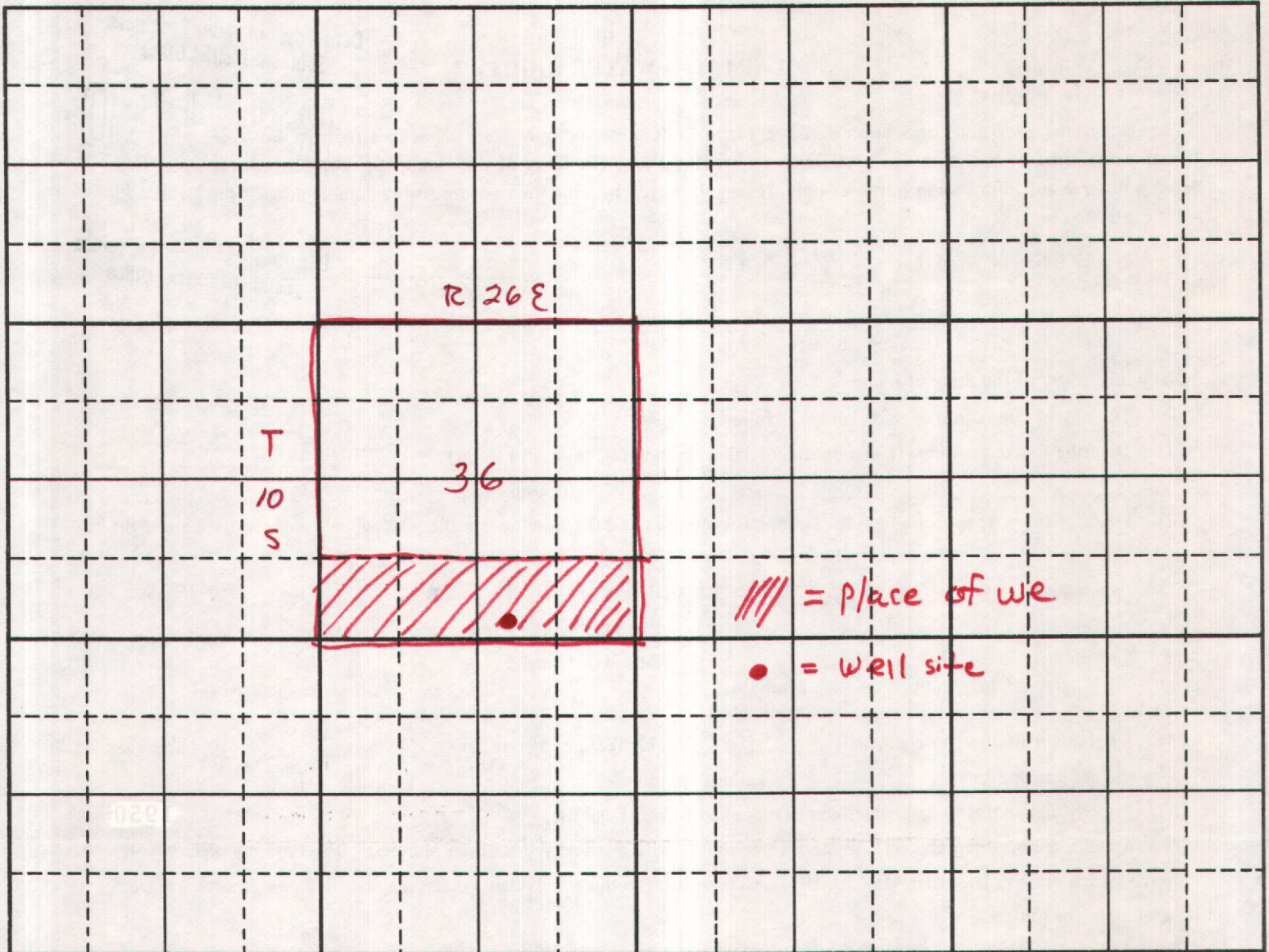


(8) Remarks Attached to this claim is the affidavit of James B. Bodily
which incorporates therein Exhibits A through E. The attached
affidavit and its exhibits constitute an integral portion of this
claim.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Cassia) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 9 day of February 19 78.

