

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 43-11275
Date Received: 11/29/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

BESSY D NYE Phone: (208)638-5528
O JOHN NYE
HC 61 BOX 1300
MALTA ID USA 83342

2. Date of Priority: 04/30/1884

3. Source: CLYDE CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
14S	24E	36	NE NE	CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.22	

7. Total Quantity Appropriated is:
0.22 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
13S	25E	31	NW NE	IRRIGATION	40
				Section Acres	40
				Total Acres	40

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:

14. Remarks:

claim split based upon an ownership change identifying 1/3 staying with Nye and 2/3s going to Boden.

Base right 43-48

15. Basis of Claim: Decreed

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

258081

WARRANTY DEED

#30077

For Value Received

O. JOHN NYE and BESSIE D. NYE, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CARL F. BODEN and LORALEE BODEN, husband and wife

Address: 1125 EAST 2100 SOUTH, ELBA, ID 83342

P. O. BOX 1360, ELBA, IDAHO 83342

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E $\frac{1}{2}$ NE $\frac{1}{4}$ LESS one acre in the Southeast corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and EXCEPT the following described parcel:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ of said Section 31;

Thence running North 217 feet;

Thence West 100 feet;

Thence South 217 feet;

Thence East 100 feet to the Point of Beginning.

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Lots 2 and 3, and part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of Lot 2;

Thence South along the East boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6, for 12.65 rods;

Thence West 160 rods;

Thence North along the East boundary line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 6, for 8.91 rods to the Southwest corner of Lot 3;

Thence East along the south boundary line of said Lots 2 and 3, for 160 rods to the Point of Beginning

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Adjudication Number A43-0252, 2/3 of No. A43-00134, 2/3 of No. A43-00050, 2/3 of No. A43-00048, 2/3 of No. A43-11133

Handwritten:
10/15/11
25-1360

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years.

Financing Statements, Seed and Farm Laborer's Liens against crops which are filed with the office of the Secretary of State.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 22, 1998

O. John Nye
O. JOHN NYE

Bessie D. Nye
BESSIE D. NYE

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 23 day of September, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared O. JOHN NYE and BESSIE D. NYE, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

BARBARA EHLE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-12-2003

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 303

1998 SEP 24 P 4: 16

25801

CASSIA COUNTY, IDAHO
DANIEL M. ROSKELLEY
RECORDER

FEEDBACK DEPUTY du

LAND TITLE & ESCROW

678-3524

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: **A43-00048**
Date Received: 10/21/1994
Receipt No: S017492
Received By: _____

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

1. Name: O JOHN NYE 208-638-5528
Address: HC 61 BOX 1300
MALTA ID 83342

Name: BESSY D NYE 208-638-5528
Address: HC61 BOX 1300
MALTA ID 83342

2. Date of Priority: APR 30, 1884

3. Source: CLYDE CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	24E	36	NE	NE			CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.650		

7. Total Quantity Appropriated is:
0.650 C.F.S. (and/or) 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
13S	25E	31	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	31	NW	NE		IRR	40.0
			SE	NE		IRR	40.0
Section Acres							120.0
Total Acres							120.0

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:

14. Remarks:

SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

THIS RIGHT HAS BEEN COMBINED WITH THE FOLLOWING OTHER DECREED RIGHTS BY LESLIE AND O. JOHN NYE UNDER CLAIM #A43-10260.

43-00049, 43-00050, 43-00133, 43-00134, 43-00319, 43-00320, 43-00321, 43-00353, 43-00354

THIS RIGHT IS CLAIMED IN FULL. ALB 1-17-92

the combined right was split to protect the priority dates for each individual decreed right. right split on 10-20-1994 kkc

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

OCT 21 1994

ACQUIRED UNDER STATE LAW Department of Water Resources

Southern Region Office

Please type or print clearly

1. Name of Claimant (s)

G. W. Dohn and/or
John D. Nye, Bessie D. Nye

Phone (208) 638-5528

Mailing Address

HC 61 Box 1300 Malta, Id.

Zip

83342

2. Date of Priority (Only one (1) per claim)

4-30-1884

3. Source of water supply (a)

Cassia Clyde Creek

which is tributary to (b)

Raft River, Cassia Creek

4. a. Location of existing point of diversion is: Township

145

Range

24E

Section

36

1/4 of

NE

1/4 of

NE

1/4, Govt. Lot,

B.M., County of

Cassia

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 0.65 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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.) _____

10. Description of place of use:

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	
13S	25E	31	X																40.
13S	25E	31		X															40.
13S	25E	31				X													40.

Total number of acres irrigated 120

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

12. Do you own the property listed above as place of use? Yes X No _____
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. _____ or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 43-00048
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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Bessie D. Nege Date 20 Oct 1994

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

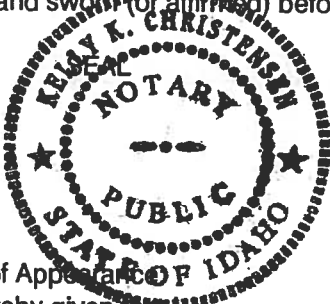
Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 20th day of Oct 19 94



Notary Public Kelly K. Christensen

Residing at Kimberly Id.

