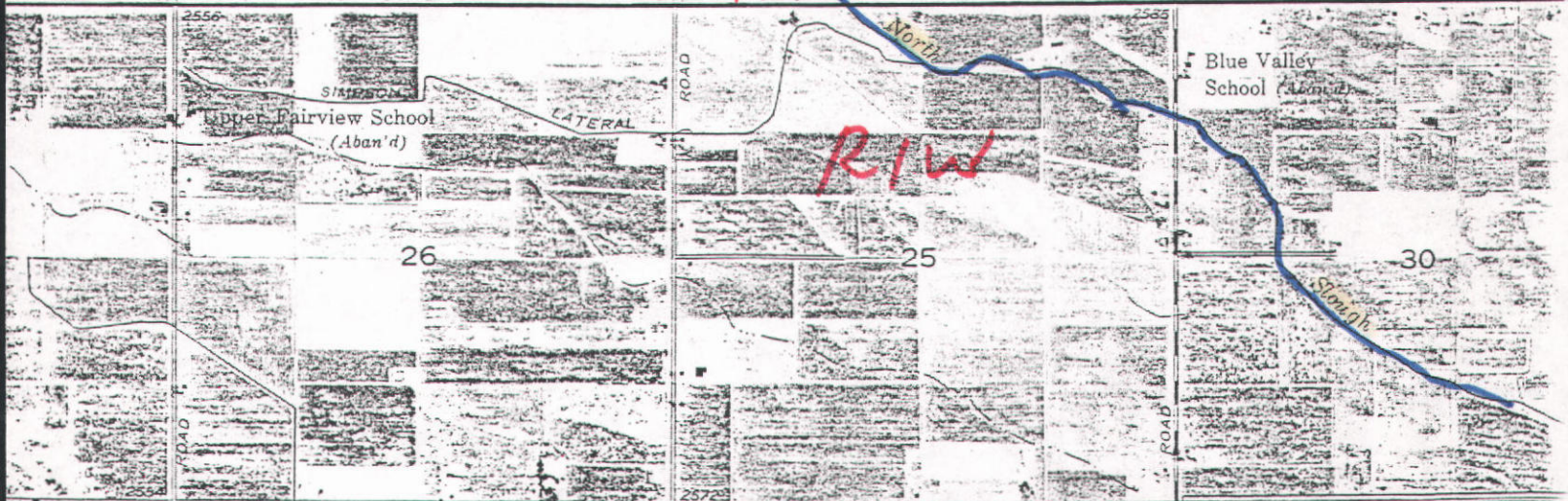