James B. Bodily
(Claimant)

Steven A. [Signature]

Notary Public

Residing at Burley, Id

My commission expires life

For Department Use Only

Received by <u>JF Stanton</u>	Date <u>2-13-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>2/21/78</u>		claimant by:	
\$10.00 fee received by <u>sm</u>	Date <u>2/24/78</u> # <u>7539</u>			
Approved for publication by <u>[Signature]</u>	Date <u>3/17/78</u>			
Published in <u>South Idaho Press</u>				
Dates <u>3/7 - 3/4/77</u>				

BOLEY & OSBORNE

WELL DRILLING

-MURTAUGH, IDAHO-

278 Tyler Street
Twin Falls, Idaho

March 22, 1952

Purchaser.....Cline Preston

Location.....About 5 miles east of Cottrel elevators

Well number.....#2

Drilling.....128 ft. of 20 in. hole at \$12.00 per ft.....\$1536.00
 107 ft. of 16 in. hole at \$10.00 per ft..... 1070.00
 \$2606.00

Casing.....Built shoe and set 32 ft. of 20 in. pipe
 Pulled 20 in. and set 125 ft. of 17in.

pipe.....5 hrs. at \$10.00 per hr.....\$ 50.00

Drove 17 in. from 125 ft. to 160 ft.

Amount due.....\$2656.00

Log of well :

0 -	4	Topsoil and hardpan
4 -	24	Brown clay
24 -	50	Grey lava
50 -	58	Brown lava
58 -	75	Purple lava
75 -	88	Grey lava
88 -	100	Brown lava
100 -	115	Black lava----- cinders at 110
115 -	119	Brown clay
119 -	138	Sand, loose and cavey
138 -	155	Sand and gravel, fairly tight with streaks of clay
155 -	160	Coarse gravel, clean
160 -	162	Black lava
162 -	164	Sand, fairly tight
164 -	166	Brown lava
166 -	172	Gravel, fine, with lots of grey clay binder
172 -	184	Grey clay, fine gravel mixed in
184 -	207	Grey lava
207 -	211	Grey clay
211 -	235	Black lava, heavy cuttings ----- very coarse cuttings and chips 224 - 235, a few cinders at 235

Water Table :

Struck water between 128 and 130, raised to 120 ft. and stood there at completion of well.

EXHIBIT E

MICROFILMED

EXHIBIT E

BOLEY & OSBORNE

WELL DRILLING

MURTAUGH, IDAHO

April 18, 1952

Log of Cline Preston well number 1 (con't)

235 - 245 cinders
245 - 250 tan colored sand
250 - 255 sand and very fine gravel
255 - 265 clean, fine gravel
265 - 269 cinders and talc
269 - 272 broken black lava and cinders
272 - 280 cinders, talc and broken black lava
280 - 335 tan sand, clay and gray sticky clay, in layers from 4' to 6' thick
335 - 335 cavy gravel -- medium fine

Casing.....12" from top to 270'....perforated from 121' to 268'
Water table.....unchanged

Balance.....	\$616.00
100' of 12" hole -- 235 - 335	800.00
Building shoe and running 12" to 235'	
6 hrs. at \$10.00 per hr.....	60.00
Perforating 12" pipe	
13 hrs. at \$10.00 per hr.....	130.00
Pulling 17" pipe	
2 hrs. at \$10.00 per hr.....	20.00
Total amount due.....	<u>\$1626.00</u>

FEB 13 1978

Department of Water Resources
Southern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that JAMES B. BODILY Department of Water Resources
Southern District Office
(name of claimant)
of Star Route Box 76, Declo, Id. 83323, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
_____, tributary to, _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>125"</u>	Use	<u>irrigation</u>	Period of Use:	From <u>Apr. 15</u>	To <u>Oct. 30</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From <u> </u>	To <u> </u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From <u> </u>	To <u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)		(both dates inclusive)	

- (3) Total quantity of water claimed: 125" cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 18, 1952

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36 Twp. 10S Rge. 26E B. M. County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. the width of the well was 12", has been drilled to a depth of 335'. There is a 100 hp. motor presently set on the well and the bowels have been set 200' down with a 30' suction tube so the water is being drawn from a depth of 270'. The water is pumped to open ditches and 100 acres of the land are flood irrigated and the remain-
A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is 60 acres are sprinkled by hand line.

