

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 63-32520
Date Received: 10/12/2006
Receipt No: W034778
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MIDDLETON MILL DITCH COMPANY Phone: (208)585-3207
PO BOX 848
MIDDLETON ID USA 83644

MIDDLETON IRRIGATION ASSOCIATION INC Phone: (208)585-3207
PO BOX 848
MIDDLETON ID USA 83644

2. Date of Priority: 12/31/1930

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01W	5	NW SW SW	CANYON	

5. Description of diverting works:

Check in drain which diverts water to the Middleton Mill Canal through what is known as the Star Feeder.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	23.5	

7. Total Quantity Appropriated is:
23.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: 63-124N, 63-126E, 63-161X, 63-168B, 63-173, 63-198AC, 63-254, 63-255, 63-370, 63-31937

14. Remarks:

Water is used on 5,193 acres of land served by the two canal companies, Middleton Mill Ditch Company and Middleton Irrigation Association Inc. Quantity claimed is in addition to 36.5 cfs delivered through the Star Feeder under water right claimed by Drainage District No. 2, a copy of which is attached hereto.

15. Basis of Claim: Beneficial Use

RECEIVED

OCT 12 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSWATER RESOURCES
WESTERN REGIONIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number ALB-32520Date Received 10-12-06Receipt Number W034778NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Middleton Mill Ditch Company

1. Name of Claimant (s) Middleton Irrigation Association, Inc. Phone (208) 585-3207Mailing Address P.O. Box 848, Middleton, Idaho Zip 836442. Date of Priority (Only one (1) per claim) 19303. Source of water supply (a) unnamed drain
which is tributary to (b) Boise River4. a. Location of existing point of diversion is: Township 5 N Range 1 W Section 5,
NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Check in drain which diverts water to the Middleton
Mill Canal through what is known as the Star Feeder

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 03-01 to 11-15 amount 23.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) See below 14. Remarks: (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater incidental to irrigation

10. Description of place of use: 5,193 acres served by the Middleton Mill Ditch Company & Middleton Irrigation Assn.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 5,193