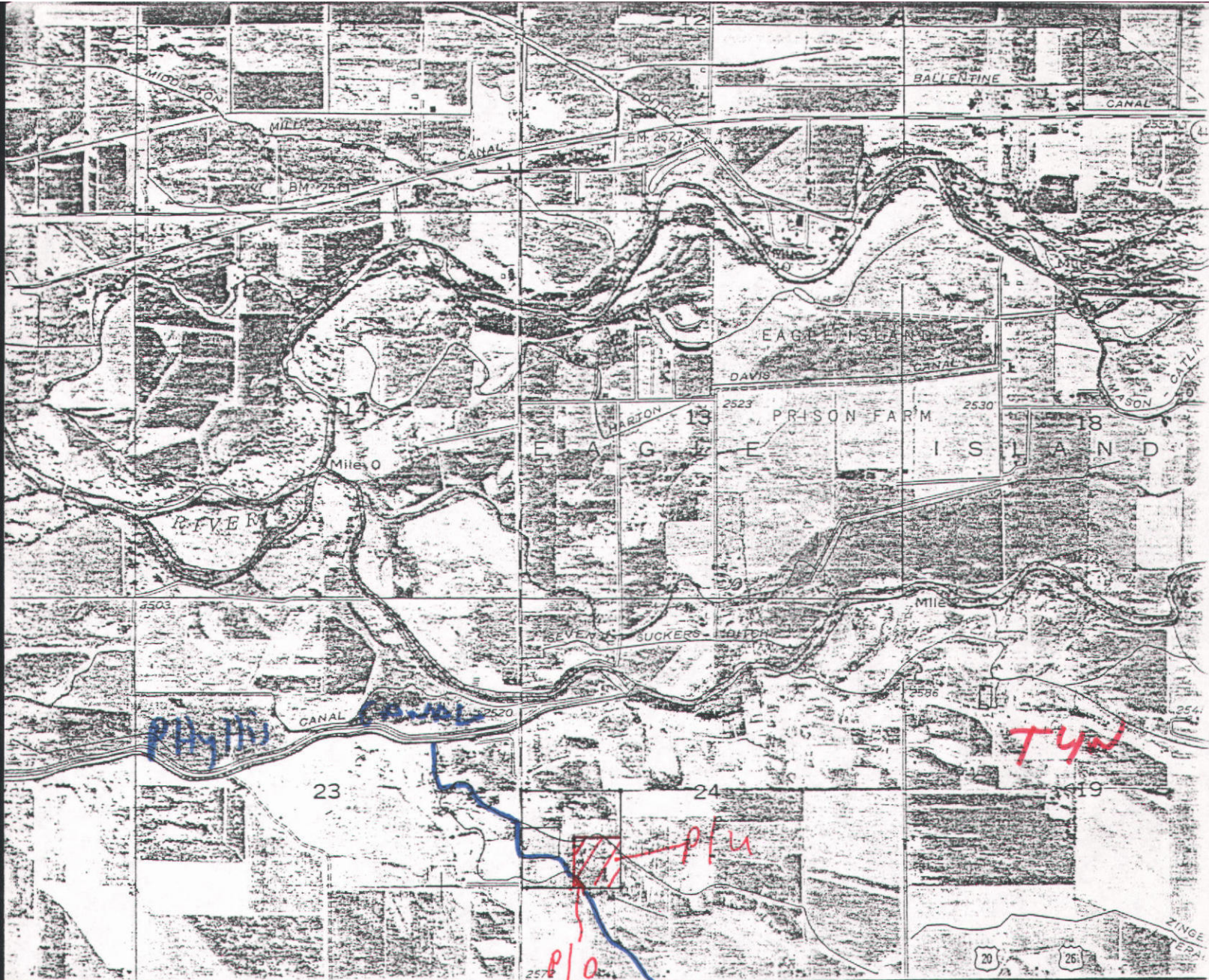