- (6) **A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is 60 acres are sprinkled by hand line.**
not for irrigation, place an "X" in appropriate box to show location.

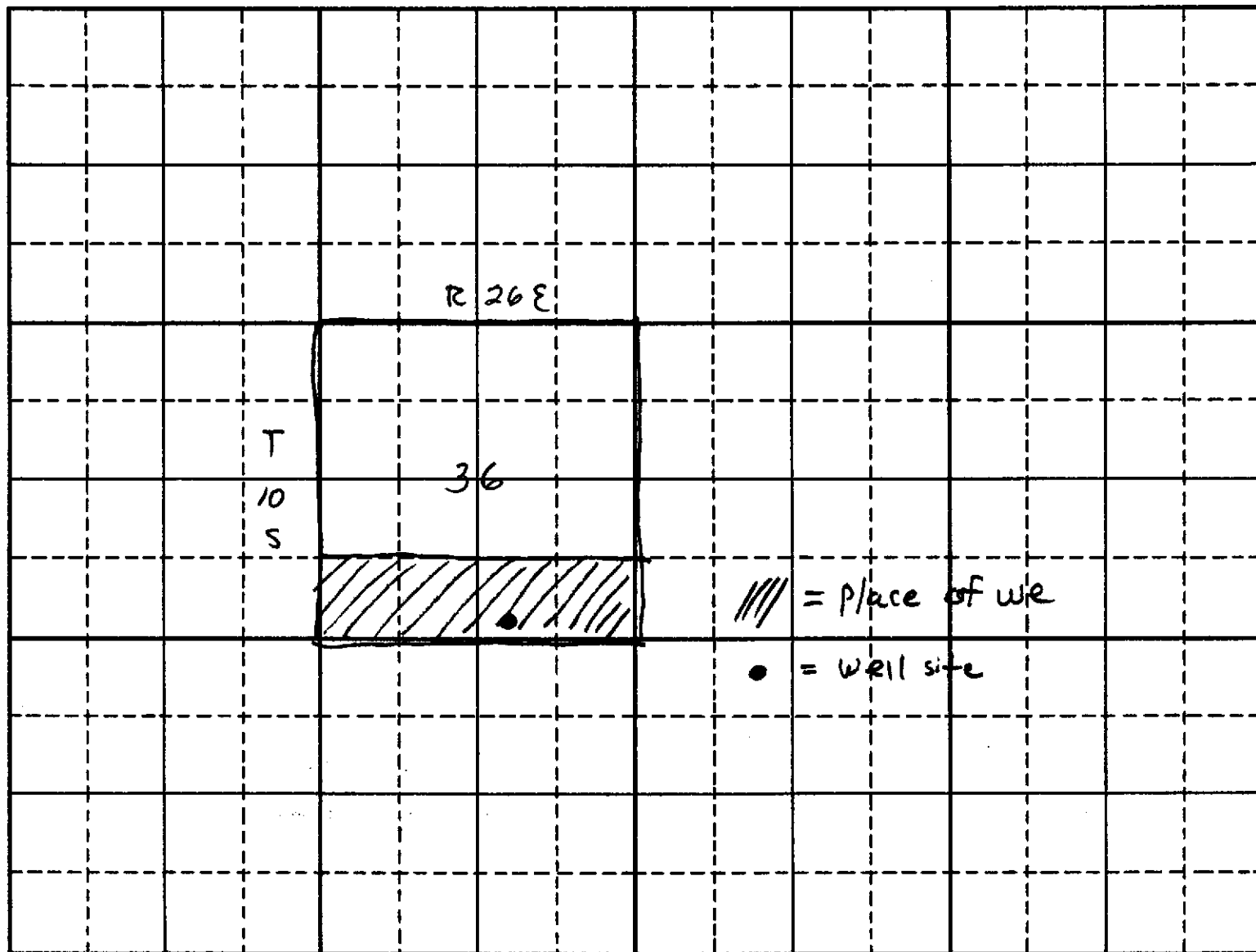
[illegible]