My Commission Expires 3-2-98

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

COPY

2001 NOV 23 PM 1:24

RECEIVED OUT-SRBA
TWIN FALLS CO., IDAHO
FILED

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:

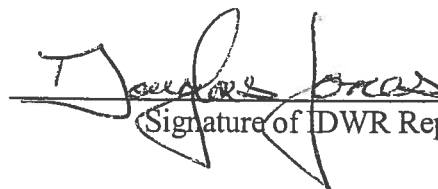
O John Nye
Bessie D Nye
1860 Elba Almo Rd Box 1300
Malta ID 83342

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	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 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

10/29/2001

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

RIGHT NUMBER: 43-354
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: CONNOR CREEK TRIBUTARY: BLACKSMITH CREEK

QUANTITY: 0.600 CFS

PRIORITY DATE: 04/30/1881

POINT OF
DIVERSION: T13S R25E S15 SWSNW 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	0.600 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	15.0
T13S R25E S28	SENE	2.3			

51.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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

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	SENE	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	SENE	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.

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

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.

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

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

11/29/2000

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

RIGHT NUMBER: 43-11275

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

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.22 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/30/1884

POINT OF DIVERSION: T13S R24E S36

SEWNNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.22 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R25E S31 NWNE 39

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.

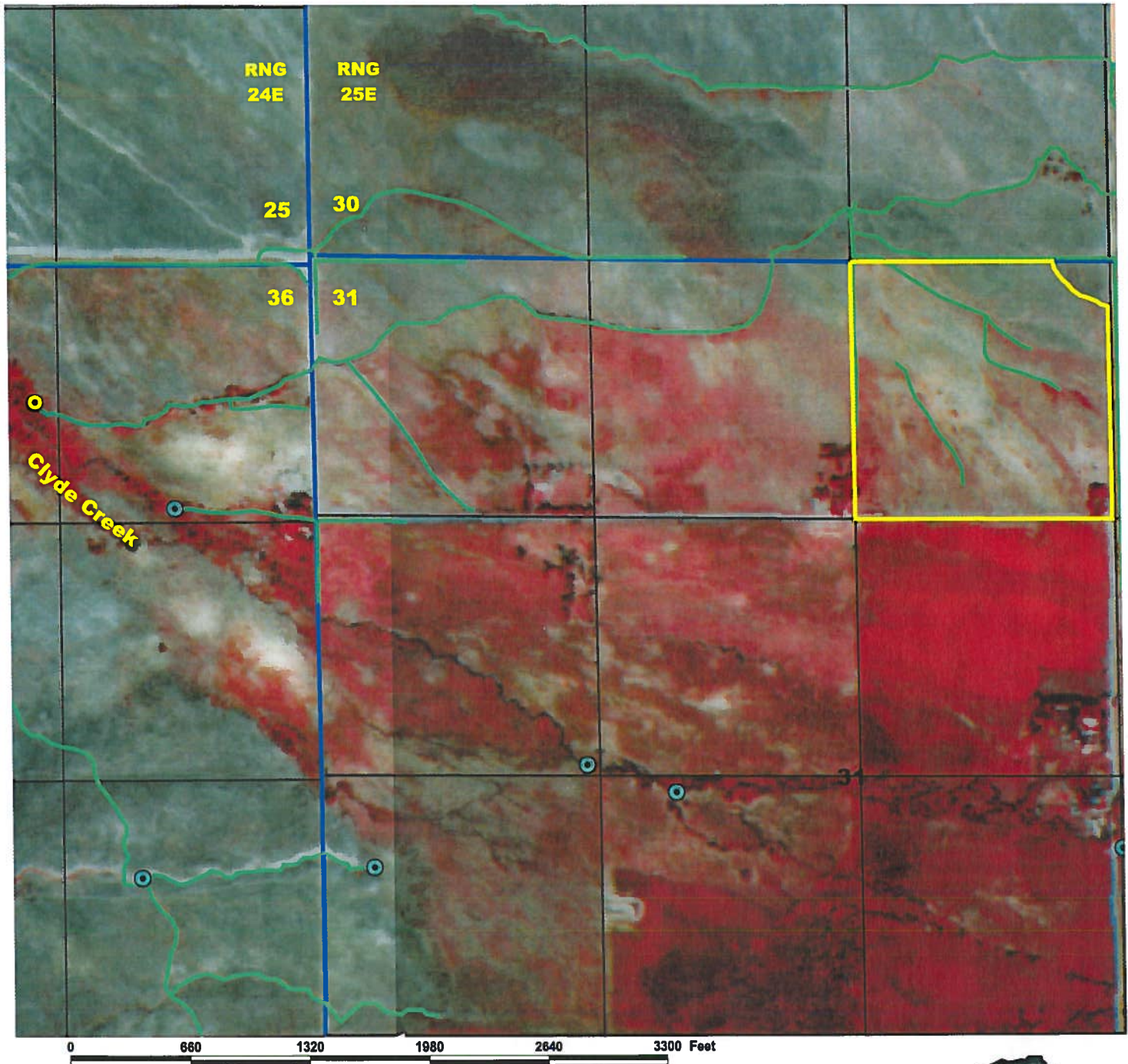
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