11. In which county (ies) are lands listed above as place of use located? Ada and Canyon

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

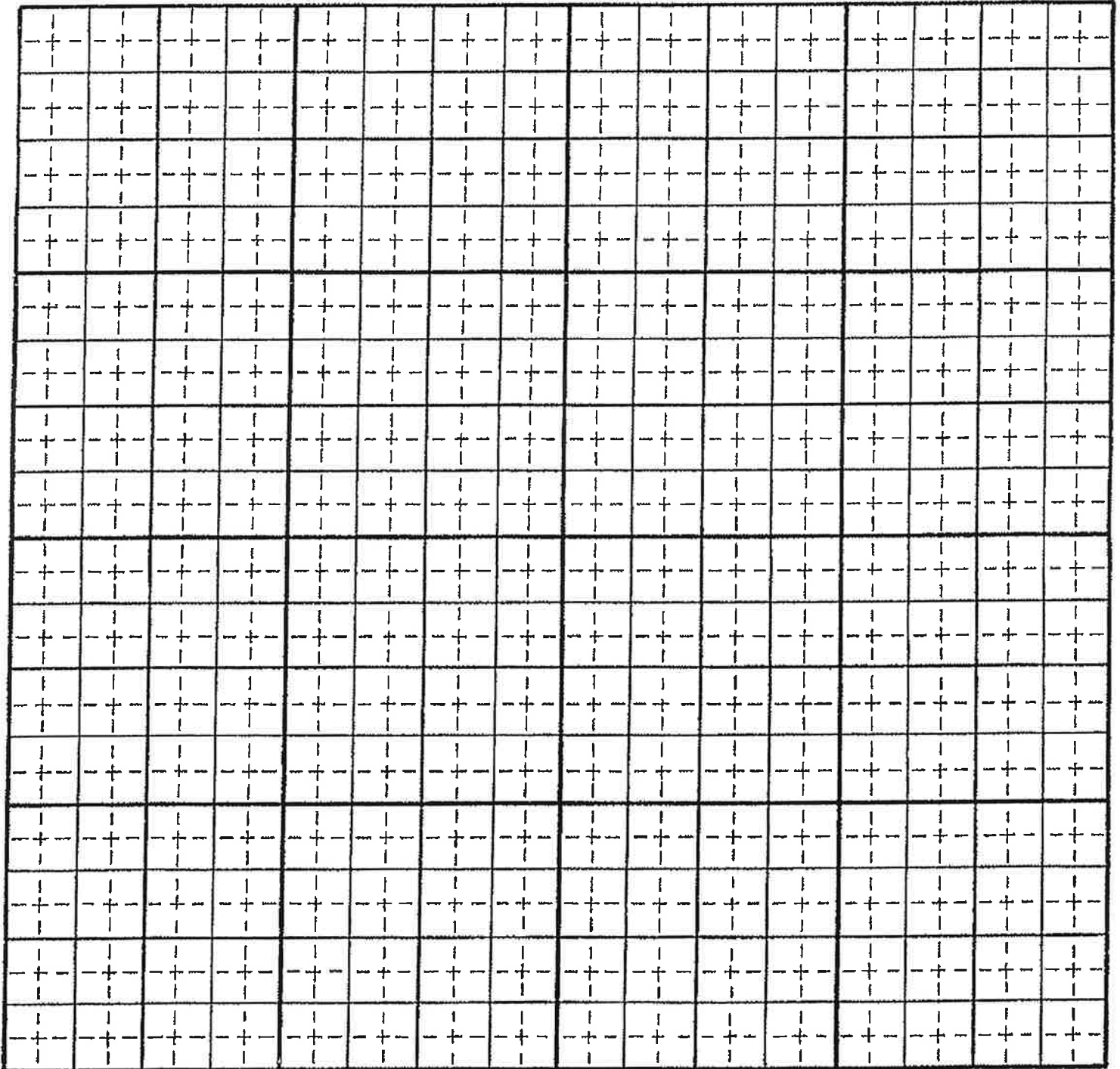
63-124N, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370 or None ()
63-31937

14. Remarks: Waters are used on 5,193 acres of land served by the two canal companies, Middleton Mill Ditch Company and Middleton Irrigation Association, Inc. Quantity claimed is in addition to 36.5 cfs delivered through the Star Feeder under water right claimed by Drainage District No. 2, a copy of which is attached hereto.

Last Name Middleton Mill Ditch Co. & Ident No. _____
Middleton Irrigation Assn.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Middleton Mill Ditch Co. Ident No. _____
Middleton Irrigation Assn.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

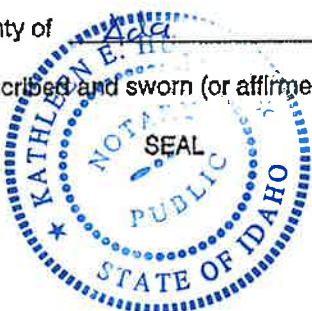
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am CHAIRMAN Title _____
of MIDDLETON IRRIGATION Organization _____, that I have signed the foregoing
document in the space below as CHAIRMAN Title _____ of MIDDLETON IRRIGATION Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization CHAIRMAN, MIDDLETON IRRIGATION Date 9/26/06

State of Idaho/or _____ }
County of Ada } SS.

Subscribed and sworn (or affirmed) before me this 26 day of September, 2006



Notary Public Kathleen E. Hill

Residing at Star, ID

My Commission Expires 3-22-08

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry A. Kiser will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature [Signature]

Address 620 W. Hays Street, Boise, ID, 83702

Date 10-11-06

Last Name Middleton Mill Ditch Co. Ident. Number _____
Middleton Irrigation Assn.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) WATER RIGHT NUMBER 63-_____

)
) AFFIDAVIT ESTABLISHING USE OF
) WATER RIGHT NO. 63-_____

STATE OF IDAHO)

) ss

COUNTY OF ADA)

Eugene Muller, after being duly sworn upon oath, deposes and states as follows:

1. My name is Eugene Muller. I am 78 years old this year and live at 320 North Palmer Lane, Eagle ID 83616. I have lived at this location all of my life. I have farmed my property and I am familiar with the farming on the adjoining property in the area of Eagle, Star and Middleton, Idaho. In fact, my entire life I have been involved in the farming practice and I have been familiar with irrigation and drainage facilities located in the Eagle, Star and Middleton areas.

