

NAME:

NYE

CLAIM: 43-10261

CORRESPONDENCE



EVIDENCE OF

PRIORITY

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: **A43-10261**
Date Received: 6/ 9/1989
Receipt No: S007837
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: O. JOHN NYE
Address: HC 61 BOX 1300
MALTA ID 83342

OR

Name: BESSIE D. NYE
Address: HC 61 BOX 1300
MALTA ID 83342

208-638-5528

2. Date of Priority: ~~APR 30, 1885~~ *April 30, 1881* **BD.N.**

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14S	25E	6	<i>SW 1/4 NE 1/4</i> <i>SW 1/4 SE 1/4</i>	<i>B.D.N.</i>	CASSIA CASSIA

5. Description of diverting works:
HEADGATE AND LATERALS TO FLOOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	03/15	11/15	~~2.100~~ <i>1.3</i> B.D.N.	

7. Total Quantity Appropriated is:
~~2.100~~ C.F.S. (and/or)
1.30 **B.D.N.**

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
14S	25E	6	SW	NW	SE	NE	IRR	40.0
			SE	NE	SE	NW	IRR	40.0
							Section Acres	80.0
							Total Acres	80.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON CASSIA CREEK DECREED WATER RIGHTS DATED FROM 4/30/1881 AND 4/30/1885 AND FOR WHICH THE WATERMASTER HAS APPORTIONED 105 MINER'S INCHES TO THESE LANDS AND CLAIMANTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

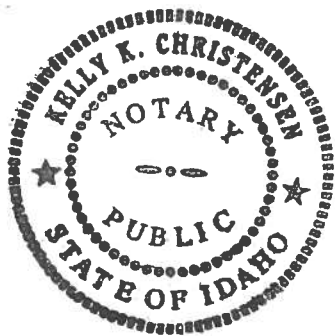
Signature of Claimant(s): Bessie L. Nye Date: 20 Oct 1994

Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Oct 19 94 Kelly K. Christensen
Notary Public

Seal



Residing at Kimberly Rd
My Commission Expires 3-2-94

\$ 130

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

RECEIVED

JUN 6 1989

Ident. Number: A43-10261
Date Received: 5/25/1989
Receipt No: 5007837
Received By: AD

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. JOHN NYE
Address: HC 61 BOX 1300
MALTA, ID

83342

OR

Name: BESSIE D. NYE
Address: HC 61 BOX 1300
MALTA, ID

208-638-5528

83342

2. Date of Priority: APR 30, 1885

3. Source: CASSIA CREEK

Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	25E	6	SW	SW	NE		CASSIA
			SW		NW		CASSIA

5. Description of diverting works:
HEADGATE AND LATERALS TO FLOOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.100		

7. Total Quantity Appropriated is:
2.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A43-10261

Page 1

Date: 05/25/89

MICROFILMED

MAR 04 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	25E	6	SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	80.0
							Total Acres	80.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON CASSIA CREEK DECREED WATER RIGHTS DATED FROM 4/30/1881 AND 4/30/1885 AND FOR WHICH THE WATERMASTER HAS APPORTIONED 105 MINER'S INCHES TO THESE LANDS AND CLAIMANTS.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree 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: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Bessie L. Nye Date: 25 May 1989
Date:

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of May 19 89

Seal

Notary Public

Residing at Bruce A. Schulz

My Commission Expires

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1989

Re: A43-10261

O. John Nye
HC 61 Box 1300
Malta, ID 83342

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 04 1993

05/10/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10261

BESSIE D NYE

HC 61 BOX 1300

MALTA ID 83342

Telephone Number: (208)638-5528

O JOHN NYE

HC 61 BOX 1300

MALTA ID 83342

Telephone Number: (208)638-5528

RECEIVED
JUN 18 2001
Department of Water Resource
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9 June 2001 SIGNATURE: O. John Nye
Please print your name: O. John Nye

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

COPY

2001 NOV 23 PM 1:24

FILED
TWIN FALLS CO., IDAHO

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	)	SUBCASE NO. 43-319, 43-320,
	)	43-321, 43-353, 43-354, 43-4115,
Case No. 39576	)	43-10258, 43-10259, 43-10261,
	)	43-11275, 43-11277, 43-11281
	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

