

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: **A29-12089**  
Date Received: 5/30/1990  
Receipt No: E014706  
Received By: \_\_\_\_\_

**AMENDED**

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

**AMENDED**

1. Name: KIM GAYLEN BODILY 208-238-0426  
Address: 11696 N PHILBIN RD  
POCATELLO ID 83202

2. Date of Priority: JUN 2, 1911

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 34E   | 4       | NW     | SW     | NW  |     | BANNOCK |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 10/15 | 0.140 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 1 HOME; STOCKWATER, 10 COWS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 06S      | 34E   | 4       | SW     | NW  |     | DOMEST |       |
|          |       |         | SW     | NW  |     | IRR    | 5.0   |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|---------------|-------|---------|--------|-----|-----|-------|-------|
| 06S           | 34E   | 4       | SW     | NW  |     | STOCK |       |
| Section Acres |       |         |        |     |     |       | 5.0   |
| Total Acres   |       |         |        |     |     |       | 5.0   |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

FT HALL IRR. LOT 3, BLOCK 1 MARTIN-LARSON ESTATES

15. Basis of Claim: BENEFICIAL USE

OCT 26 1998

Department of Water Resources  
Eastern RegionIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
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ACQUIRED UNDER STATE LAW

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Address: 11696 N PHILBIN RD  
POCATELLO ID 83202

2. Date of Priority: JUN 2, 1911

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 34E   | 4       | NW     | SW     | NW  |     | BANNOCK |

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WELL AND PUMP

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| IRRIGATION | 03/01 | 10/15 | 0.140 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |

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0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 1 HOME; STOCKWATER, 10 COWS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 06S      | 34E   | 4       | SW     | NW  |     | IRR   | X.0   |
|          |       |         | SW     | NW  |     | STOCK | 5.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 06S      | 34E   | 4       | SW     | NW  |     | DOMEST |       |

Section Acres

Total Acres

5.0 AS  
2.0  
7.0  
5.0 AS

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

~~None~~

14. Remarks:

FT HALL IRR. LOT 3, BLOCK 1 MARTIN-LARSON ESTATES

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s):

Kim B. Hays

Date: 10-16-98

Date: \_\_\_\_\_

State of Idaho )  
County of BANNACK ) SS.

Subscribed and sworn (or affirmed) before me this 16TH day  
of October 19 98

Seal

Cynthia A. Brangston  
Notary Public

Residing at Pocatello Idaho

My Commission Expires 3-5-04  
030922530059 082346

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: A29-12089  
Date Received: 6/ 5/1992  
Receipt No: E014706  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: KIM GAYLEN BODILY 208-238-0426  
Address: 11696 NORTH PHILBIN ROAD  
POCATELLO ID 83202

2. Date of Priority: JUN 2, 1911

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06S      | 34E   | 4       | NW     | SW     | NW     |     | BANNOCK |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 10/15 | 0.140 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 1 HOME; STOCKWATER, 10 COWS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use   | Acres |
|----------|-------|---------|--------|--------|-----|-------|-------|
| 06S      | 34E   | 4       | SW     | NW     |     | IRR   | 7.0   |
|          |       |         | SW     | NW     |     | STOCK |       |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|---------------|-------|---------|------------|-----|--------|-------|
| 06S           | 34E   | 4       | SW NW      |     | DOMEST |       |
| Section Acres |       |         |            |     |        | 7.0   |
| Total Acres   |       |         |            |     |        | 7.0   |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
FT HALL IRR. LOT 3, BLOCK 1 MARTIN-LARSON ESTATES

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

MICROFILMED

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

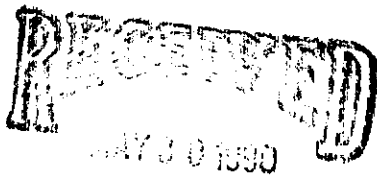
Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

NO LATE FEE IF RECEIVED  
BY June 8, 1990 88IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576Ident. Number A29-12089Date Received 4-30-90Receipt Number E014706/90Department of Water Resources  
Eastern District OfficeNOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

