0 af

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: AESTHETIC STORAGE

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

CONDITIONS OF APPROVAL

1. 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. Water is delivered through the Middleton Irrigation Assn. and the Middleton Mill Co. ditch system.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 79691

WATER RIGHT NO. 63-198AC
As Modified by Transfer No. 79691

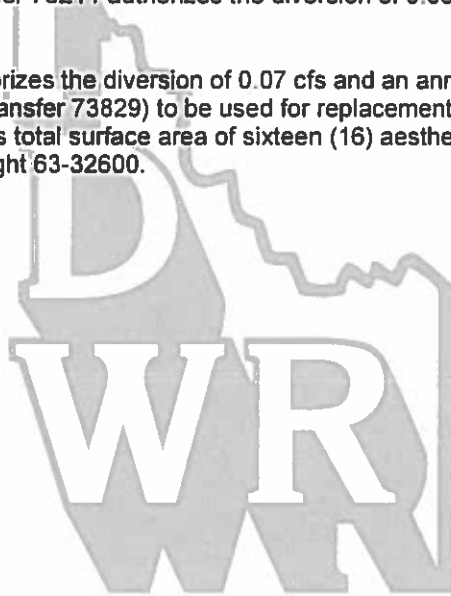
CONDITIONS OF APPROVAL

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. 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 9,380.5 acres.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. This right originated as all or part of right no. 65 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-198AC
As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

14. This right authorizes the diversion rate of 0.20 cfs and an annual diversion volume of 35.0 af for ground water recharge under Transfer 71234 as replacement of losses caused by evaporation from the three ponds associated with Right 63-31924. Ground Water Recharge is amended to Aesthetic Storage under Transfer No. 76211.
15. 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 as Transfer 76211 authorizes the diversion of 0.06 cfs and annual volume of 8.8 af for this purpose.
16. Transfer 76211 also authorizes the diversion of 0.07 cfs and an annual diversion volume of 12.3 af (as originally sought by Transfer 73829) to be used for replacement of losses caused by evaporation from 3.5 acres total surface area of sixteen (16) aesthetic ponds authorized for aesthetic storage under right 63-32600.



WATER RIGHT NO. 63-12304
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-12304 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN INC And
MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644-0214

Priority Date: 1/4/1996

Source: WILLOW CREEK **Tributary:** BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	10.000 cfs	4090.5 af
			10.000 cfs	4090.5 af

LOCATION OF POINT(S) OF DIVERSION

WILLOW CREEK SENW Sec 6 Twp 04N Rge 02W CANYON 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. This right is limited to the irrigation of 909 acres within the authorized place of use in a single irrigation season.
3. 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 9,380.5 acres.
4. 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 place of use.
5. 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. Upon notification by the Department, 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. The issuance of this right does not grant any right-of-way or easement across the land of another.

Transfer No. 79691

WATER RIGHT NO. 63-12304

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

8. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.



WATER RIGHT NO. 63-4960
As Modified by Transfer No. 79691

In accordance with the approval of Transfer No. 79691, Water Right No. 63-4960 is now described as follows:

Right Holder: MIDDLETON IRRIGATION ASSN
MIDDLETON MILL DITCH CO
PO BOX 848
MIDDLETON, ID 83644

Priority Date: 6/1/1950

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
24 260 cfs
24 260 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER 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 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. Water is delivered through the Middleton Irrigation Assn. and the Middleton Mill Co. ditch system.
3. 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. 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 9,380.5 acres.

WATER RIGHT NO. 63-4960

As Modified by Transfer No. 79691

CONDITIONS OF APPROVAL

5. 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 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. 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.

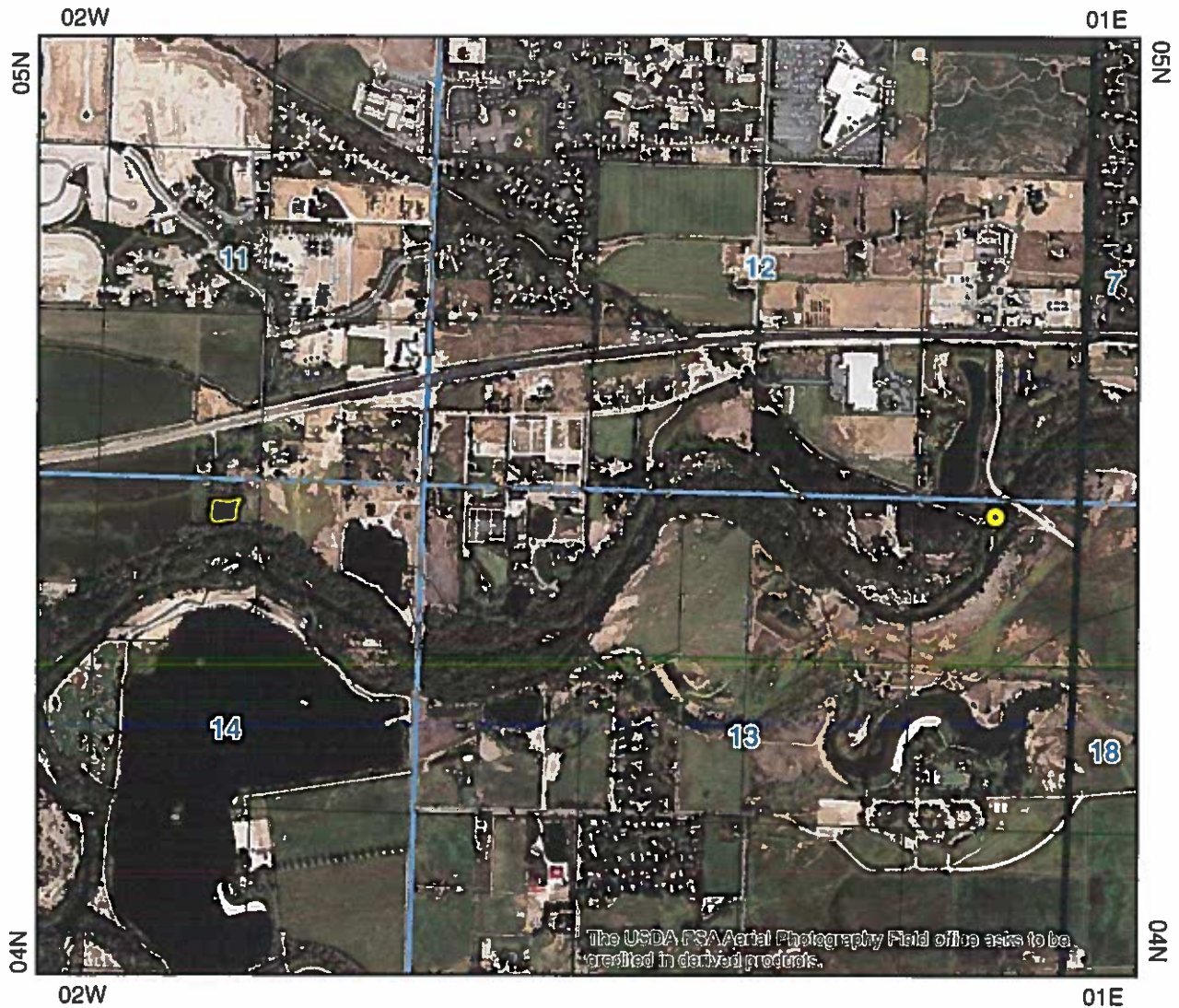


State of Idaho
Department of Water Resources

Attachment to Application for Transfer 79691

63-125G

This map depicts the AESTHETIC STORAGE and GROUND WATER RECHARGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.175 0.35 0.7 Miles