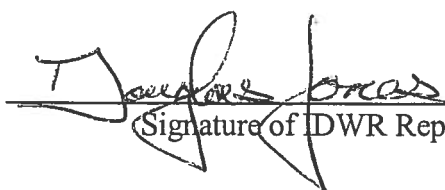
O John Nye
Bessie D Nye
1860 Elba Almo Rd Box 1300
Malta ID 83342

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

11/15/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/23, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
O John Nye
Bessie D Nye
1860 Elba Almo Rd Box 1300
Malta ID 83342
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-319

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 2.200 CFS

PRIORITY DATE: 05/15/1873

POINT OF
DIVERSION:

T13S R25E S28 NWNWSW Within CASSIA County
T13S R25E S29 NENESE Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S21	SWSE	11.0	T13S R25E S21	SESE	16.0
T13S R25E S28	NWNE	30.0	T13S R25E S28	SWNE	16.0
T13S R25E S28	NENW	21.0	T13S R25E S28	SENW	39.0
T13S R25E S28	NESW	10.0			

143 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, AND 43-321.

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

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 - Decreed

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-320
NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 04/30/1887

POINT OF
DIVERSION:

T13S R25E S28 NWNWSW Within CASSIA County
T13S R25E S29 NENESE Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.240 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S21	SWSE	11.0	T13S R25E S21	SESE	16.0
T13S R25E S28	NWNE	30.0	T13S R25E S28	SWNE	16.0
T13S R25E S28	NENW	21.0	T13S R25E S28	SENW	39.0
T13S R25E S28	NESW	10.0			

143 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, AND 43-321.

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

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 - Decreed

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-321

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/30/1889

POINT OF
DIVERSION:

T13S R25E S28 NWNWSW Within CASSIA County
T13S R25E S29 NENESE Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S21	SWSE	11.0	T13S R25E S21	SESE	16.0
T13S R25E S28	NWNE	30.0	T13S R25E S28	SWNE	16.0
T13S R25E S28	NENW	21.0	T13S R25E S28	SENE	39.0
T13S R25E S28	NESW	10.0			

143 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, AND 43-321.

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

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 - Decreed

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-353

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T13S R25E S28 NWNWSW Within CASSIA County
T13S R25E S29 NENESE Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/30	0.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S21	SWSE	11.0	T13S R25E S21	SESE	16.0
T13S R25E S28	NWNE	30.0	T13S R25E S28	SWNE	16.0
T13S R25E S28	NENW	21.0	T13S R25E S28	SENE	39.0
T13S R25E S28	NESW	10.0			

143 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 26 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-353, AND 43-354.

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

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 - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THE FLOW RATE QUANTITY RECOMMENDED ABOVE INCLUDES .28 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION AND THE FIELD HEADGATE.

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-4115
NAME AND ADDRESS: O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: SPRING TRIBUTARY: CASSIA CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 04/01/1935

POINT OF
DIVERSION: T13S R25E S28 SENWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S28	NWNE	22.0	T13S R25E S28	SWNE	16.0
T13S R25E S28	NENW	6.6	T13S R25E S28	SENW	37.0
T13S R25E S28	NESW	10.0			

91.6 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
43-10258	O JOHN NYE 1860 ELBA ALMO RD BOX 1300 MALTA ID 83342 BESSIE D NYE 1860 ELBA ALMO RD BOX 1300 MALTA ID 83342	Disallowed	NO BENEFICIAL USE FOUND.

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10259
NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: UNNAMED STREAM TRIBUTARY: CASSIA CREEK

QUANTITY: 0.960 CFS

PRIORITY DATE: 10/19/1928

POINT OF
DIVERSION:

T13S R25E S20 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.960 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S21	SWSE	11.0	T13S R25E S21	SESE	16.0
T13S R25E S28	NWNE	7.4	T13S R25E S28	NENW	19.0
T13S R25E S28	NWNW	29.0	T13S R25E S28	SENE	2.3
T13S R25E S29	NENE	1.3			

86 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-319, 43-320, 43-321, 43-353, 43-354, 43-4115 AND 43-10259.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-353, AND 43-354.

