

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 43-11278
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)

CARL F BODEN Phone: (208)638-5563
LORALEE BODEN
HC 61 BOX 1360
ELBA 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	0.73	

7. Total Quantity Appropriated is:
0.73 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
			SE NE	IRRIGATION	40
				Section Acres	80
				Total Acres	80

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, 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:
 - 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 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

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

done in full
2-1-1961

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)
) ss.
COUNTY OF CASSIA)

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*

1998 SEP 24 P 4: 16
CASSIA COUNTY, IDAHO
DANIEL M. ROSKELLEY
RECORDER
FEE *6.00* DEPUTY *[Signature]*

LAND TITLE & ESCROW

678-3524

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM *303*

25808

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)

0 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-Bd

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, 430013
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 and/or Carl Boden
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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**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

*all right
2-16-61*

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)

) ss.

COUNTY OF CASSIA)

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

LAND TITLE & ESCROW

678-3524

FEEL DEPUTY

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

1998 SEP 24 P 4:16

25801

FILM 303

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

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**

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

NOTICE OF CLAIM

TO A

OCT 21 1994

WATER RIGHT

Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

J. John and/or 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)

4-01-1891

3. Source of water supply (a)

Cassia Clyde Creek

which is tributary to (b)

Left River Cassia Creek

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

14 S

Range

24 E

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 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:

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

TWP	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:

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 43 00050
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.

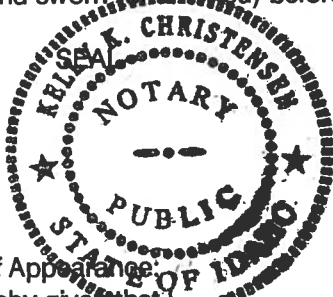
Signature of Claimant (s) Bessie D. Nye Date 20 Oct 1994
Date _____

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 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

11/30/2000

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

RIGHT NUMBER: 43-11278

NAME AND ADDRESS: CARL F BODEN
LORALEE BODEN
HC 61 BOX 1360
ELBA, ID 83342

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.73 CFS

VERIFIED BY: KICC

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
0.73 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R25E S31

NENE

40

T13S R25E S31

SENE

39

79 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63 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 79 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-11276, 43-11278, 43-11280, AND 43-
11282.

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
0.19 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION
AND THE FIELD HEADGATE. COMBINED RIGHTS: 43-11276, 43-11278,
43-11280, and 43-11282.

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