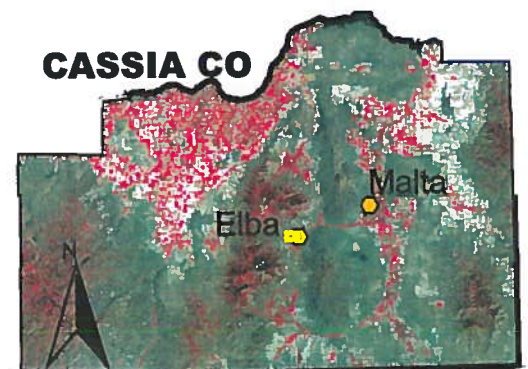
RECOMMENDED PLACE OF USE FOR 43-11275, 43-11277, 43-11279, and 43-11281



PLACE OF USE
TWP 13S, RNG 25E, SEC 31
Data entry on November 29, 2000

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

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



Claims split summary for P/U

Base right	Nye right	Found acres	Boden right	Found acres	Decre P/U limit	
43-48	43-11275	39	43-11276	79	63	
43-50	43-11277		43-11278		63	
43-134	43-11279		43-11280		16	
43-11133	43-11281		43-11282		79	Base right is a combined right consisting of 43-49 and 43-113

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Harper Ditch BY: kkc DATE: 11-29-00
43-11275 thru 43-11282 Nye and Boden

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	1750	2.5	2.50	0.14	0.00	2.36	0.0585	0.00	2.79
2	3110	2.0	2.50	0.20	0.78	2.36	0.0832	0.11	2.65
3	1475	2.0	2.50	0.09	1.58	1.58	0.0590	0.32	1.67
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	6335			0.43	2.36			0.43	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;

REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;

IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE

PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

*Nye P/U begins at the
end of reach 2
Nye decreed rate tot = .89 cfs
for 39ac
39ac @ .02 cfs/ac = .78
Difference .11 cfs
Total conveyance = .34 cfs*

Canal runs through two soil types that have similar the same soil types with regards to the ditch size.
Soil types found in the "Soil Survey of Cassia County, Idaho, Eastern Part
Soil type 1 Acord 0-4 very stony loam
4-30 very stony clay, cobbly clay loam, cobbly clay Pg 345
Soil type 6 Arbone 0-10 loam
10-60 Loam, silt loam Pg 346
From Guidelines for the evaluation of irrigation diversion rates (HUBBLE ANALYSIS)
Page 35 seepage rates "I" values
Gravelly sandy soils 2.00 to 2.50

*Boden decreed rate total = 1.77 cfs for 79ac
79ac @ .02 = 1.58
.19 cfs difference*

*the calculated conveyance
loss exceeds the combined
decreed rates for Nye & Boden.
Limit each user to the excess over*

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 43-48
Date Received: 10/21/94
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

O JOHN NYE Phone: (208)638-5528

HC 61 BOX 1300
MALTA ID USA 83342

BESSY D NYE Phone: (208)638-5528

HC 61 BOX 1300
MALTA ID USA 83342

split right

2. Date of Priority: 04/30/1884

3. Source: CLYDE CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
14S	24E	36	NE NE	CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.65	

7. Total Quantity Appropriated is:
0.65 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
----------	-------	---------	----------------	-----	-------

13S	25E	31	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
Section Acres						120
Total Acres						120

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:

14. Remarks:

SEE DECREE FOR FURTHER DESCRIPTION OF P. U
 | THIS RIGHT HAS BEEN COMBINED WITH THE FOLLOWING OTHER DECREED RIGHTS BY LESLIE AND
 O. JOHN NYE UNDER CLAIM #A43-10260
 | 43-00049, 43-00050, 43-00133, 43-00134, 43-00319, 43-00320, 43-00321, 43-00353,
 43-00354 | THIS RIGHT IS CLAIMED IN FULL. ALB 1-17-92
 ***** the combined right
 was split to protect the priority dates for each individual decreed right. right
 split on 10-20-1994 kkc

**43-48 split through ownership change. 1/3 stays with Nye as 43-1125
 and 2/3s go to Boden as 43-11276.**

15. Basis of Claim: Decreed

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

AGENT: Kelly K Christensen

CUSTOMER:

DATE: September 17, 1998 2:51 PM

BODEN

SUBJECT: POTENTIAL CHANGE OF OWNERSHIP FOR A43-00048, 00050, 00134, & 11133
phone (X) walk-in ()

I first talked to his wife and then with him concerning methods of splitting the rights as they indicated that they are going to buy 80 of the 120 as listed on the adjudication claims. I described 4 methods of splitting the rights.

5. Split the rights proportionately based upon the gross acres purchased 1/3 2/3.
6. Split the rights proportionately based upon the net irrigated acres per tract. I explained that I have not calculated the actual irrigated ground for the adjudication recommendation yet. I suggested that if they want to use this method, that they could get cfssa to calculate the acres for them.
7. Amend the adjudication claims to tie back to the original decreed place of use and then split them accordingly.
8. Specify a rate per right being split.

After discussing this with him, he felt that he might come in to discuss it further with me.

Sept 7, 1999

Loralee Boden

All right appurtenant ~~to~~ Sec 6 goes w/prop

$\frac{2}{3}$ goes with prop. in Sec 31.

need to confirm exceptions for
SE corner in Sec 31.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 3, 1999

LORILEE BODEN
PO BOX 1360
ELBA ID 83342

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS: A43-00048, A43-00050,
A43-00134, & A43-11133.