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

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

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10261

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 1.300 CFS

PRIORITY DATE: 04/30/1881

POINT OF
DIVERSION:

T14S R25E S6 SESWNW Lot 5 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.300 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T14S R25E S06 Lot 2 NWNE	28.0	T14S R25E S06	SWNE	2.0
T14S R25E S06 Lot 3 NENW	32.0	T14S R25E S06	SENW	4.7

66.7 ACRES TOTAL

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

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 - Decreed

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11275

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.220 CFS

PRIORITY DATE: 04/30/1884

POINT OF
DIVERSION:

T13S R24E S36 SENWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.220 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S31 NWNE 39.0

39 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 39 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-11275, 43-11277, 43-11279, AND 43-11281.

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

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 - Decreed

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES 0.11 CFS
FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION AND THE FIELD
HEADGATE. COMBINED RIGHTS: 43-11275, 43-11277, 43-11279, and 43-11281.

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11277

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.370 CFS

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T13S R24E S36 SENWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.370 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S31 NWNE 39.0

39 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 39 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-11275, 43-11277, 43-11279, AND 43-11281.

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

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 - Decreed

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES 0.11 CFS
FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION AND THE FIELD
HEADGATE. COMBINED RIGHTS: 43-11275, 43-11277, 43-11279, and 43-11281.

10/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11281

NAME AND ADDRESS: BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

O JOHN NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 04/30/1881

POINT OF
DIVERSION:

T13S R24E S36 SENWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R25E S31 NWNE 39.0

39 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 39 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-11275, 43-11277, 43-11279, AND 43-11281.

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

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 - Decreed

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES 0.11 CFS
FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION AND THE FIELD
HEADGATE. COMBINED RIGHTS: 43-11275, 43-11277, 43-11279, and 43-11281.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 23, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

O JOHN NYE
BESSIE D NYE
1860 ELBA ALMO RD BOX 1300
MALTA ID 83342

RE: SRBA Claim(s) 43-319, 43-320, 43-321, 43-353, 43-354,
43-4115, 43-10258, 43-10259, 43-10261,
43-11275, 43-11277, 43-11281
43-10491

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

02/06/2001

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

RIGHT NUMBER: 43-10261

NAME AND ADDRESS: BESSIE D NYE
O JOHN NYE
HC 61 BOX 1300
MALTA, ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 1.3 CFS

VERIFIED BY *KKC*

PRIORITY DATE: 04/30/1881

POINT OF DIVERSION: T14S R25E S6 LOT 5 SESWNW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 10-31

QUANTITY
1.30 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R25E S6	LOT 2	NWNE	28	T14S R25E S6	SWNE	2
T14S R25E S6	LOT 3	NENW	32	T14S R25E S6	SENW	4.7

66.7 ACRES TOTAL

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

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 - Decreed

Water Right Number - R43-10261

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
NYE O JOHN
1 - HC 61 BOX 1300
2 -
3 -
City- MALTA
Phone - 208-638-5528
State- ID Zip- 83342
VERIFIED BY *AKC*

NYE BESSIE D
1 - HC 61 BOX 1300
2 -
3 -
City- MALTA
Phone - 208-638-5528
State- ID Zip- 83342

Priority Date - + 04/30/1881 + Region - + 17 SOUTHERN + Stage - + D - DECREED + Status - +

Source - + CASSIA CREEK + Tributary - + RAFT RIVER +

Twn Rng Sec Tract Lot Rflg County Point of Diversion - +

14S 25E 6 SE SW NW 5 (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 1.300

+ - Total Div. Rate - + 1.300 + - Total Div. Volume - + + - Total Consumptive Use - + 0.0 + - KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14S	25E	6	NW NE	2	28.0	01 IRRIGATION		(31) CASSIA	
14S	25E	6	SW NE		2.0	01 IRRIGATION		(31) CASSIA	
14S	25E	6	NE NW	3	32.0	01 IRRIGATION		(31) CASSIA	
14S	25E	6	SE NW		4.7	01 IRRIGATION		(31) CASSIA	

Total Acres: 66.7

+ - - Diversion Means - HEADGATE AND LATERALS TO FLOOD IRRIGATE
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use - NONE
+ - - Remarks -
No Remarks found.

