

Rescinded

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71234

This is to certify that: MIDDLETON IRRIGATION ASSN INC
PO BOX 214
MIDDLETON ID 83644-0214
(208)585-6676

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-198AC	AJC/Decreed	06/01/1877	110.09 cfs	N/A	N/A	9,159.0	BOISE RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-198AC	NO	NO	NO	NO	NO	YES

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
63-198AC	63-198AC	110.09 cfs	N/A	N/A	9,149.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		110.09 cfs	N/A	N/A	9149.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of September, 2004



Chief, Water Allocation Bureau

Rescinded

WATER RIGHT NO. 63-198AC
As Modified by Transfer No. 71234

In accordance with the approval of Transfer No. 71234, Water Right No. 63-198AC is now described as follows.

Right Holder: MIDDLETON IRRIGATION ASSN INC
 PO BOX 214
 MIDDLETON ID 83644-0214

Priority Date: June 01, 1877

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01 to	11/15	109.89 CFS
GROUND WATER RECHARGE	03/01 to	11/15	0.20 CFS
			110.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	18			X				X										

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

WATER RIGHT NO. 63-198AC
As Modified by Transfer No. 71234

CONDITIONS OF APPROVAL

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. This right authorizes the diversion rate of 0.20 cfs and an annual diversion volume of 35.0 af for ground water recharge as replacement of losses caused by evaporation from the three ponds associated with Right 63-31924.
7. 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.
8. 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.
9. Irrigation place of use is within the area served by Middleton Irrigation Assn. Inc.
10. This right is limited to the irrigation of 9149 acres in a single irrigation season.
11. Water is delivered through the Middleton Irrigation Association and the Middleton Mill Co. ditch system.
12. Rights 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-124N, 63-254, 63-255, 63-370 and 63-21502 are also diverted through the point of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of September, 2004



Chief, Water Allocation Bureau