Total No. of acres 160

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Attached to this claim is the affidavit of James B. Bodily
which incorporates therein Exhibits A through E. The attached
affidavit and its exhibits constitute an integral portion of this
claim.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Cassia) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 9 day of February

James B. Bodily
(Claimant)
Steven A. [Signature]
Notary Public
Residing at Burley, Id

My commission expires life

For Department Use Only

Received by <u>JF Stanton</u>	Date <u>2-13-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>2/21/78</u>		claimant by:	
\$10.00 fee received by <u>Sm</u>	Date <u>2/24/78</u> #1539			
Approved for publication by <u>[Signature]</u>	Date <u>3/17/78</u>			
Published in <u>South Idaho Press</u>				
Dates <u>3/7 - 3/4/77</u>				

AFFIDAVIT OF JAMES B. BODILY

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

I, JAMES B. BODILY, first having been sworn upon oath declare and state as follows:

1. That I and my wife, Melba Bodily, are presently the owners of 160 acres of land described as the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 36, Township 10 South, Range 26, EBM, located in Cassia County, Idaho.

2. That there is a well located on said 160 acre tract of land located on the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section.

3. That the said well has been used to irrigate the entire 160 acres as above described, delivering at least 125 inches of water on said land for irrigation purposes to grow crops since at least February of 1972 when affiant acquired the land from its previous owner.

4. Attached hereto and incorporated herein by reference as though set forth at length are the following:

Affidavit of Tim Matthews, Exhibit A, an adjoining land owner; Affidavit of Phil Wheeler, Exhibit B, also an adjoining land owner; Affidavit of Max E. Stamm, Exhibit C, a former owner of the above-described real property; and, Meinrad Werner, Exhibit D, a former owner of the above-described real property.

said Affidavits verify that the well above-described has been supplying at least 125 inches of water to the above-described land for irrigation purposes back to the date of the drilling of the well. The above affiants state that they believe the drilling date to have been in 1950.

5. Attached hereto as Exhibit E and incorporated herein by reference as if set forth at length is a true and correct copy of a well-drilling log which log is in two parts; the first page is dated March 22, 1952 showing the log of a well drilled to the depth of 235 feet. The second page is a continuation of the well log of the well described on the first page (though mis-labeled well number 1) dated April 18, 1952 showing a well being drilled from a depth of 235 feet to 335 feet. Exhibit E is the drill log as delivered to the undersigned of the well above-described having been delivered to him by the next previous owner, Max E. Stamm, having been delivered to Mr. Stamm by the next previous owner, Meinrad Werner, having been delivered to him by the original land owner, Cline Preston, owner of the land when the well was drilled.

MICROFILMED

6. Based upon information and belief, affiant declares that the water was first beneficially applied from this well as drilled in Exhibit E to the above 160 acres at the rate of 125 inches of flow as of April 18, 1952, and has been in constant and continuous use for irrigation purposes for every crop season thereafter on the said 160 acre tract of land.

James B. Bodily
JAMES B. BODILY

SUBSCRIBED AND SWORN TO before me this 9 day of
February, 1978,

(SEAL)

Alvin A. [Signature]
Notary Public

Residing at: Burley

My Commission Expires: life

AFFIDAVIT OF TIM MATTHEWS

STATE OF IDAHO)
County of Cassia) ss.