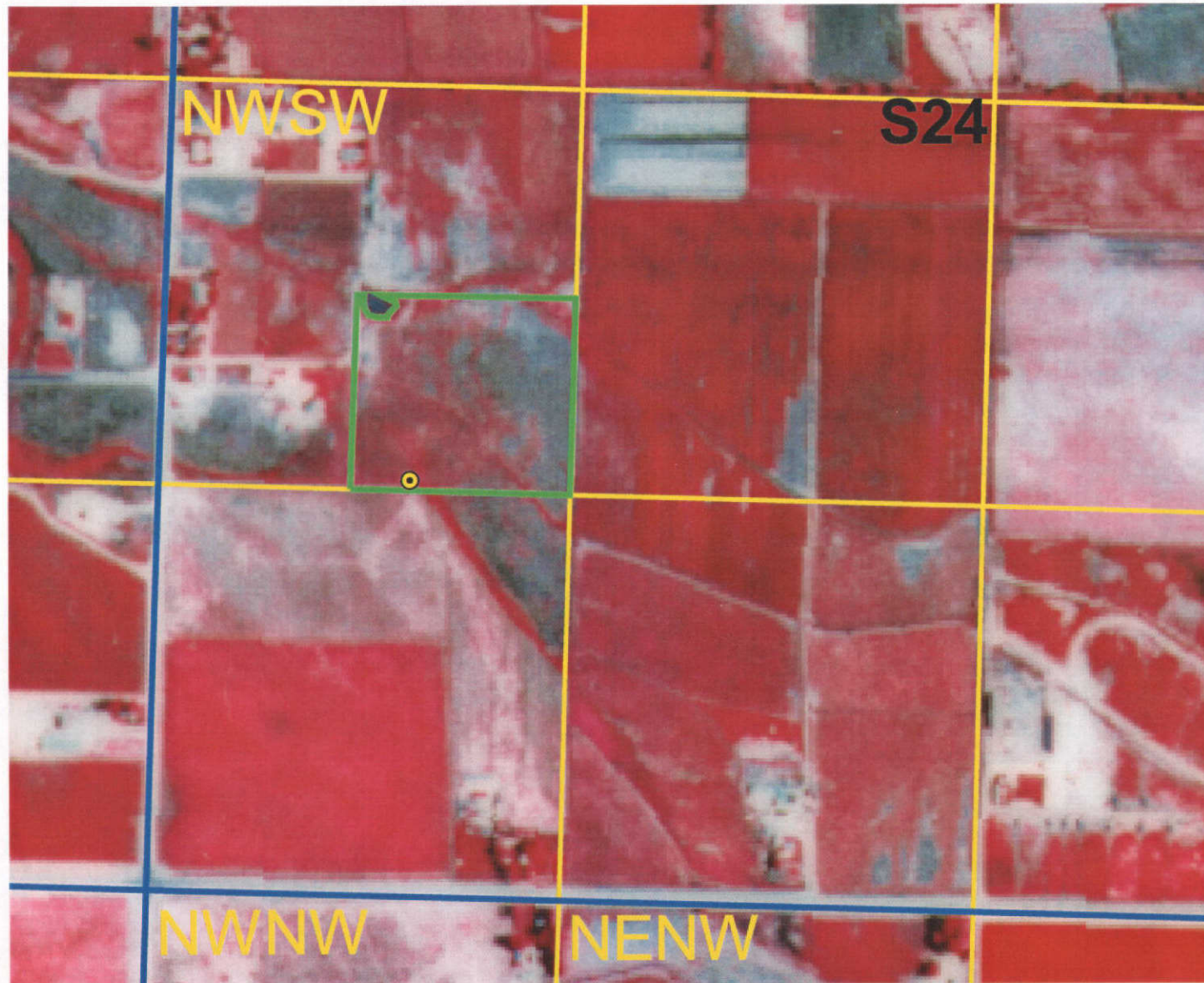