2. I have served on the board of Drainage District #2 for more than thirty years and I previously served on the Middleton Mill and Middleton Irrigation board for a period of five years.

3. I am familiar with the drains and facilities of Drainage District #2 and the irrigation diversions and facilities for most, if not all, of the irrigation entities located in the Eagle, Star and Middleton areas. Specifically, I am familiar with the diversions and facilities for Canyon County Ditch Company and Middleton Mill and Middleton Irrigation.

4. Ever since I can remember, Drainage District #2 has operated and maintained numerous drains which generally flow from east to west. Some drains begin as far east as Boise,

Idaho. Most of Drainage District #2's drains, which are located on the north side of the Boise River, eventually discharge into the Boise River. I am aware that Drainage District #2 has water rights relating to the amount of water that is collected/developed in the drains and then returned to the Boise River. I am also aware that each of the irrigation entities that lie within the boundaries of Drainage District #2 get a proportional credit for the water that is developed in the drains and returned to the Boise River.

5. I am also aware of certain drains of Drainage District #2 which do not return directly to the Boise River, but rather discharge into the irrigation systems of Canyon County Ditch Company and Middleton Mill and Middleton Irrigation. For instance, ever since I can remember, there has been a diversion structure know as the "Star Feeder." The Star Feeder is a diversion structure where water developed in Drainage District #2's drain is diverted/discharged/delivered to the Middleton Mill and Middleton Irrigation system. The Middleton Mill and Middleton Irrigation to its shareholders. This is water that, since my earliest memory, or seventy plus years ago, has been discharged directly to the Middleton Mill and Middleton Irrigation system and is not part of the water that is discharged to the Boise River.

6. I am also familiar with similar diversion systems known as the "Watts Check" and "Shiley Check." Just as with the Star Feeder, since my earliest memory, or seventy plus years ago, I can recall the Watts Check and the Shiley Check as locations where the drains from Drainage District #2 are discharged directly to the irrigation facilities of the Canyon County Ditch Company and the Middleton Mill and Middleton Irrigation, respectively. These water developed in Drainage District #2's drains, then discharged into the irrigation facilities at the Watts Check and Shiley Check and the delivered to the respective canal company's shareholders for irrigation purposes. The water

developed in the drains and discharged at the Watts and Shiley Checks is above and beyond the water that is developed in the drains and returned to the Boise River.

Eugene Muller
EUGENE MULLER

Sworn to and subscribed before me this 12th day of December, 2005.



Kimi A. White
Notary Public for Idaho
Residing in Boise, Idaho.
My Commission Expires: 04/01/10

In re SRBA
Case No. 39576

**AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO.**

STATE OF IDAHO)
) ss
COUNTY OF ADA)

1. My name is Harold Hadley.
2. I live at 11102 West Floating Feather Road, Star, Idaho, 83669.
3. I was born February 25, 1912.
4. I am generally familiar with the diversion and use of water in Drainage District No. 2's drains, and I am familiar with the diversion and use of water collected in what is commonly referred to as the Star Feeder.
5. I recall that the Drainage District # 2 drain was dug in approximately 1920 when I was in the third grade. What has become known as the Star Feeder was built a year, or possibly two after the drain was dug and from that point, the drain water is fed to the Middleton Mill and Middleton Irrigation facilities. The year I was married, 1935, the Star Feeder was measured twice a week by the river master, which I observed as I walked by, and it ran between 2500 and 3500 miners' inches.