I, TIM MATTHEWS, first having been sworn upon oath, declare as follows:

1. That I am familiar of my own knowledge of the farm now owned by James B. Bodily and Melba Bodily in Cassia County, State of Idaho, which farm was previously owned by Max E. Stamm; owned before him by Meinrad Werner and owned before him by Cline Preston.

2. I know of my own personal knowledge that a well was drilled in the Southwest Quarter of the Southeast Quarter of Section 36, Township 10 South, Range 26, East of the Boise Meridian, in 1950 and that from the date of its drilling it has been in constant use.

3. The said well originally pumped approximately 150 to 160 inches of water, which amount of water was used entirely and fully on the South Half of the South Half of Section 36, Township 10 South, Range 26, East of the Boise Meridian, and that such entire amount of water was used to irrigate crops, usually hay, potatoes and grain through the early 1960's.

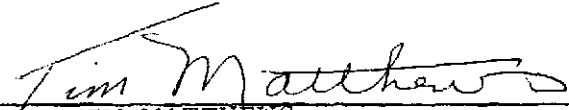
4. During the early 1960's because of a drop in the water table, the well was only able to pump and deliver 125 inches of water and such water was used in the same location for the same purposes.

5. The said well was operated every season by either Mr. Cline Preston or his successors in interest, Meinrad Werner or Max E. Stamm, up to the time that said property was sold to Mr. and Mrs. James B. Bodily in February of 1972.

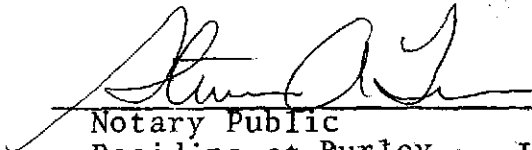
EXHIBIT A

MICROFILMED

6. That the said well was operated continuously during the growing season as above described, as early as April of each year, though usually beginning May 1 of each year through October of each year, in order to irrigate the crops on the above-described land.


TIM MATTHEWS

SUBSCRIBED AND SWORN to before me this 14 day of
December, 1977.


Notary Public
Residing at Burley, Idaho
My Commission Expires: life

AFFIDAVIT OF PHILLIP F. WHEELER

STATE OF IDAHO)
) ss.
County of Cassia)

I, PHILLIP F. WHEELER, first having been sworn upon oath, declare as follows:

1. That I am familiar of my own knowledge of the farm now owned by James B. Bodily and Melba Bodily in Cassia County, State of Idaho, which farm was previously owned by Max E. Stamm; owned before him by Meinrad Werner and owned before him by Cline Preston.

2. I know of my own personal knowledge that a well was drilled in the Southwest Quarter of the Southeast Quarter of Section 36, Township 10 South, Range 26, East of the Boise Meridian, in 1950 and that from the date of its drilling it has been in constant use.

3. The said well originally pumped approximately 150 to 160 inches of water, which amount of water was used entirely and fully on the South Half of the South Half of Section 36, Township 10 South, Range 26, East of the Boise Meridian, and that such entire amount of water was used to irrigate crops, usually hay, potatoes and grain through the early 1960's.

4. During the early 1960's because of a drop in the water table, the well was only able to pump and deliver 125 inches of water and such water was used in the same location for the same purposes.

5. The said well was operated every season by either Mr. Cline Preston or his successors in interest, Meinrad Werner or Max E. Stamm, up to the time that said property was sold to Mr. and Mrs. James B. Bodily in February of 1972.

EXHIBIT B

6. That the said well was operated continuously during the growing season as above described, as early as April of each year, though usually beginning May 1 of each year through October of each year, in order to irrigate the crops on the above-described land.

Phillip F. Wheeler
PHILLIP F. WHEELER

SUBSCRIBED AND SWORN to before me this 14 day of
December, 1977.