Idaho Department of Water Resources

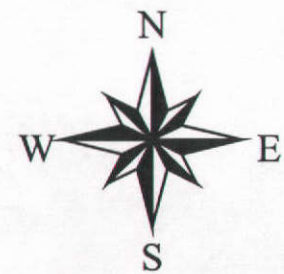
**T04N, R01W,
S24**

Claim No: 63-4059B
Prepared By: Kimberly Brown
Date: March 25, 2005



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion

Acres Irrigated = 10.0



0.03 0 0.03 0.06 Miles



1987 NAPP

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: A63-04059B
Date Received: 9/01/1989
Receipt No: W 5379
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD G. BEAGLEY #459-6681
Address: 7014 N. LINDER 18430 Lewis Lane
MERIDIAN, ID Caldwell 83607 83642
AND/OR
Name: RONALD W. KANGAS
Address: 6940 N. LINDER (passed away)
MERIDIAN, ID 83642

208-888-5369
888-6428
* for SON, Inc. -
208-888-3228 the Co. listing
does not list
a Cliff Beagley

2. Date of Priority: JUN 10, 1958

3. Source: NORTH SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	24	SE	NW	SW		ADA

5. Description of diverting works:
HEADGATES AND DITCHES FOR GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	24	NW SW		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS IS SPLIT FROM PARENT RIGHT 63-04059. THE SOURCE NAME IS FROM
ORTHOPHOTO. THE SLOUGH MAY BE TRIBUTARY TO PHYLLIS CANAL BEFORE
REACHING THE BOISE RIVER.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Clifford Bergley Date: 9-1-89

Date: _____

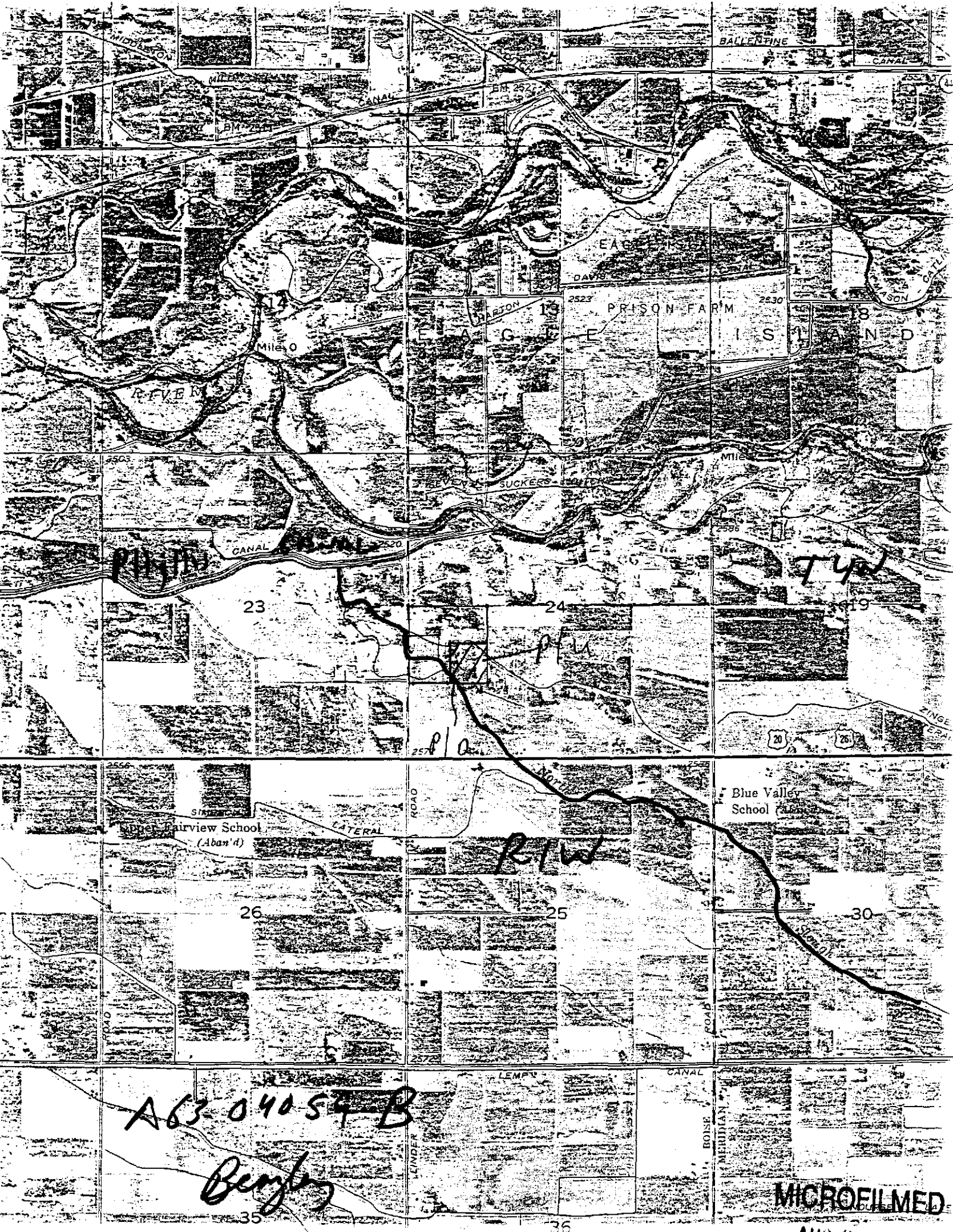
State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 1 day
of September 19 89