Dear Lorilee

I have enclosed a GIS layout map that shows the decreed place of use for both parcels as decreed and another map that shows the property as identified after the pending change of ownership. My pending recommendation has identified two areas of exclusion on each parcel. For the property retained by Mr. Nye, I identified a sage brush knob in the NE corner as non-irrigated. For the property you have obtained, I identified the area around the farmstead buildings as non-irrigated.

Did your purchase include the 1/2 acre parcel in the SE corner of the outlined place of use?

The following table is a quick summary of what I understand your intentions to be concerning the Change of Ownership. If you have any questions please give me a call.

SPLIT RIGHT DATA

Right Number	Decreed Rate	Claim Number	Claimed rate	Split Rate		Place Of Use Per claimed acres			
				1/3 rate	2/3 rate	1/3 rate		2/3 rate	
				40 ac	80 ac	Adj	Dec	Adj	Dec
43-00048	0.65 cfs	A43-00048	0.65 cfs	0.22 cfs	0.43 cfs	40	21.6	80	43.3
43-00050	1.10 cfs	A43-00050	1.10 cfs	0.37 cfs	0.73 cfs	40	21.6	80	43.3
43-00134	0.55 cfs	A43-00134	0.55 cfs	0.18 cfs	0.37 cfs	40	18.7	80	37.3
43-00049	0.20 cfs	A43-11133	0.36 cfs	0.12 cfs	0.24 cfs	40	21.6	80	43.3
43-00133	0.16 cfs					40	18.7	80	37.3

1.89 cfs 1.77 cfs

16 ac

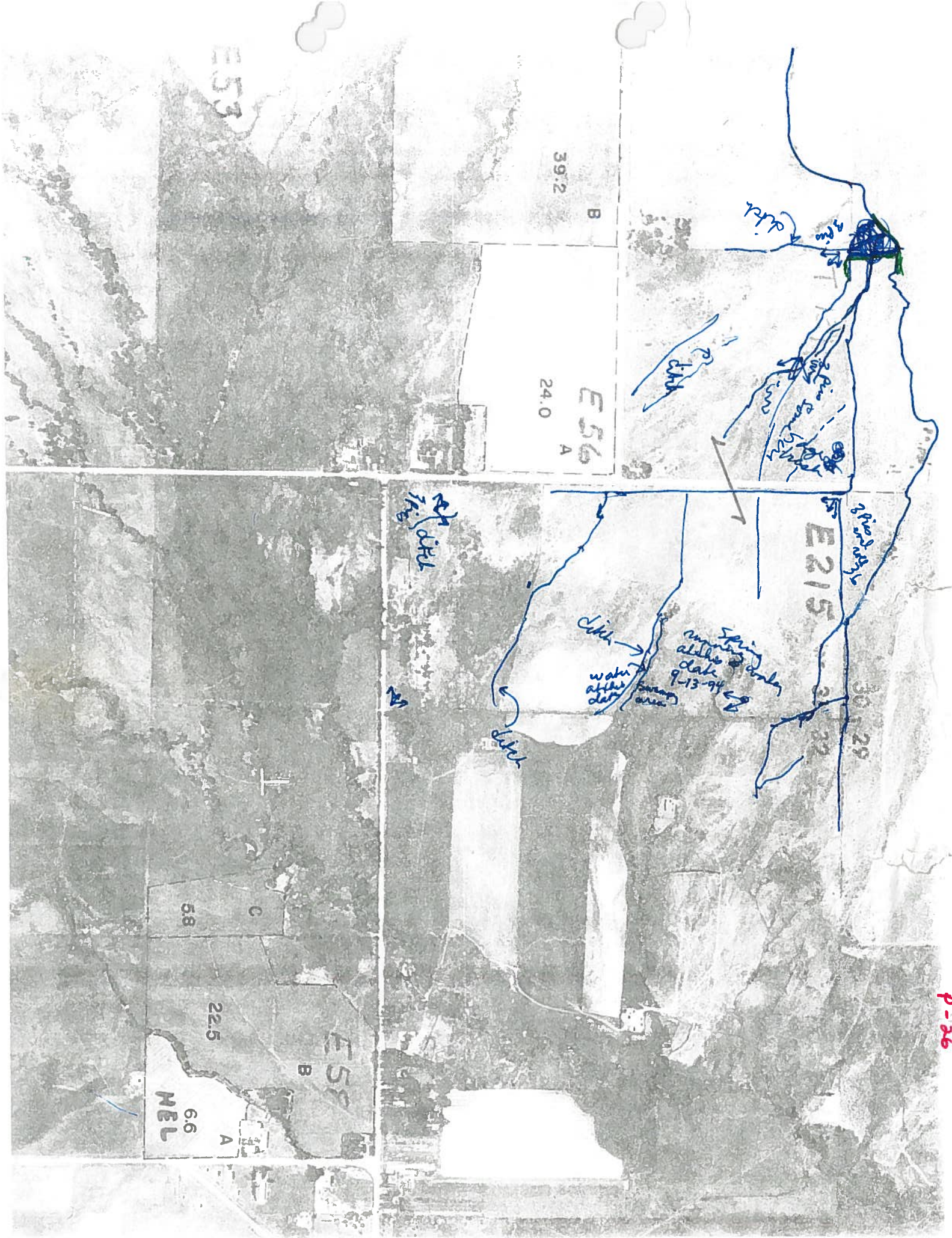
Boden
Page 2
05/03/99

The acre limits on the previous table break the P/U down into 2 sections each for your portion of the P/U and John's portion of the P/U. Those two sections are Adj and Dec. The Adj section represents those acres within the respective place of use as claimed and then split. The Dec section represents that portion of the original decreed place of use that will be recommended within the Permissible Place of Use as recommended. They are included for your information only. I hesitated including those acres within the table but as I expect to visit with you again, I decided to go ahead and add them.