Water right number - R43-10261

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
4300252

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
ALBION-IDAHO LAND CO JOBE ADAMS ET AL 10/18/1928

+ - - - - Comments- - - - - +
Date: 10/25/1994 User Id: KCHRISTE Subject: COPIED FROM REMARKS
THIS CLAIM IS BASED ON CASSIA CREEK DECREED WATER RIGHTS DATED FROM 4/30/1881 AND 4/30/1885 AND FOR WHICH THE WATERMASTER HAS
APPORTIONED 105 MINER'S INCHES TO THESE LANDS AND CLAIMANTS.

+ - - Audit Fields - - +
04/19/00 KCHRISTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 09/13/1994 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 04/19/2000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - P
Claim Received Date - 06/09/1989 Last Amended Date - S007837 Temporary Right - 43C
Receipt Number POU Ownership Flag - Y Water District -
Name Connector - OR Federal/State Indicator - S
Notice of Error Flag -

CLAIM NUMBER 43-10261 DATE 4-19-00
 AGENT KKC

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 8
 GIS ACRE TOTAL 66

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	<u>14S</u>	<u>25E</u>	<u>6</u>		<u>40</u>			<u>40</u>											
GIS			<u>6</u>		<u>28.1</u>	<u>2.0</u>		<u>31.6</u>			<u>4.7</u>								
RECOM					<u>28</u>	<u>2.0</u>		<u>32</u>			<u>4.7</u>								
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-DBPOU.SHP

SHAPE NOS.