Lori Harris
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 12-8-94



A63-04054-B

Beagle

MICROFILMED

AUG 2 11 1947

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
MAILED FROM ZIP CODE 82
\$ 00.8
DEC 15 2
PITNEY BOWE

RECEIVED
DEC 30 2005
DEPARTMENT OF
WATER RESOURCES

NOT DELIVERED
AS ADDRESSEE
UNABLE TO REACH

re: Notice of Filing of
Director's Report

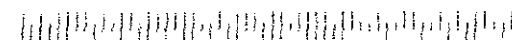
Not at this address 763 40598

CLIFFORD G BEAGLEY
7014 N LINDER RD
MERIDIAN ID 83642

RECEIVED

JAN 05 2006

WATER RESOURCES
WESTERN REGION



OF IDAHO
TMENT OF WATER RESOURCES
ERN REGIONAL OFFICE
AIRPORT WAY
IDAHO 83705

FIRST CLASS
UNITED STATES POSTAGE
02 1A
\$ 00.83⁰
0004388392 JUN 06 2005
MAILED FROM ZIP CODE 83702

re: Notice of Error

CLIFFORD G BEAGLEY
7385 N LINDER RD
MERIDIAN ID 83642

POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED IN
THE UNITED STATES

18430 Lewis Ln
Caldwell ID 83607

RECEIVED
JUN 10 2005
WATER RESOURCES
WESTERN REGION

63-4985
63-4059B

DRESS SERVICE
REQUESTED

03/25/2005

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

RIGHT NUMBER: 63-4059B

NAME AND ADDRESS: RONALD W KANGAS
6940 N LINDER
MERIDIAN ID 83642

CLIFFORD G BEAGLEY
7014 N LINDER RD
MERIDIAN ID 83642

SOURCE: NORTH SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.200 CFS
45.000 AFY

PRIORITY DATE: 03/01/1970

POINT OF DIVERSION:

T04N R01W S24 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.200 CFS
45.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S24 NWSW 10.0