Please review the enclosed GIS maps and let me know if you agree or disagree with my representation of the place of use.

Sincerely

Kelly K Christensen
Senior Water Resource Agent
Enclosures



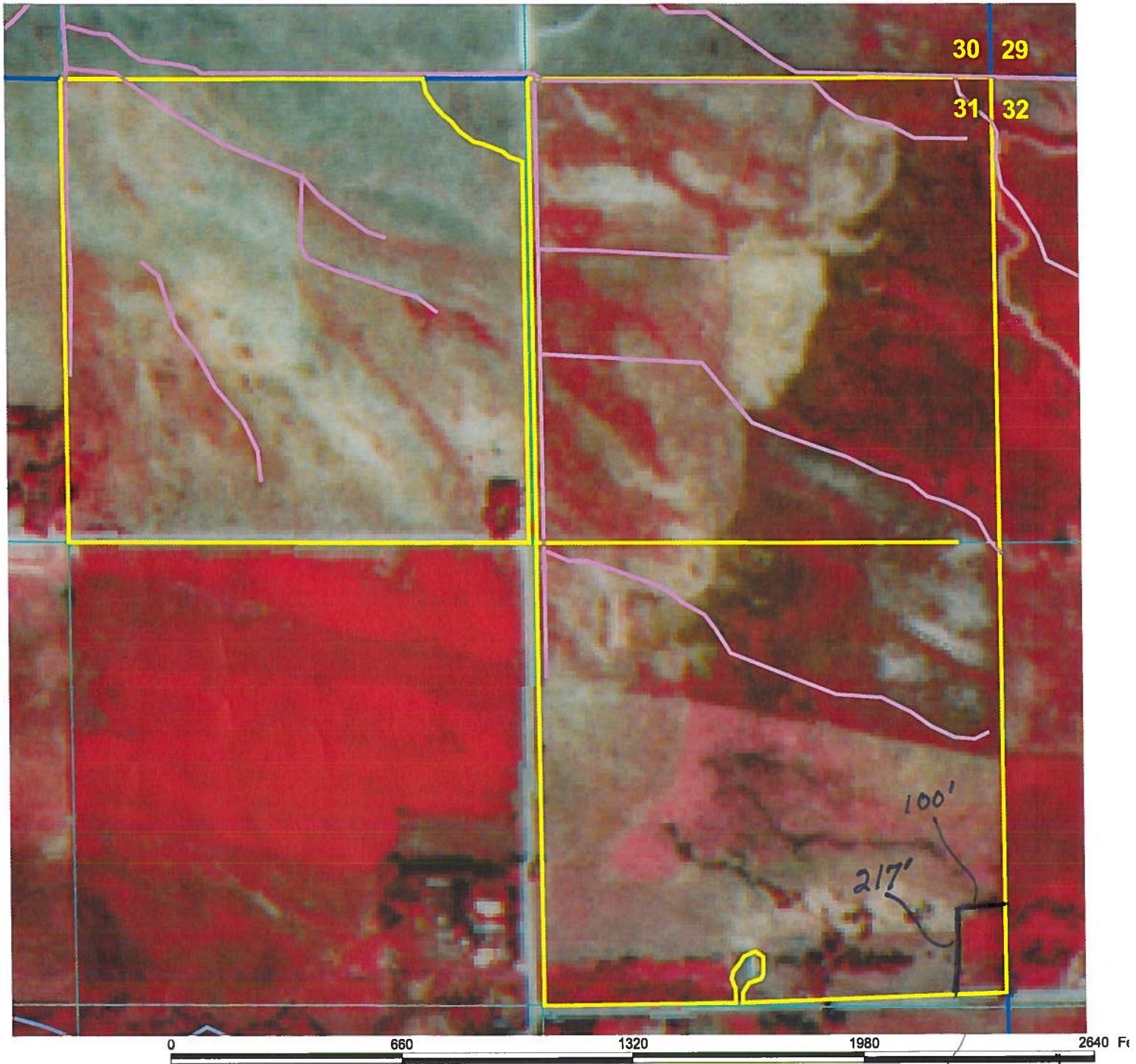
IDAHO DEPARTMENT OF WATER RESOURCES

Claimed Place of Use

43-00048, 43-0050, & 43-11133

20' limit
@ 205 cfs

Prepared
4-30-99



TWP 13S; RNG 25E;
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED _____

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

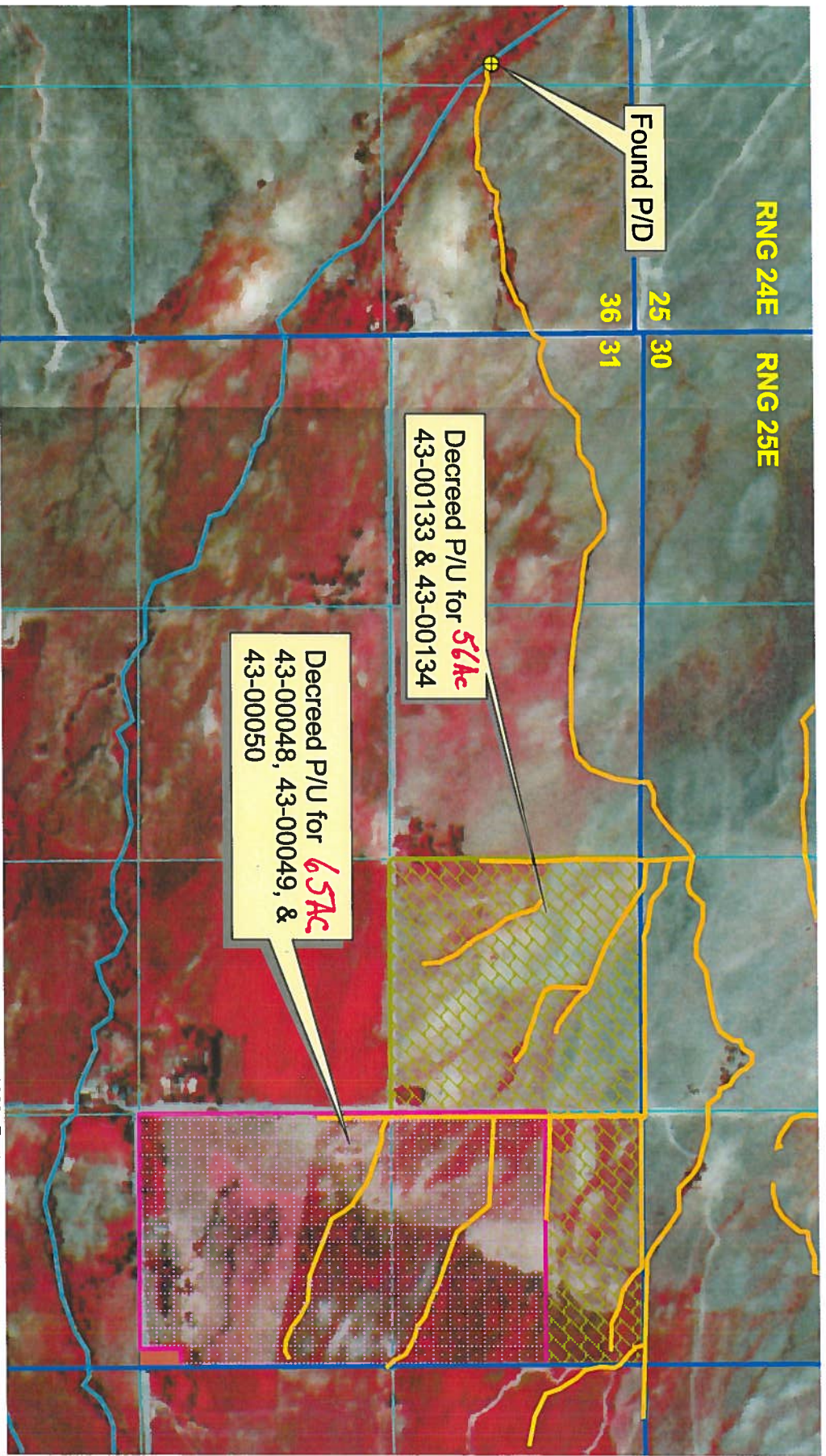
- CLAIMED PLACE OF USE
- ⊕ CLAIMED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES

498 AC
CASSIA Co.



IDAHO DEPARTMENT OF WATER RESOURCES

Decreed P/U for both systems
claimed as a Permissible Place of Use



TWP 13S, RNG 25E;
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED _____

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



1994 KKC
Pg 1/2

John Nye Preliminary Claim Review

A43-10260

Decreed Rights for Sec 31.

A portion of the NENE (approx 24.5 Acres)

and the SENE (excepting 1/2 Acre in SE corner).

43-00048 .65 CFS 4-30-84

- 00049 .20 CFS 4-30-81

- 00050 1.1 CFS 4-1-94

Total 1.95 CFS

a portion of the NENE (approx 15.5 acres)
and the NWNE

43-00133 .16 CFS 4-30-81

00134 .55 CFS 4-30-94

Total .71 CFS

Decreed Rights for Sec 21

5 1/2 SE Sec 21.

also SWSW Sec 22 & NENE Sec 28

43-00353 .20 CFS 4-30-80

00354 .60 CFS 4-30-81

Total .80 CFS

John Nye.
Preliminary review cont.

Pg 2/2

Decreed rights for Sec 28

NENE

(43-4115)

43-00353

(see pg 1)

00354

NWNE, SWNE, NE NW, SENW, NESW

43-00319

2.20 CFS

5-15-73.