203

43-DBPOD.SHP

NOS. DESCRIPTION

143 Sec 6
SESWNW

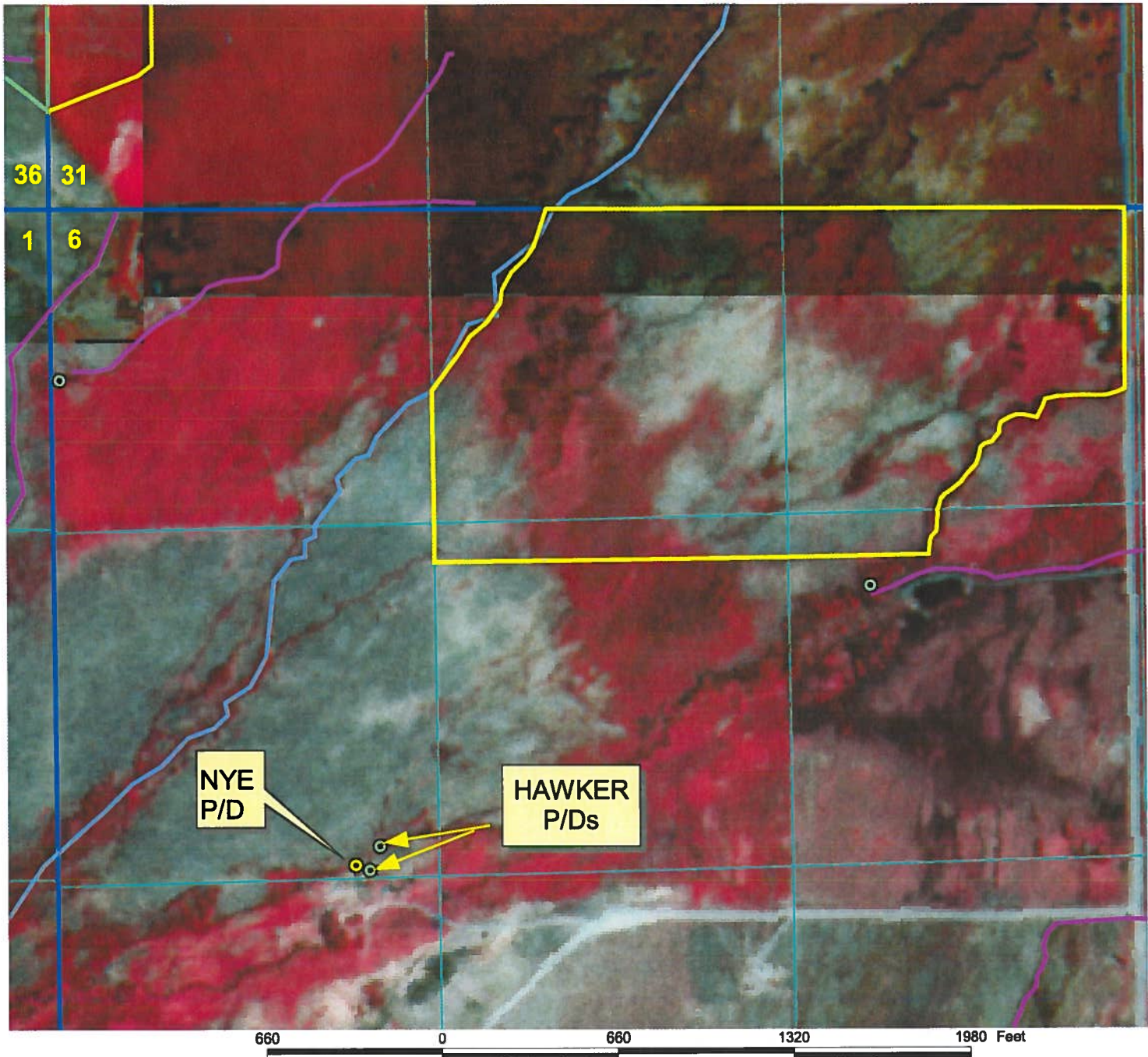
DBF TABLES UPDATED

B43-DBPOU.DBF 4-19-00

B43-DBPOD.DBF "

JPEG LAYOUT 43-10261 N4E.JPG

RECOMMENDED PLACE OF USE FOR 43-10261

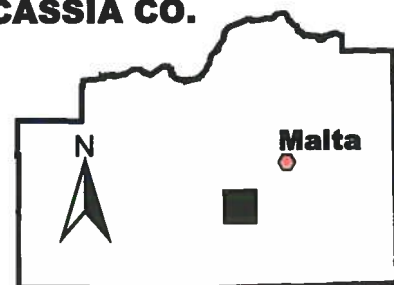


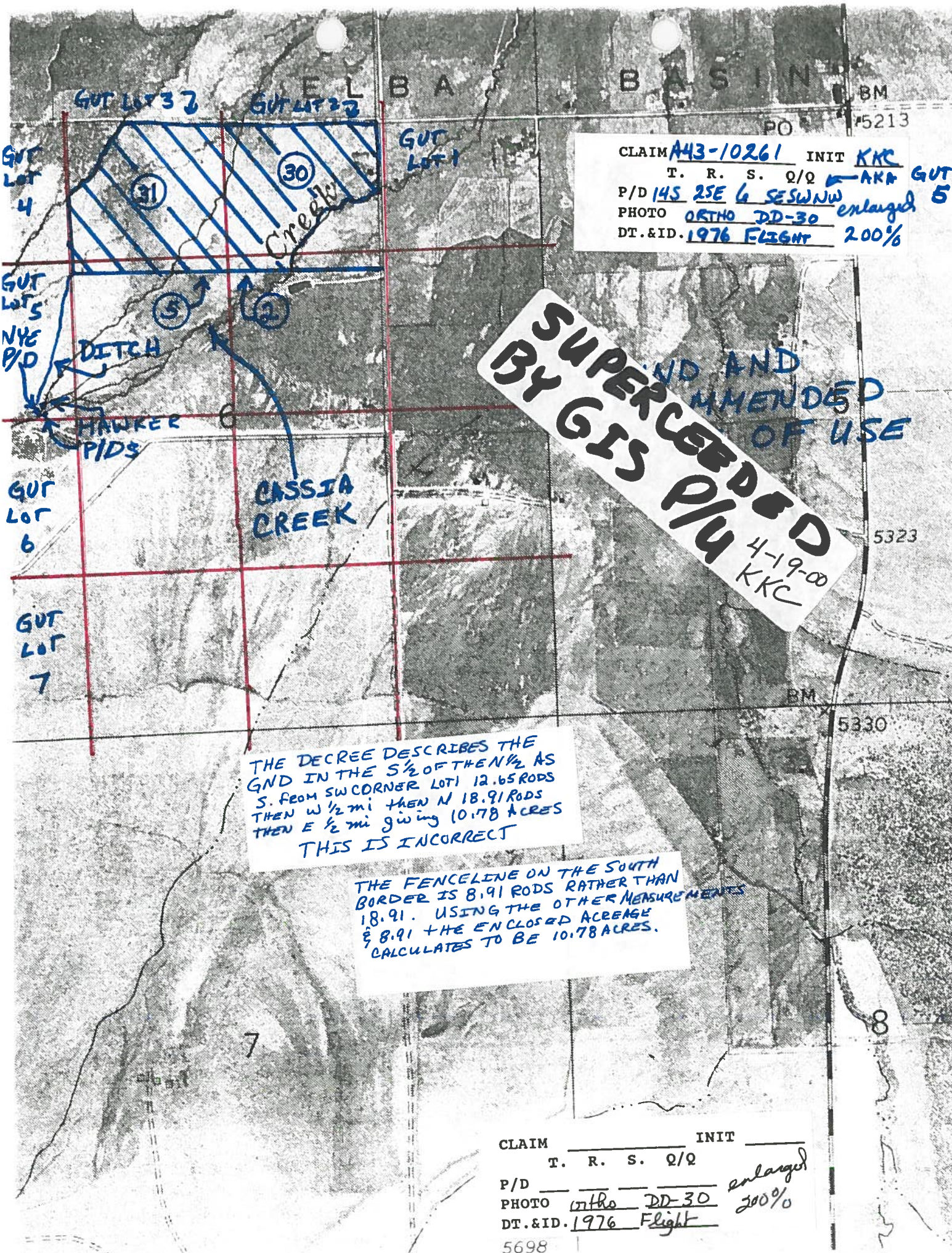
PLACE OF USE
TWP 14S RNG 25E, SEC 6
data entry on: April 19, 2000