Harold Hadley
Harold Hadley

Sworn to and subscriber before me this 24th day of January, ~~2005~~ 2006

Kari Rosti



Notary Public for Idaho

Residing in Ada, Idaho

My Commission Expires: 6/6/2009

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
Indent. Number _____
Date Received _____
Receipt Number _____

See Remarks on Claim

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

Copy of 63-32480

Please type or print clearly

1. Name of Claimant(s) Drainage District No. 2 of Ada County Phone (208) 342-4591

Mailing Address c/o Bryce Farris, Ringert Clark Chartered, P.O. Box 2773, Boise, Idaho Zip 83701

2. Date of Priority only (1) per claim) March 12, 1923

3. Source of water supply (a) Surface and subsurface seepage and percolating waters developed by Claimant's drainage system.

which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 _____ 1/4, Govt. Lot, _____ B.M., County of _____

See Exhibit A

Additional points of diversion if any: See Exhibit A

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Ect). Including the dates of any changes or enlargement in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. see Exhibit A.

Last Name Drainage District No. 2 Ident. Number _____

6. Water is claimed for the following purposes:

For irrigation purposes from 3/15 to 11/15 amount 50 cfs or _____
 (both dates are inclusive) (cfs) (acre feet)
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 50 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre fee per annum.

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater Type and number of livestock Ect.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			SEE EXHIBIT A																

Total number of acres irrigated See Exhibit A

11. In which county (ies) are lands listed above as place of use located? Ada and Canyon Counties

12. Do you own the property listed above as place of use? Yes _____ No X

13. Describe any other water rights used a the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

See Exhibit A

SCALE: 2 inches equal 1 mile. Draw plan in ink. See Exhibit A

[illegible]

Last Name Drainage District No. 2 Ident. Number

Form No. 42-1409 (2) a 9/88 (Internet)

15. Basis or Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number See Exhibit A
Court Case Number Decree Date
Plaintiff vs Defendant

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Signature or Claimant (s) Date
 Date

For Organizations: I do solemnly swear or affirm that I am Chairman Sec.
Title
of Drainage District No. 2, that I have signed the foregoing
Organization
document in the space below as Chairman Sec. of Drainage District No. 2
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent B. James Monczynski
Title and Organization Chairman, Drainage District No. 2 Date 10/04/06

State of Idaho/or Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4th day of October 20 06.



Notary Public Kimi A. White
Residing at Boise, Idaho
My Commission Expires 04/01/10

16. Notice of Appearance:
Notice is hereby given that I, S. Bryce Farris will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature S. Bryce Farris
Address 455 S. Third Street, P.O. Box 2773, Boise, Idaho 83701
Date 9/19/06

Last Name Drainage District No. 2 Ident. Number

EXHIBIT A

Claimant is a drainage district organized and existing by virtue of the laws of the State of Idaho, Title 42, Chapter 29, since 1918 and consisting of more than 29,000 acres in Ada and Canyon County. Claimant's drainage system, ditches, check gates and headgates have drained, developed and collected surface and subsurface water within the statutory boundaries of Claimant since 1922.

Claimant has the statutory authority to file upon and appropriate, "waters created or made available for irrigation purposes, by the construction of drainage works within" its boundaries pursuant to I.C. § 42-2902. The water which is the subject of this claim is water that is drained, developed and collected in Claimant's drainage system and then directly discharges into the irrigation delivery systems of Canyon County Water Company, Middleton Mill Ditch Company and Middleton Irrigation Association and then is used for irrigation purposes by said organizations/canal companies within their respective boundaries. Based upon this historic/beneficial use, Claimant claims the following conditions and remarks relative to the elements of this water right:

1. Source and Points of Diversion. The source of this water right is the Claimant's drainage system which discharges drainage/waste water into:
 - a. Star Feeder, which provides water to Middleton Mill Ditch Company and Middleton Irrigation Association, and is located in the NW1/4, SW1/4, SW1/4 of Section 5, T.4N, R.1W; and
 - b. Watts Check, which provides water to Canyon County Water Company, and is located in the SW1/4, SE1/4, SE1/4 of Section 10, T.4N, R.2W.
2. Place of Use and Quantity. The place of use for 36.5 cfs of this water right, which is from the Star Feeder diversion of this water right, is for the irrigation of 5,193 acres served by Middleton Mill Ditch Company and Middleton Irrigation Association. The place of use for 13.5 cfs of this water right, which is from the Watts Check diversion for this water right, is for the irrigation of 1,916 acres served by Canyon County Water Company.