Stuart A. Jones
Notary Public
Residing at Burley, Idaho
My Commission Expires: Life

AFFIDAVIT OF MAX E. STAMM

STATE OF IDAHO)
) ss.
County of Cassia)

I, MAX E. STAMM, first having been sworn upon
oath, declare as follows:

1. That I am familiar of my own knowledge of the farm
now owned by James B. Bodily and Melba Bodily in Cassia County,
State of Idaho, which farm was previously owned by Max E. Stamm;
owned before him by Meinrad Werner and owned before him by
Cline Preston.

2. I know of my own personal knowledge that a well was
drilled in the Southwest Quarter of the Southeast Quarter of
Section 36, Township 10 South, Range 26, East of the Boise
Meridian, in 1950 and that from the date of its drilling it
has been in constant use.

3. The said well originally pumped approximately 150 to
160 inches of water, which amount of water was used entirely
and fully on the South Half of the South Half of Section 36,
Township 10 South, Range 26, East of the Boise Meridian, and
that such entire amount of water was used to irrigate crops,
usually hay, potatoes and grain through the early 1960's.

4. During the early 1960's because of a drop in the water
table, the well was only able to pump and deliver 125 inches
of water and such water was used in the same location for the
same purposes.

5. The said well was operated every season by either
Mr. Cline Preston or his successors in interest, Meinrad Werner
or Max E. Stamm, up to the time that said property was sold
to Mr. and Mrs. James B. Bodily in February of 1972.

EXHIBIT C

MICROFILMED

6. That the said well was operated continuously during the growing season as above described, as early as April of each year, though usually beginning May 1 of each year through October of each year, in order to irrigate the crops on the above-described land.

Max E. Stamm
MAX E. STAMM

SUBSCRIBED AND SWORN to before me this 19 day of
December, 1977.

Alvin A. I.
Notary Public
Residing at Burley, Idaho
My Commission Expires: life

AFFIDAVIT OF MEINRAD WERNER

STATE OF IDAHO)
) ss.
County of Cassia)

I, MEINRAD WERNER, first having been sworn upon oath, declare as follows:

1. That I am familiar of my own knowledge of the farm now owned by James B. Bodily and Melba Bodily in Cassia County, State of Idaho, which farm was previously owned by Max E. Stamm; owned before him by Meinrad Werner and owned before him by Cline Preston.

2. I know of my own personal knowledge that a well was drilled in the Southwest Quarter of the Southeast Quarter of Section 36, Township 10 South, Range 26, East of the Boise Meridian, in 1950 and that from the date of its drilling it has been in constant use.

3. The said well originally pumped approximately 150 to 160 inches of water, which amount of water was used entirely and fully on the South Half of the South Half of Section 36, Township 10 South, Range 26, East of the Boise Meridian, and that such entire amount of water was used to irrigate crops, usually hay, potatoes and grain through the early 1960's.

4. During the early 1960's because of a drop in the water table, the well was only able to pump and deliver 125 inches of water and such water was used in the same location for the same purposes.

5. The said well was operated every season by either Mr. Cline Preston or his successors in interest, Meinrad Werner or Max E. Stamm, up to the time that said property was sold to Mr. and Mrs. James B. Bodily in February of 1972.

EXHIBIT D

MICROFILMED

6. That the said well was operated continuously during the growing season as above described, as early as April of each year, though usually beginning May 1 of each year through October of each year, in order to irrigate the crops on the above-described land.

Meinrad Werner
Meinrad Werner

SUBSCRIBED AND SWORN to before me this 19 day of
December, 1977.

Steve W.
Notary Public
Residing at Burley, Idaho
My Commission Expires: life

WELL DRILLING

March 22, 1952

Log of well :

Water Table :

Struck water between 128 and 130, raised to 120 ft. and stood there at completion of well.