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

CASSIA CO.





CLAIM A43-10261 INIT KKC
T. R. S. Q/Q AKA GUT
P/D 145 25E 6 SESWNW enlarged 5
PHOTO ORTHO DD-30
DT.&ID. 1976 FLIGHT 200%

**SUPERCEDED
BY GIS P/L 4-19-00
KKC**

THE DECREE DESCRIBES THE
GND IN THE S 1/2 OF THE N 1/2 AS
S. FROM SW CORNER LOT 1 12.65 RODS
THEN W 1/2 mi THEN N 18.91 RODS
THEN E 1/2 mi gwing 10.78 ACRES
THIS IS INCORRECT

THE FENCELINE ON THE SOUTH
BORDER IS 8.91 RODS RATHER THAN
18.91. USING THE OTHER MEASUREMENTS
8.91 + THE ENCLOSED ACREAGE
CALCULATES TO BE 10.78 ACRES.

CLAIM _____ INIT _____
T. R. S. Q/Q _____
P/D _____
PHOTO ortho DD-30 enlarged
DT.&ID. 1976 Flight 200%
5698

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		RKC 9-13-94	N	13,5,6	RKC 10-25-94		
POINT OF DIV	Y		RKC 9-13-94	Y	1,3,5,6	"		
SOURCE	Y		"	N	"	"		
PLACE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME	Y		"	N	"	"		
CONSUMPTIVE USE	-		"	Y	6	"		
PURPOSES			"	N	"	"		
PERIOD OF USE	Y		"	Y	"	"		
BASIS OF CLAIM	Y		"	N	"	"		
REMARKS	Y		"	Y	"	"		

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

MAPS USED: DATE:
ASCS 7-28 1978
ORTHO DD-30 1976
NAPP 382-42 7-31-87
ASCS MU-30 1987

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

LAST: NYE
ADDRESS: HC 61 BOX 1300
CITY: MALTA
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: O. JOHN
STATE: ID ZIP: 83342

LAST: NYE
ADDRESS: HC 61 BOX 1300
CITY: MALTA
PHONE NUMBER: 208-638-5528
OWNER CODE: C

FIRST: BESSIE D.
STATE: ID ZIP: 83342

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS BASED ON CASSIA CREEK DECREE WATER RIGHTS DATED
FROM 4/30/1881 AND 4/30/1885 AND FOR WHICH THE WATERMASTER HAS
APPORTIONED 105 MINER'S INCHES TO THESE LANDS AND CLAIMANTS.