11/25/2006

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

RIGHT NUMBER: 63-32520

NAME AND ADDRESS: MIDDLETON IRRIGATION ASSOCIATION INC
PO BOX 848
MIDDLETON ID 83644

MIDDLETON MILL DITCH COMPANY
PO BOX 848
MIDDLETON ID 83644

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 23.500 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

PRIORITY DATE: 12/31/1930

POINT OF DIVERSION:

T04N R01W S5 NWSWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

23.500 CFS

PLACE OF USE:

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.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32520 V1

WATER RIGHT NUMBER: 63-32520 V1

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

Priority Date: 12/31/1930

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	23.500 CFS	
<u>Total Diversion:</u>		23.500 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4SW1/4SW1/4	Sec. 5,	Twp 04N,	Rge 01W, B.M.
CANYON County				

Place of Use

Conditions of Approval:

1. 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.
2. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.
3. 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.
4. G16 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.
5. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32520 V1

Comments:

1. jshurte 11/25/2006 Star Feeder Water

Comment: This water is wastewater being claimed in addition to the 36.5 cfs claimed under 63-32480 by DD#2. Watermaster records indicate that the Star Feeder is capable of more than 63.5 total cfs these two rights total. 50 cfs from 63-32480 and 23.5 cfs from this right.

Water Supply Bank:

ALL LINES

**Water Right No.
63-32520
Star Feeder
IDAHO DEPT
OF WATER
RESOURCES**

2000 Photography
Date: November, 2006

● **Point of Diversion**



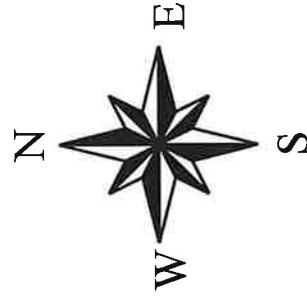
Place of Use



1/4 1/4 Lines



Section Lines



Water Right No.