10 ACRES TOTAL

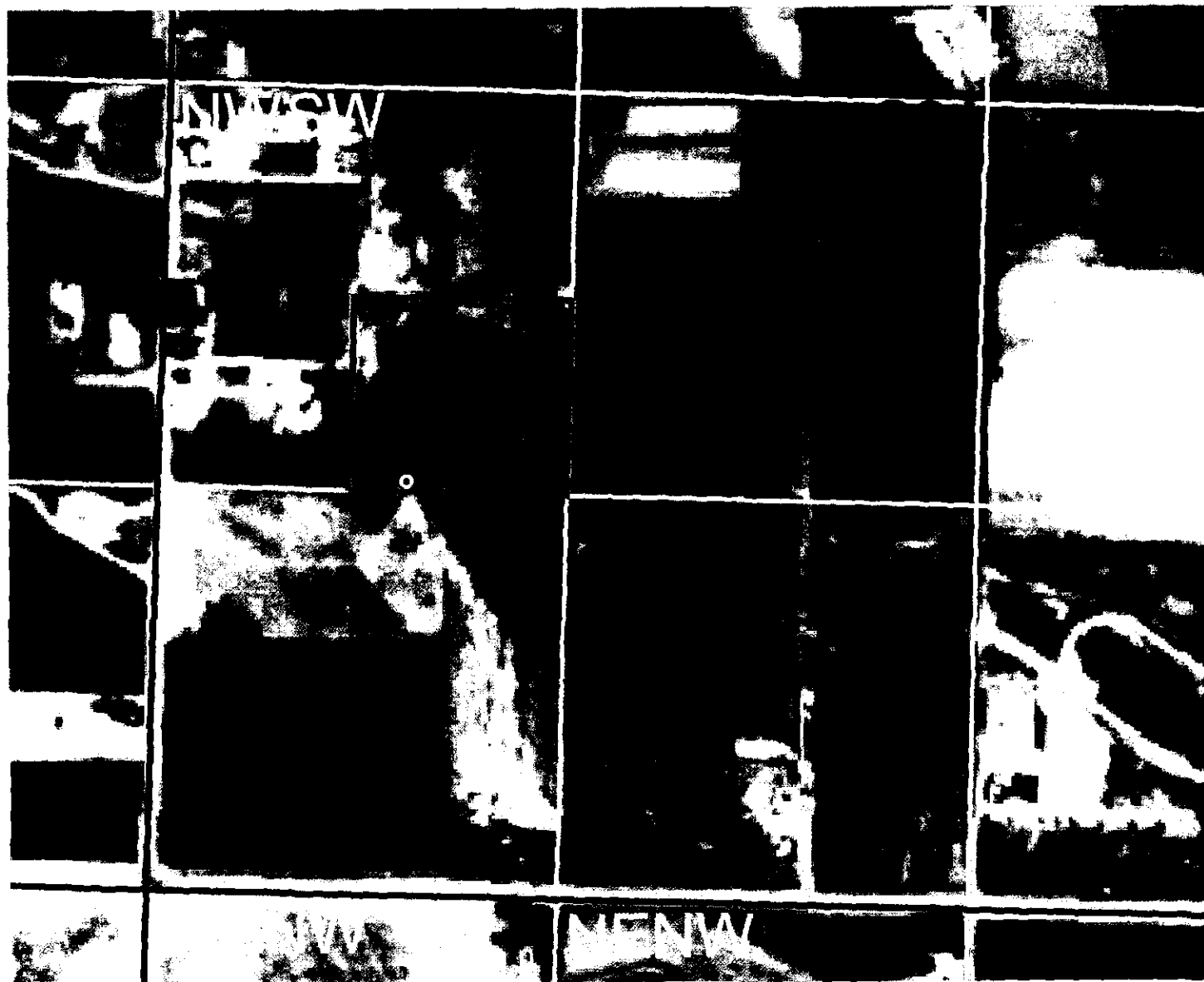
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

PROPERTY IS ALSO KNOWN AS A PORTION OF LOT 23, BLK 1, BODILY & BUNDERSON SPRINGS SUBDIVISION NO. 2.

Idaho Department of Water Resources



**T04N, R01W,
S24**

Claim No: 63-4059B
Prepared By: Kimberly Brown
Date: March 25, 2005



Place of Use



Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 10.0



1987 NAPP

0.03 0 0.030.06 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4059B

WATER RIGHT NUMBER: 63-4059B ✓

<u>Owner Type</u>	<u>Name and Address</u>	<u>Current Owner -</u>
Current Owner	RONALD W KANGAS ✓ (deceased) 6940 N LINDER MERIDIAN, ID 83642 (208)888-3228	Harold R. Bunderson
Original Owner	FAYETTE W SIMPSON ✓ RT 1 MERIDIAN, ID 83642	582 W. River Heights Dr. Meridian 83642
Current Owner	CLIFFORD G BEAGLEY ✓ ~~7014 N LINDER RD~~ 18430 Lewis Lane ~~MERIDIAN, ID 83642~~ Caldwell 83607 (208)888-5369 # 459-6681	

Priority Date: ~~06/10/1958~~ ✓ 03/01/1970Basis: ~~Statutory Claim~~ ✓

Status: Active

Beneficial Use

Property Address:Source

NORTH SLOUGH ✓

Tributary

BOISE RIVER ✓

N. Linder Rd.
MeridianBeneficial Use

IRRIGATION ✓

From To

4/15 to 10/15

Diversion Rate

0.200 CFS ✓

Annual Volume

45.0 AF

Total Diversion:

0.200 CFS ✓

45.0 AF

Location of Point(s) of Diversion

NORTH SLOUGH

ADA County ✓

(SE1/4)NW1/4SW1/4 ✓

Sec. 24, Twp 04N, Rge 01W, B.M. ✓

Remove QQQ.