APR 30 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Kim Gaylen Bodily Phone (208) 238-0426  
Mailing Address 11696 North Philbin Road, Pocatello, Idaho Zip 832022. Date of Priority (Only one (1) per claim) 6-2-113. Source of water supply (a) ground water  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 6S Range 34E Section 4,  
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Bannock

A2912089



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 \_\_\_\_\_

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. Well + Pump

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NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount .02 or \_\_\_\_\_

For Live stock purposes from 1-1 to 12-31 amount .02 or \_\_\_\_\_

For irrigation purposes from 3-1 to 10-15 amount .14 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .14 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 house / 10 cows

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 |          |
| <u>6S</u> | <u>34E</u> | <u>4</u> |        |       |       |       |        | <u>7</u> |       |       |        |       |       |       |        |       |       |       | <u>7</u> |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |
|           |            |          |        |       |       |       |        |          |       |       |        |       |       |       |        |       |       |       |          |

Total number of acres irrigated 7

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

12. Do you own the property listed above as place of use? Yes ☒ 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.  
Fert Hall Irrigation or None ( )

14. Remarks: Lot 3, Block 1 Martin-Larsen Estates

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NOV 16 1992

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**

[illegible]

NOV 16 1992

**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 \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) *Kim B. Bader* Date 4-2-90  
\_\_\_\_\_  
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 Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 24<sup>th</sup> day of April 19 90

SEAL

Notary Public *Marion Davies*

Residing at *Pocatello, Id.*

My Commission Expires *October 1992*

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 \_\_\_\_\_

MICROFILMED

NOV 16 1992

Copies White-State, Yellow-Claimant



T5S

T6S

NOV 10 1957



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 2, 2001

Kim Gaylen Bodily  
11696 N. Philbin Road  
Pocatello, Idaho 83202

Re: Adjudication Claim 29-12089

Dear Water User:

Attached is a copy of an Adjudication Claim for a water right near American Falls or Pocatello, Idaho. This claim is based upon "beneficial use." This means that the underlying water right was perfected by the original user simply developing a diversion and using the right. This was completely legal and appropriate up until March 25, 1963, for ground water uses, or up until May 20, 1971 for surface water uses. However, this method of perfecting a water right did not result in a paper record of the water right with the department.

Also attached is a copy of the documentation you provided in 1995 to establish the priority date. This is probably enough to base a recommendation for stockwater and domestic use upon, but not for the irrigation. I realize you've already tried, and given us what you found at that time. In order to recommend your irrigation use to the court, I need more documentation. The enclosed pamphlet describes some typical sources that may be used. One source that may help is the Farm Service Agency, formerly the Agricultural Stabilization and Conservation Service. The local office should be able to put you in contact with the archives in Salt Lake. An aerial photo from before 1963 may be enough to show that your parcel was irrigated. Please contact them soon; the turn-around time is quite long.

If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor  
Senior Water Resource Agent

Log for claim A29-12089

Spatial Dynamics BTD

9/27/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|----------------|-----|------|------------------|----------------|--------------------------------|
| 06s34e         | 4   | SWNW | 5                | 13             | POD placement? / Indiscernible |
| <b>Totals:</b> |     |      | 5                | 13             |                                |

AJ5809NP  
No. A29-12089

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00  
PAGE: 176

| OWNER<br>CODE    | NAME & ADDRESS                                                                  | PRIORITY<br>DATE | WATER USE                            | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                   | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------|------------------|--------------------------------------|-------------------------------------------|-------------------------------------|---------------------|
| C                | KIM GAYLEN BODILY<br>11696 N PHILBIN RD<br>POCATELLO ID 83202<br>(208) 238-0426 | 06/02/1911       | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 03-01 10-15<br>01-01 12-31<br>01-01 12-31 | 0.140 CFS<br>0.020 CFS<br>0.020 CFS |                     |
| TOTAL DIVERSION: |                                                                                 |                  |                                      |                                           | 0.140 CFS                           |                     |
| CONSUMPTIVE USE: |                                                                                 |                  |                                      |                                           |                                     | 17.50 AFA           |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R34E S04 NWSWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

|             |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |     |     |
|-------------|-----|-----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-----|-----|
| T           | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :   | SUM |
| ---         | --- | --- | : | Lt   | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | :   | --- |
| 06S         | 34E | 4   | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | :   | 5.0 |
| TOTAL ACRES |     |     |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | 5.0 |     |