63-32520

4N2W, 4N3W

& 5N2W

IDAHO DEPT

OF WATER

RESOURCES

1987 Photography

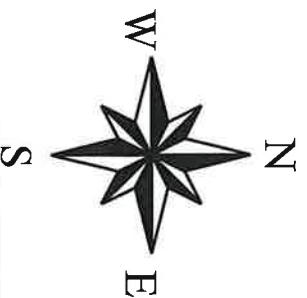
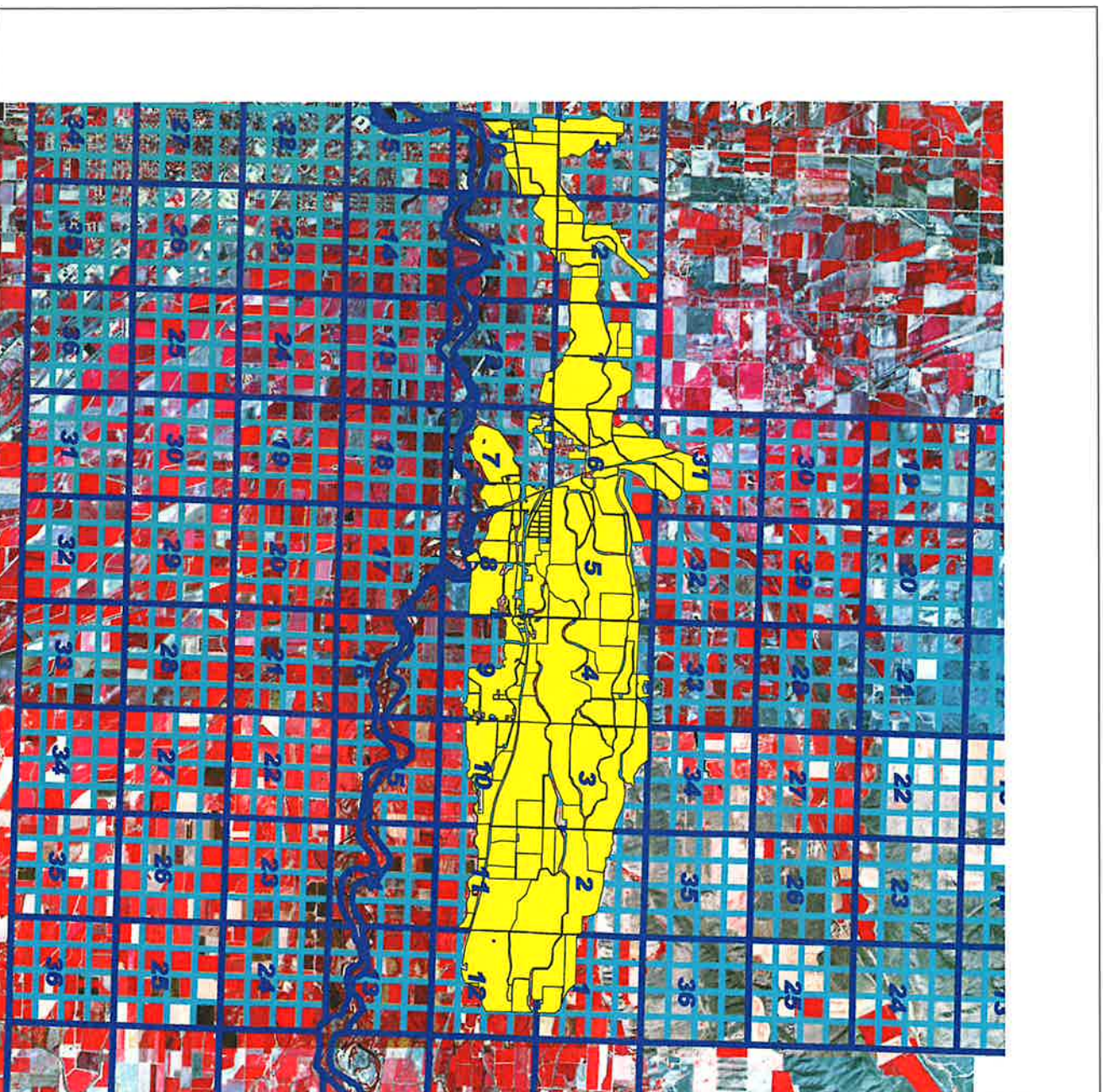
Date: November, 2006

● Point of Diversion

□ Place of Use

□ 1/4 1/4 Lines

□ Section Lines



1110124 NORTH MIDDLETON DRAIN
DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1987 TO OCTOBER 1988
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	14	29	69	34	33	32	29
2	---	---	---	---	---	14	28	65	33	32	31	28
3	---	---	---	---	---	14	27	61	32	32	31	27
4	---	---	---	---	---	14	27	58	32	31	31	26
5	---	---	---	---	---	14	26	54	31	29	30	26
6	---	---	---	---	---	15	26	50	31	28	30	27
7	---	---	---	---	---	16	25	46	31	27	30	27
8	---	---	---	---	---	17	24	46	31	25	31	28
9	---	---	---	---	---	18	24	46	31	24	31	28
10	---	---	---	---	---	19	23	45	30	24	32	29
11	---	---	---	---	---	20	23	45	30	25	32	29
12	---	---	---	---	---	21	24	44	30	25	33	29
13	---	---	---	---	---	24	26	44	30	26	33	29
14	---	---	---	---	---	26	27	43	29	26	33	30
15	---	---	---	---	---	29	28	43	28	27	33	30
16	---	---	---	---	---	31	30	43	27	27	32	30
17	---	---	---	---	---	34	31	42	25	27	32	30
18	---	---	---	---	---	36	31	42	24	28	32	29
19	---	---	---	---	---	36	33	41	23	29	31	29
20	---	---	---	---	---	35	35	41	23	31	31	28
21	---	---	---	---	---	35	37	40	26	32	31	28
22	---	---	---	---	---	34	39	40	28	33	31	28
23	---	---	---	---	---	34	41	39	31	34	31	27
24	---	---	---	---	---	33	43	38	34	34	31	27
25	---	---	---	---	---	33	43	38	36	34	31	26
26	---	---	---	---	---	32	47	37	39	33	31	26
27	---	---	---	---	---	32	52	36	39	33	31	26
28	---	---	---	---	---	31	56	35	38	33	31	25
29	---	---	---	---	---	30	60	35	37	32	30	25
30	---	---	---	---	---	30	65	34	36	32	29	24
31	---	---	---	---	---	---	69	---	34	32	---	24
TOTAL						769	1099	1336	961	916	937	851
MEAN						26	35	45	31	30	31	27
MAX						36	69	69	39	34	33	30
MIN						14	23	34	23	24	29	24
AC-FT						1526	2179	2651	1906	1817	1859	1688
IRRIGATION YEAR 1988												
TOTAL												
6870												
MEAN												
19												
AC-FT												
13625												