CONTACT PERSON: John Nye MET ON 10-20-94

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 10/20/94 9-13-94 APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Me one

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Also discussed system with Carl Badden, He has operated on P/U
for awhile

A. AJ CLAIM: # A43-10261

PRIORITY DATE: 04-30-1885

STAGE: D

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINERARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: THE CLAIM WAS AMENDED ON 10-20-94 TO CHANGE THE
PRIORITY DATE TO 4-30-1881 AS THE RIGHT 43-00252 WAS DECEDED
AND IS USED ON PROP. CLAIMANT - THOUGH A SECOND RIGHT MAY
HAVE BEEN APPURTENANT TO PROP & CLAIMED TWO RIGHTS UNDER
43-10261. SUBSEQUENT RESEARCH DID NOT IDENTIFY A SECOND
RIGHT SO THE CLAIMANT AMENDED THIS CLAIM TO REPRESENT
43-00252 ONLY.

AMENDED DATE MATCHES DECEDED DATE, I ACCEPT
THE DATE AS AMENDED

RECOMMENDED PRIORITY DATE:

4-30-1881

REVIEWED BY

KAC

DATE

10-25-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A43-10261	14S	25E	6		SW	NE		CASSIA
A43-10261	14S	25E	6		SW	NW		CASSIA

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A43-00473B NONE 43-04101
A43-04101

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	_____
	Y	_____

NOTES:

TWO P/Ds CLAIMED & I ONLY FOUND ONE ON 9-13-94. I DISCUSSED THIS WITH JONN ON 10-20-94 AND HE STATED THAT THERE IS ONLY ONE BEING USED. AT THIS TIME. PRESENTLY TWO WERE USED PRIOR TO THE DEPT OF REC INSTALLING THE CEMENT PARALLEL FLUMES.

BASED UPON THE ASCS AERIAL PHOTO AND THE ORTHO PHOTO I AM RECOMMENDING THE P/D TO BE 14S-25E SEC 6 SE SW NW

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4

LOT COUNTY

DIVERSION NAME

14S 25E 6 SE SW NW 5 31

SOURCE: CASSIA CREEK TRIB: RAFT RIVER

REVIEWED BY: KKC DATE: 10-25-94

SYSTEM DESCRIPTION:

The system is one diversion from Cassia Cr with an earthen ditch running north North East to the corner of the P/4. The ditch then splits with one major ditch following the fence north to the first arval with its going west to NW, water flows into the arval and is then diverted north of that arval to irrigate the ground to the North. A major channel cutting off about 4 acres in the NW corner cannot be irrigated from this system. It may receive water from the adjoining Prop.

From the SW corner the other major ditch runs east along the southern border.

Several laterals arising NE from this ditch to reach additional ground. The main ditch crosses one of the braided Cassia Cr channels as shown on the orthophoto to deliver water to the main Channel of Cassia Cr and the ground N 1/2 of Cassia Cr. The ground in the SE corner (SE of Cassia Cr) does not receive water from this system. A portion of the P/4 in GUT lot 3 is naturally swampy for majority of the year and does not normally receive irrigation water but is dry in

PRESUMPTION FLAG:

NOTES:

No expansion found no difference from clear.

RECOMMENDATIONS:

TOTAL ACRES:

~~68~~ 66.14-19.00
K K C

REVIEWED BY:

K K C

DATE:

10-25-94

A. AD CLAIMED USES:

PURPOSES
A43-10261 IRRIGATIONMONTH/DAY
FROM ~~03-15~~ TO ~~11-15~~

4-1 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.30 As Amended
2.100 CFS
1.30
2.100 CFS
10-20-94

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD	EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	N
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	Y
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in notes, below.

NOTES:

Recommend changing in season to dept's standard

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (X) N ()

AJ TOTAL CLAIMED DIVERSION RATE: 1.30 CFS
 NR ROOT RIGHT TOTAL DIVERSION RATE: 2.100 CFS

*** IF NO OR IF STATUTORY CLAIM OF BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
 ** If an amount smaller than the original diversion rate is claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y FIELD DATABASE EXAMINER

B.