00320

.24 CFS

4-30-87

00321

.20 CFS

4-30-89

SWNW, NWSW, SWSW (43-2122)

43-00270

2.00 CFS

6-1-73

00271

CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 6

THIS PHOTO SET WAS TAKEN FROM A LOCATION NORTHWEST OF THE FARMSTEAD BUILDINGS AND YOU ARE LOOKING NORTH ON THE RIGHT TO WEST ON THE LEFT. THIS SHOWS THAT IRRIGATION REACHES THE SOUTHWEST CORNER OF THE P/U AS WELL. THE DITCH IN THE FOREGROUND ON THE RIGHT CROSSES A SMALL SWALE AND CATCHES SOME WATER FROM PART-TIME SWAMPY GROUND.



CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 5

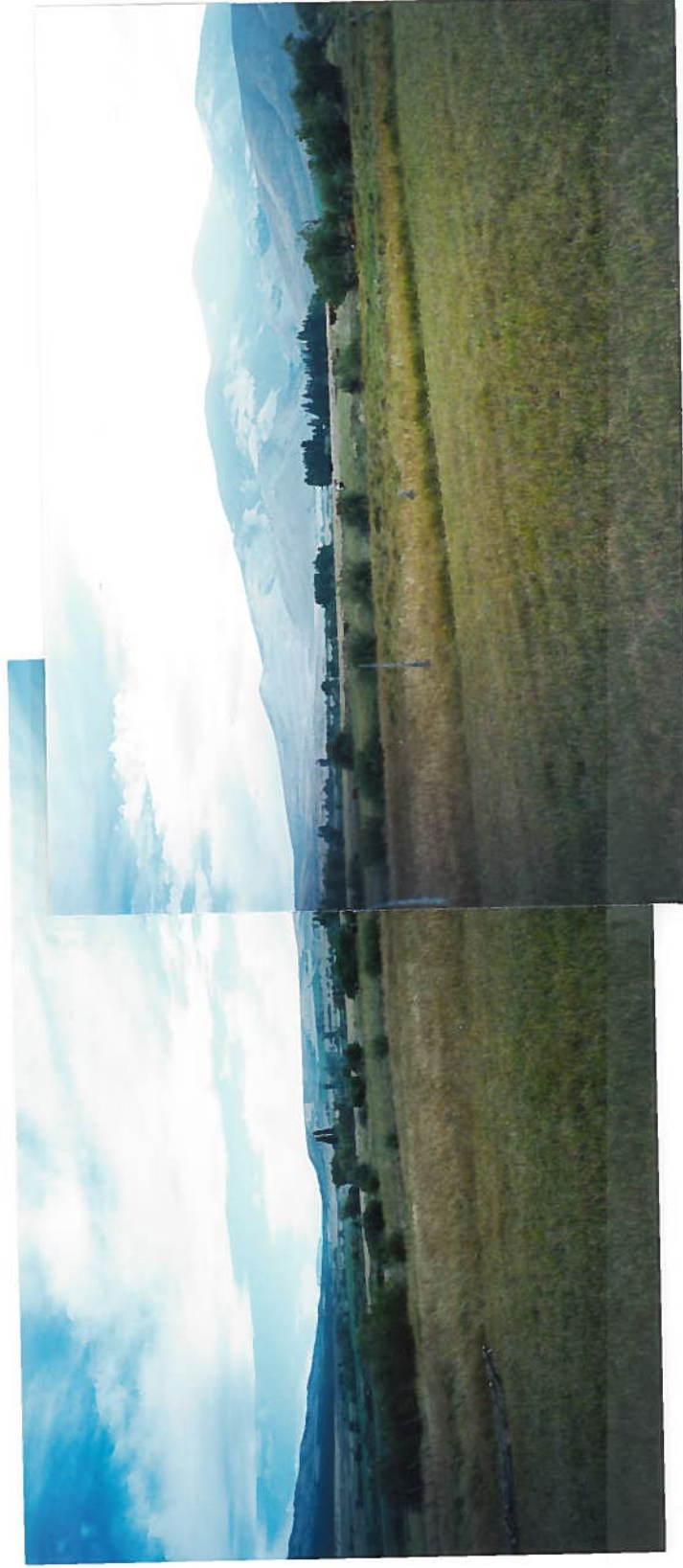
YOU ARE LOOKING NORTH ON THE RIGHT TO WEST ON THE LEFT FROM THE SOUTHEASTERN CORNER OF THE P/U. THIS SHOWS
THAT ALL THE EASTERN PORTION IS IRRIGATED.