1099 CFS IN 1988
CHART IN 1974 SHOWS
WELL OVER 23.5 CFS OK
50 CFS (CONSUMED 32480 + 32520)

CHART NO. 15

[illegible]

STOPPELLO & KISER
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

FRANK W. STOPPELLO
JERRY A. KISER
F. MATTHEW STOPPELLO

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

September 26, 2006

HAND-DELIVERED

RECEIVED

SEP 26 2006

WATER RESOURCES
WESTERN REGION

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Middleton Mill Ditch Company/Middleton
Irrigation Association - Drain Water Claims

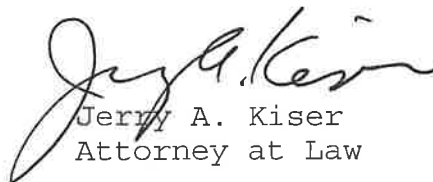
Dear Jan:

Enclosed are five draft claims I am in the process of finalizing. With these claims are copies of Affidavits in support of the claims. I wanted to provide you with these draft claims for your consideration and comment. I plan on filing the claims hopefully by the end of this week.

The claims for Canyon County Water Company are in the process of being finalized and I will be forwarding them to Bryce Farris for his review. It is my understanding Bryce will be filing the Canyon County Water Company claims and will be representing Canyon County Water Company regarding those claims.

Please contact me if you have any questions or concerns regarding the enclosed claims.

Sincerely,


Jerry A. Kiser
Attorney at Law

JAK:jf

Enclosures

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FACSIMILE (208) 336-1027

October 12, 2006

HAND-DELIVERED

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Water Right Claims/Middleton Canal Companies

Dear Ms. Shurte:

Enclosed are the following:

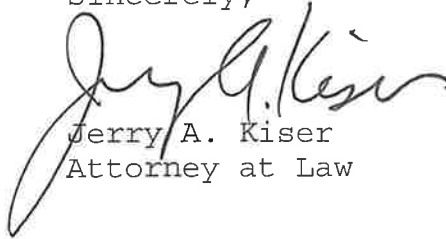
1. Notice of Claim to a Water Right, together with one copy (Herb's Check). ✓
2. Notice of Claim to a Water Right, together with one copy (Allen's Check). ✓
3. Notice of Claim to a Water Right, together with one copy (Star Feeder). ✓
4. Notice of Claim to a Water Right, together with one copy (Ballentyne Tailwater). ✓
5. Notice of Claim to a Water Right, together with one copy (Farmers Union Tailwater). ✓
6. Five checks in the amount of \$100.00 each representing claim fee.
7. Various maps and aerial diagrams.

Please note, I have attached as part of the Allen's Check Claim and Quenzer Claim, aerial maps with orange highlighting identifying the drains and yellow highlighting identifying the Middleton Canal. Please file these claims and return the copy of each claim with the Department's filing stamp in the enclosed self-addressed, stamped envelope.

Jan Shurte
October 12, 2006
Page Two

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry A. Kiser". The signature is fluid and cursive, with a large loop at the end of the last name.

Jerry A. Kiser
Attorney at Law

JAK:jf

Enclosures

cc: Middleton Canal Companies

Idaho Department of Water Resources Receipt

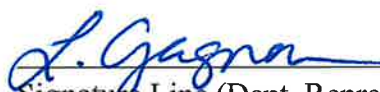
Receipt ID W034778

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	ADJUDICATION FILING FEE	0337		42503	1155


Signature Line (Dept. Representative)