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y () N (X) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-10261	CASSIA CREEK	NYE, O. JOHN	2.100	0.026		
A43-00124	CASSIA CREEK	OTTELEY, THOMAS	1.400	0.017		
A43-00146A	CROSS CREEK	WARD, J. RICHARD	0.250	0.002		
A43-00146B	CASSIA CREEK	BODEN, COLLEEN A.	0.150	0.002		
A43-00147A	CROSS CREEK	WARD, J. RICHARD	0.500	0.004		
A43-00147B	GREEN CANYON CREEK	BODEN, COLLEEN A.	0.300	0.005		
A43-00371	GREEN CANYON CREEK	HAUSER, RYAN	1.300	0.008		
A43-00475	ANTELOPE SPRINGS	HAUSER, RYAN	0.500	0.003		
A43-07107	GROUNDWATER	HAUSER, RYAN	1.540	0.012	357.00	3.00
A43-10320	WASTE WATER	HAUSER, RYAN	2.000	0.012		
A43-10594	POISON HOLLOW	HAUSER, RYAN	2.000	0.012		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

No other rights use the diversion system and no other rights are used on the place of use.

the system was a parallel flume with a 9" head. 3/13 may dep the the ditch is larger than the flume and can therefore carry the mass of the flume - capacity 4.06 CFS capacity is greater than claimed rate except claimed rate as the limiting factor.

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 68 x 0.02 CFS/ACRE = 1.36 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

X

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 68 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 204 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

N/A

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

desired rate = 1.30 - claimed
acres @ .02 acres = 1.36 1.33
capacity = ±4.00 CFS

desired rate limiting factor
claimed rate

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
	FROM	TO	EXAMINER	EXAMINER	EXAMINER	EXAMINER	EXAMINER	EXAMINER
IRRIGATION	03-15	11-15	2.100	1.30	N/A	0.0	2.04	
TOTAL FOR THIS RIGHT			2.100					

REVIEWED BY: KKC

DATE: 10-25-94

Substantive

OK 4-19-00
KKC

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-10261

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	443-10261	2.100	-	-	-	-
TOTAL CFS		2.100				

DATABASE

EXAMINER

NA

CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)DATABASE
NFIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE:



DATE:

10-25-94

NAME OF FIELD EXAMINER:

KAY A. CHRISTMAN

TITLE:

Sr. Water Resource Advisor

CLAIM # A43-10261
DATE PHOTOS TAKEN; 09-13-1994
PICTURE SET # 1

THIS PHOTO SET IS LOOKING SOUTH TOWARD THE P/D. SHOWN WITHIN THE PICTURE FRAME ARE SOME OF THE BUILDINGS OF THE HOGGAN-STEPHENS FARMSTEAD. THE DIVERSION IS JUST WITHIN THE WILLOWS TO THE RIGHT OF THE HEADGATE. THE PARSHALL FLUME IS JUST OUT OF THE PICTURE INTO THE FOREGROUND.



CLAIM # A43-10261
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 2

THIS PHOTO SET WAS TAKEN FROM THE SOUTHWEST CORNER OF THE P/U AND IS LOOKING EAST ALONG THE SOUTHERN BORDER OF THE P/U ON THE RIGHT TO NORTHEAST ON THE ~~RIGHT~~ ^{left}. THE DITCH FOLLOWS THE FENCELINE BOTH NORTH AND EAST FROM THIS POINT.

CASSIACREEK



CLAIM # A43-10261
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 3

THIS PHOTO SET WAS TAKEN NEAR THE NORTHERN BORDER OF THE PLACE OF USE AND IS LOOKING SOUTH ON THE RIGHT TO SOUTHEAST ON THE LEFT. SHOWN IS THE END OF THE DITCH THAT RUNS FROM THE SOUTHWEST CORNER OF THE P/U ALONG THE WESTERN BORDER. WATER FLOWS EAST TO NORTHEAST FROM THIS POINT.

P/D is located just north of the
Hoggan-Stephens farmstead



CLAIM # A43-10261
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 4

THIS PHOTO SET WAS TAKEN FROM A POINT NORTH OF PICTURE SET # 3 AND SHOWS THE CHANNEL THAT THE WATER DESCRIBED REACHES. THE WATER IS SUBSEQUENTLY DIVERTED FROM THIS CHANNEL TO IRRIGATE THE NORTHWEST CORNER OF THE PROPERTY. WASTE WATER FROM A43-00288 AND RELATED CLAIMS ALSO ENTERS THIS CHANNEL AT TIMES.

North boundary of property

Diversion dam and ditch going north

Cassia Creek

