

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 43-11277
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)

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

2. Date of Priority: 04/01/1894

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	0.37	

7. Total Quantity Appropriated is:
0.37 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 WAS 43-50.

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 43-00048, 43-00050, 43-00134, 4300049, 430
Adjudication Claim No(s): A43-00048, A4300050, A43-00134, A43-11133
2/3 of 2/3 of 2/3 of 2/3 of
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant O. John Nye, Bessie D. Nye
HC 61 Elba, Id 83342
4. New Owner/Claimant(s) Loralee and/or Carl Boden
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address HC 61 Box 1360
City, State and ZIP Code Elba, Idaho 83342
New Telephone Number 208 1638-5563
5. Date you acquired the property September 23, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. We will retain 2/3 of all pertaining rights, 1/3 will go with remaining 39 acres
Number of acres you irrigate 79 on 135 Number and type of stock 252 Sec 31
Diversion rate in CFS _____ Number of homes 0 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Loralee Boden
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
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

Long - 11/1/11
2/3 of No. A43-11133

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

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

258081

CASSIA COUNTY, IDAHO
DANIEL H. ROSKELLEY
RECORDER

FEEL 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 43-50
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

Split < 43-11277 Nye
43-11278 Bessy

2. Date of Priority: 04/01/1894

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	1.1	

7. Total Quantity Appropriated is:
1.1 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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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
 | 43-00048, 43-00049, 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 of each individual decreed right. split on
 10-20-1994 kkc

**43-50 SPLIT THROUGH OWNERSHIP CHANGE. 1/3 STAYS WITH NYE AS 43-11277
 AND 2/3s GOES TO BODEN AS 43-11278.**

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 43-00048, 43-00050, 43-00134, 4300049, 4300050
Adjudication Claim No(s).: A43-00048, A4300050, A43-00134, A43-11133
2/3 of 2/3 of 2/3 of 2/3 of
2. The following REQUIRED information must be submitted with this form:
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AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant O. John Nye, Bessie D. Nye
HC 61 Elba, Id 83342
4. New Owner/Claimant(s) Loralee Carl Boden
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address HC 61 Box 1360
City, State and ZIP Code Elba, Idaho 83342
New Telephone Number 208 1638-5563
5. Date you acquired the property September 23, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. We will retain 2/3 of all pertaining rights, 1/3 will go with remaining 39 acres
Number of acres you irrigate 79 on 135 Number and type of stock 25¢ Sec 31
Diversion rate in CFS _____ Number of homes 0 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Loralee Boden
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
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

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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:

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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

all right

2011-10-26

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
258081
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 6.00 DEPUTY W
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: **A43-00050**
Date Received: 10/21/1994
Receipt No: S017492
Received By: _____

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

**COPY FOR
YOUR FILES**

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 1, 1894

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	1.100		

7. Total Quantity Appropriated is:
1.100 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.

43-00048, 43-00049, 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 of each individual decreed 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 _____

RECEIVED

OCT 21 1994

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

O. John and/orPhone (208) 638-5528

Mailing Address

HC 61 Box 1300 Malta, Id.

Zip

833 3/2

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

4-01-1891

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

14 S

Range

24 E

Section

361/4 of NE1/4 of NE1/4, 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 1.10 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	
135	25E	31	X																40
135	25E	31		X															40
135	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 ☒

If applicable provide IDWR Water Right Number 43 00050

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. Nye Date 20 Oct 1994

Date _____

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

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

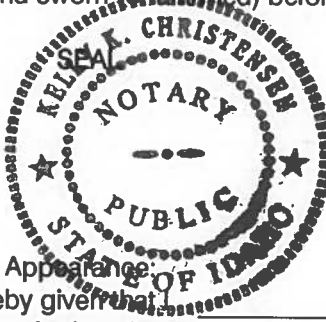
and that the statements contained in the foregoing document are true and correct.

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 Kelsey A. Christensen

Residing at Timberly Id.

My Commission Expires 3-2-98

Please Print Name

17. Notice of Appearance:
Notice is hereby given that _____ 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 _____

Copies White-State, Yellow-Claimant

COPY

2001 NOV 23 PM 1:24

DISTRICT COURT - 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	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: 43-320
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

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

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 SWSWNW 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	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:	<u>IRRIGATION Within CASSIA County</u>					
	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

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.

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

11/29/2000

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

RIGHT NUMBER: 43-11277

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

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.37 CFS

VERIFIED BY: KKC

PRIORITY DATE: 04/01/1894

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
0.37 CFS

See 43-11275
for review notes

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
OF A COMBINED TOTAL OF 39 ACRES IN A SINGLE IRRIGATION
COMBINED RIGHT NOS. 43-11275, 43-11277, 43-11279, 43-11281.
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.

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