PHOTO # 4 LOCATION



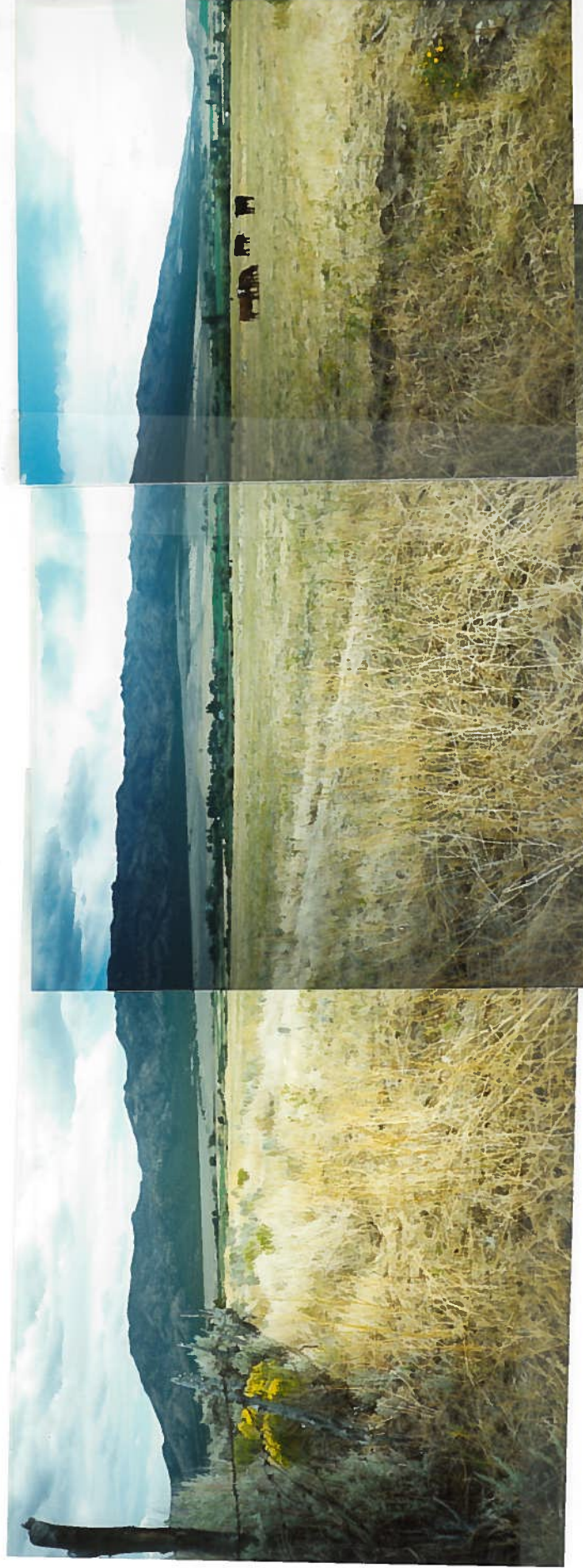
CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 4

YOU ARE LOOKING SOUTH SOUTHEAST ON THE LEFT TO SOUTH SOUTHWEST ON THE RIGHT NEAR THE EASTERN BORDER OF THE P/U AND APPROXIMATELY 550 FEET SOUTH OF THE NORTHEAST CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$. THIS GROUND IS NOT CROPPED BUT THE IRRIGATION WATER FLOWS ACROSS THIS GROUND AND THE VEGETATION IS UTILIZED FOR GRAZING THEREFORE I AM INCLUDING THIS GROUND WITHIN THE RECOMMENDED P/U. THIS AREA IS ALSO A NATURAL SEEP AREA AND APPEARS TO HAVE BEEN BOGGY DURING THE EARLY PART OF THE IRRIGATION SEASON. THE SPRING/BOG WAS NOT DEVELOPED.



CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 3

THIS PHOTO SET WAS TAKEN FROM THE NORTHWEST CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ AND YOU ARE LOOKING SOUTH ON THE RIGHT TO EAST ON THE LEFT. THIS IS PART OF THE SAME DITCH DESCRIBED IN PHOTO SET 2 AS RUNNING ALONG THE NORTHERN BORDER OF THAT P/U. THE DITCH SPLITS AT THIS POINT WITH ONE LEG GOING EAST AND THE OTHER SOUTH. ALL VISIBLE GROUND IS WELL IRRIGATED. THIS IS THE NORTHWEST CORNER OF THE P/U THAT LAYS EAST OF THE LANE.



CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 2

THIS PHOTO SET WAS TAKEN FROM THE NW CORNER OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND IS LOOKING SOUTH ON THE RIGHT TO EAST ON THE LEFT. ONE OF THE MAIN DITCHES BRANCHES AT THIS POINT WITH ONE SIDE RUNNING EAST FOR ABOUT 100 FT THEN SOUTHEAST AND THE OTHER BRANCH RUNS SOUTH ALONG THE FENCE. ALL READILY VISIBLE GROUND WITHIN THE PICTURE FRAME IS FAIRLY WELL IRRIGATED.



CLAIM # A43-00134, 11133, 00048 AND 00050
DATE PHOTOS TAKEN; 09-13-94
PICTURE SET # 1

THIS PHOTO SET WAS TAKEN FROM A LOCATION THAT IS ROUGHLY 250 FEET SOUTH OF THE NORTH BORDER AND CENTERED EAST AND WEST WITHIN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND IS LOOKING SOUTH SOUTHEAST ON THE RIGHT TO EAST ON THE LEFT. THIS PHOTO SHOWS ONE OF THE MAJOR SUPPLY DITCHES WITHIN THIS QUARTER/QUARTER. THE WATER RUNS SOUTH TO SOUTHEAST FROM THIS DITCH AND THE GROUND BELOW THIS DITCH IS FAIRLY WELL IRRIGATED. THE GROUND NORTH OF THIS DITCH IS IRRIGATED FROM ANOTHER MAIN DITCH THAT FOLLOWS THE NORTHERN P/U BOUNDARY TO EVENTUALLY REACH THE NE $\frac{1}{4}$ NE $\frac{1}{4}$. THAT GROUND IS FOR THE MOST PART IRRIGATED WITH MARGINAL IRRIGATION IN THE NORTHEAST CORNER OF THIS QUARTER.