EXHIBIT E

EXHIBIT E

BILL O'BORNE

WELL DRILLING

April 18, 1952

235 - 245 cinders
245 - 250 tan colored sand
250 - 255 sand and very fine gravel
255 - 265 clean, fine gravel
265 - 269 cinders and talc
269 - 272 broken black lava and cinders
272 - 280 cinders, talc and broken black lava
280 - 285 thin layers of black lava and cinders in layers from 4' to 6' thick
285 - 295 heavy gravel - medium fine

Balance.....	\$616.00
100' of 12" hole -- 235 - 335	800.00
Building shoe and running 12" to 235'	
6 hrs. at \$10.00 per hr.....	60.00
Perforating 12" pipe	
13 hrs. at \$10.00 per hr.....	130.00
Pulling 17" pipe	
2 hrs. at \$10.00 per hr.....	20.00
Total amount due.....	<u>\$1626.00</u>

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Cindy Duffen, being first

duly sworn, deposes and says that she is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 times

consecutive weeks, commencing with the issue

dated March 7, 1978 and ending

with the issue dated March 14, 1978

Cindy Duffen

Subscribed and sworn to before me

this 15th day of March

1978.

Notary Public

Cost of Publication 10.50

Notary Fee

Total Cost 10.50

NOTARY PUBLIC RESIDING AT
BURLEY, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

ok
3/17/78
RECEIVED

MAR 26 1978

Department of Water Resources
Southern District Office

78-84

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 43-4081

NOTICE IS HEREBY GIVEN that James R. Boddy, Declo, Idaho, 83323, has filed a claim to a water right established by diversion and application to beneficial use of 125 inches or 2.5 cubic feet per second of water from ground water with point of diversion in the SW 1/4 SE 1/4, Sec. 36, Twp. 10 S., Rge. 26 E., B.M., Cassia County.

The water is claimed to be used from Apr. 15 to Oct. 15 for irrigation purposes of 160 acres with a priority of April 18, 1952; the place of use is within the SW 1/4, SE 1/4, Sec. 36, Twp. 10 S., Rge. 26 E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301.

C. Stephen Allred
Director

Published in the South Idaho Press on March 7 and 14, 1978.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3573

March 28, 1978

Mr. James B. Bodily
Box 76
Declo, Idaho 83323

Re: Claim to a Water Right No. 43-4081 - James B. Bodily

Dear Mr. Bodily:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

ENCLOSURE

DEPARTMENT OF WATER RESOURCES
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

Item Initial Date

Claim No. 43-1081 - James R. Bodily

☒ Name, Address, Telephone
☒ Source
☒ Quantity, Purpose, Period of Use
☒ Priority (Year & Month) (Day Optional)
☒ Point of Diversion
☒ Description of Diverting Works
☒ Place of Use
☒ Map
☒ Signature
☒ Notorized
☒ Fee

(1) AS 2/21/78

In Form To Receipt

(2) gs 3-1-78

In Form For Advertising

(3) _____

Exceptions Filed: Yes _____ No ☒

(4) aj 3/1/78

Copy To Boise

MICROFILMED

February 24, 1978

Mr. Steven A. Tuft
Church, Church, Snow & Tuft
Attorneys at Law
1354 Albion Avenue
Burley, ID 83318

Re: Claim to a Water Right - James R. Bodily

Dear Mr. Tuft:

Enclosed is your receipt No. 7539 for check No. 92-264 in the amount of \$10.00 for the above referenced claim to a water right, which was received in this office February 18, 1978.

If you have any questions, please feel free to contact this office.

Sincerely,

Sheryl Merritt
Secretary

Enclosure

P. S. Also enclosed are two copies of the claim and accompanying affidavits which you sent to us. These copies are correct.

MICROFILMED

CHURCH, CHURCH, SNOW & TUFT

THOMAS H. CHURCH
PETER K. CHURCH
PETER G. SNOW
STEVEN A. TUFT

ATTORNEYS AT LAW
1354 ALBION AVENUE
BURLEY, IDAHO 83318

P. O. BOX 1286
TELEPHONE 678-9088
AREA CODE 208

February 16, 1978

RECEIVED

FEB 18 1978

Department of Water Resources
Southern District Office

Mr. Gary Funderburg
Senior Water Resource Agent
State of Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Claim to a Water Right - James B. Bodily

Dear Mr. Funderburg:

We are in receipt of your letter of February 15, 1978,
pointing out that we overlooked filling in Item 1.
We have completed this Item and are returning to you
Mr. Bodily's claim.