Place of use Legal Description for: STOCKWATER

|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |  |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|--|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |  |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : |  |
| 06S | 34E | 4   | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | : |  |

Place of use Legal Description for: DOMESTIC

|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |  |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|--|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |  |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : |  |
| 06S | 34E | 4   | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | : |  |

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 10 COWS

Remarks: GEN FT HALL IRR. LOT 3, BLOCK 1 MARTIN-LARSON ESTATES

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 06/05/92 THOMPSON 09/15/94 JTHOMPSON 03/29/95 POST-STD 10/28/98 GTAYLOR

07/15/94

## COMMUNICATION DOCUMENTATION

Claim No.: A29-12089

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.

IDWR Employee/Agent: Don Shaff



Date: 06/06/95

Contact Person(s): Kim Bodily, Claimant

Nature of Contact: Telephone Call from Mr. Bodily

**Substance of Communication:** Mr. Bodily had questions about Federal law claims and the Ft. Hall Project. His questions initially centered in determining whether a claim was based on Federal law or on State law. I explained the basis of claim terms in the Abstract of non-consumptive claims based on Federal Law and the Fort Hall Agreement as a key to answering his question. Mr. Bodily asked whether the water right(s) for the Ft. Hall Project were based on State law or Federal law or a combination of the two. I asked Mr. Bodily to seek an answer to the Ft. Hall Project water right(s) from David Shaw as one person more familiar than me with the specific descriptions of those water rights. Lastly, Mr. Bodily asked questions as to the records of the water rights prior to the SRBA for claims based on Federal law. I responded the claim sets forth the Federal statutes for a reservation that support the claim presented, and prior to the Adjudication no record of the water right based on Federal law was made with the State of Idaho. I added those water rights based on State law other than beneficial use rights were part of the records of the state prior to the SRBA.

cc: D. Shaw

RECEIVED  
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JUN 09 1996

Department of Water Resources  
Eastern District Office

RESIDENTIAL PROGRAMS REPORT

...and the fact that the *Journal* is a journal of the American Psychological Association, the largest and most influential organization in the field of psychology, is a source of great strength and authority. The *Journal* is a journal of the American Psychological Association, the largest and most influential organization in the field of psychology, is a source of great strength and authority.

NEXT PARCEL & SHEET

CAPS

of.

prove my priority date.

NOV 14 1996

APP 3 1995

**Department of Water Resources  
Eastern District Office**



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

DATE: JAN. 3, 1995

A29-12089  
KIM GAYLEN BODILY  
11696 N PHILBIN RD

POCATELLO ID 83202

**EVIDENCE OF PRIORITY**

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication(SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is know as the **PRIORITY DATE**, has not been confimed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the **PRIORITY DATE**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

**The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the documentation supporting the priority date by March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson  
Water Right Agent, Adjudications

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| OWNER<br>CODE    | NAME & ADDRESS                                                                  | PRIORITY<br>DATE | WATER USE                            | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------|------------------|--------------------------------------|-------------------------------------------|----------------------------------|---------------------|
| C                | KIM GAYLEN BODILY<br>11696 N PHILBIN RD<br>POCATELLO ID 83202<br>(208) 238-0426 | 06/02/1911       | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 03-01 10-15<br>01-01 12-31<br>01-01 12-31 | 0.14 CFS<br>0.02 CFS<br>0.02 CFS |                     |
| TOTAL DIVERSION: |                                                                                 |                  |                                      |                                           | 0.14 CFS                         |                     |
| CONSUMPTIVE USE: |                                                                                 |                  |                                      |                                           |                                  | 17.50 AFA           |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06S R34E S04

NWSWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE                        |   |   |  | NW                        |   |   |  | SW                        |   |   |  | SE                        |   |   |             |      |
|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|-------------|------|
| T                         | R | S |  | T                         | R | S |  | T                         | R | S |  | T                         | R | S |             |      |
| : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |             | SUM  |
| : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |             | ---- |
| 06S 34E 4 :               |   |   |  | : 07                      |   |   |  | :                         |   |   |  | :                         |   |   |             | 7.0  |
|                           |   |   |  |                           |   |   |  |                           |   |   |  |                           |   |   | TOTAL ACRES |      |
|                           |   |   |  |                           |   |   |  |                           |   |   |  |                           |   |   | 7.0         |      |

Place of use Legal Description for: STOCKWATER

| NE                        |   |   |  | NW                        |   |   |  | SW                        |   |   |  | SE                        |   |   |  |  |
|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|--|--|
| T                         | R | S |  | T                         | R | S |  | T                         | R | S |  | T                         | R | S |  |  |
| : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  |  |
| : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |  |  |
| 06S 34E 4 :               |   |   |  | : S                       |   |   |  | :                         |   |   |  | :                         |   |   |  |  |

Place of use Legal Description for: DOMESTIC

| NE                        |   |   |  | NW                        |   |   |  | SW                        |   |   |  | SE                        |   |   |  |  |
|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|--|---------------------------|---|---|--|--|
| T                         | R | S |  | T                         | R | S |  | T                         | R | S |  | T                         | R | S |  |  |
| : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |  |  |
| : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |  | : -----                   |   |   |  |  |
| 06S 34E 4 :               |   |   |  | : D                       |   |   |  | :                         |   |   |  | :                         |   |   |  |  |

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 10 COWS

Other Rights: NONE

Remarks: FT HALL IRR. LOT 3, BLOCK 1 MARTIN-LARSON ESTATES

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

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NOV 14 1990

May 8, 1990

Kim Gaylen Bodily  
11696 North Philbin Rd.  
Pocatello, ID 83202

RE: Notice of Claim

Dear Mr. Bodily:

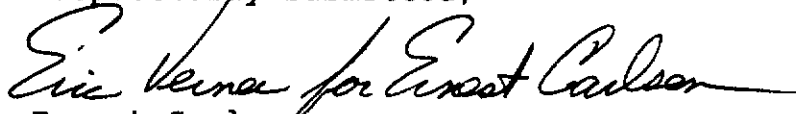
The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right because of insufficient fees. Your check no. 1016 in the amount of \$50.00 is also enclosed. All fees must be submitted before the IDWR can process the Notice.

The Notice you submitted: one irrigation at \$50.00 plus \$1.00/acre (7 acres) brings the total amount due to \$57.00.

Please return the Notice and correct filing fee to the IDWR by June 8, 1990. If the Notice, along with the correct filing fee is not returned by then, the Notice will be subject to an additional late fee.

If you have any questions, please feel free to call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsson  
Adjudication Supervisor

EC:bb

Enclosure

|                                                                                           |  |          |
|-------------------------------------------------------------------------------------------|--|----------|
| KIM G. BODILY                                                                             |  | 1016     |
| 11696 N. PHILBIN RD. 238-0426                                                             |  |          |
| POCATELLO, ID 83202                                                                       |  |          |
| PAY TO THE ORDER OF <u>Idaho Dept of Water Resources</u>                                  |  | \$ 50.00 |
| <u>Forty and 00/100</u>                                                                   |  | DOLLARS  |
| Key Bank of Idaho<br>Pocatello Westwood Office<br>P.O. Box 3019<br>Pocatello, Idaho 83208 |  |          |
| MEMO                                                                                      |  |          |
| 1124101555:81 111236 6 1016                                                               |  |          |

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