Sincerely,

CHURCH, CHURCH, SNOW & TUFT

Steven A. Tuft/ja
Steven A. Tuft

SAT/ja
Encls.

MICROFILMED

February 15, 1978

Mr. Steven A. Tuft
Church, Church, Snow & Tuft
1354 Albion Avenue
Burley, ID 83318

Re: Claim to a Water Right - James B. Bodily

Dear Mr. Tuft:

We are returning to you the above referenced Claim to a Water Right for a correction. The source in Item 1 is not complete. Please type in the source and return to this office at your earliest convenience.

If you have any questions, please feel free to contact this office.

Sincerely,

Gary Funderburg
Senior Water Resource Agent

GF:sm

Enclosures

MICROFILMED

CHURCH, CHURCH, SNOW & TUFT

THOMAS H. CHURCH
PETER K. CHURCH
PETER G. SNOW
STEVEN A. TUFT

ATTORNEYS AT LAW
1354 ALBION AVENUE
BURLEY, IDAHO 83318

P. O. BOX 1286
TELEPHONE 878-9088
FEB 10 1978

RECEIVED

FEB 13 1978

Department of Water Resources
Southern District Office

February 10, 1978

Idaho Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Claim of water rights by James B. Bodily

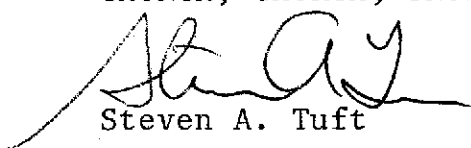
Gentlemen:

This office represents James B. Bodily of Declo. Please find enclosed his claim to a water right with supporting affidavits and exhibits. Also enclosed are two copies each of the claim, the affidavit and supporting exhibits, and our check in the sum of \$10.00 to cover the filing fee.

Would you be so kind as to certify the copies as true and correct copies and return the same to me so that I might forward to interest parties. If you have any questions don't hesitate to get in touch.

Sincerely,

CHURCH, CHURCH, SNOW & TUFT


Steven A. Tuft

SAT/ja
Encls.

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. ~~43-4081~~

Notice is hereby given that ~~James R. Bodily~~

~~Declo, Idaho 83323~~

has filed a claim to a water right established by diversion and application to beneficial use of 125 inches or 2.5 cubic feet per second

of water from ~~ground water~~

with point of diversion in the ~~SW 1/4, Sec. 36, Twp. 10S, Rge. 26E, B.M.~~

~~Cassia County~~

The water is claimed to be used from ~~Apr. 15 to Oct 15 for irrigation~~

~~purposes of 160 acres.~~

with a priority of ~~April 18, 1952~~;

the place of use is within the ~~S 1/4 SW 1/4, Sec. 36, Twp. 10S, Rge. 26E,~~

~~B.M.~~

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

C. Stephen Allred

Director

Published in the ~~South Idaho Press~~

on 3/77 and 3/14/78

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78-84

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 43-4081**

NOTICE IS HEREBY GIVEN that James R. Bodily, Declo, Idaho, 83323, has filed a claim to a water right established by diversion and application to beneficial use of 125 inches or 2.5 cubic feet per second of water from ground water with point of diversion in the SW 1/4 Sec. 36, Twp. 10 S., Rge. 26 E., B.M., Cassia County.

The water is claimed to be used from Apr. 15 to Oct. 15 for irrigation purposes of 160 acres with a priority of April 18, 1952; the place of use is within the SW 1/4, S 1/2 SE 1/4, Sec. 36, Twp. 10 S., Rge. 26 E., B.M.

Any exception to this claim of water right may be filed with the Department of Water Resources, 141 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301.

C. Stephen Allred
Director

Published in the South Idaho Press on March 7 and 14, 1978

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February 28, 1978

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Claim to a Water Right No. 43-4081 - James R. Badily

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:dj

Bill submitted: _____

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