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	10.0
																			10.0

Total Acres: 10 ✓

Conditions of Approval:Remarks:

1. General

a portion of
Parcel No: R1006840220.

THIS IS SPLIT FROM PARENT RIGHT 63-04059. THE SOURCE NAME IS FROM ORTHOPHOTO. THE SLOUGH MAY BE TRIBUTARY TO PHYLLIS CANAL BEFORE REACHING THE BOISE RIVER.

ADD JOI - Place of use also known as a portion of lot 23,
Bll. 1, Bll. 2 & Bunderson Sprines Subdivision No. 02.

Field Exam Date 3.25.05

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 60.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-4059 B
Owner: Clifford G. Beagley & Ronald W. Kangas (deceased) Phone No. (208) 888-5369
Current Address: 7014 N. Linder / 6940 N. Linder #888-3228
☐ No change NAME IS THE SAME
☒ NEW OWNER Harold R. Bonderson
☐ No change Address
☒ NEW ADDRESS 582 W. River Heights Dr., Meridian
☐ How long owned property? _____

Accompanied by: N/A

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6/10/1958 (3/01/1970 recommended)

(If priority date, based on your exam, seems questionable, explain below.)

Judy Engminger submitted an affidavit for claim no. 63-4935. I would not have made the connection between #63-4935 & 63-4059 until Merlin Bodily called on 3/24/04, after receiving several letters requesting evidence, and informed me that Mrs. Engminger's affidavit covers 24 acres in the NW 3/4, S24.

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

Remove QQQ.

After reviewing Fayette Simpson's claim #63-4059, I found that she claimed 24 acres in the NW 3/4, S24. Based on Mrs. Engminger's affidavit for 63-4935, I am recommending 3/01/1970 as the priority date.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NW	SW					

Description of diverting works

Headgates & ditches for gravity irrigation**OVERLAP REVIEW**Other water rights with the same point of diversion: see POD overlap review sheet

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☐ No change☐ Different UsesUse _____ From 3/1 To 11/15 Amount _____ CFS 45.0 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Season of use is 3/1 to 11/15.**TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount _____ CFS 45.0 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☐ Changes shown below:Parcel No: a portion of
R1006840220.Place of use is also known as a portion
of lot 23, Blk. 1, Bailey & Brunderson
Springs Subdivision No. 02.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: See POU overlap review sheet

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: ditches

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Place of use is also known as a portion of lot 23,
Block 1, Bailey & Bonderson Springs Subdivision No. 2.

Parcel No: a portion of R 1006840220.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3-25-05 (in office review)

FIELD EXAMINER: Kimberly Brown

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POD REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-4059B

03/25/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-4329	Claim	04N	01W	24	NW	SW		GROUND WATER domestic	JUDY DEBNAR
63-18102	Claim	04N	01W	24	NW	SW		GROUND WATER 7120 N. Linder - 50424322150	VIRGINIA M MAULE
63-18373	Claim	04N	01W	24	NW	SW		GROUND WATER 7180 N. Linder - 50424325425	LILA KANGAS
~~63-4059~~	~~Claim~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~SW~~		~~UNNAMED DITCH BOISE RIVER 6940 N. Linder - 50424325655~~	
63-4935	Claim	04N	01W	24	NW	SW		WASTE WATER PHYLLIS CANAL dif. POD claimed	GARY ENZMINGER
63-18377	Claim	04N	01W	24	NW	SW		GROUND WATER domestic	CLIFFORD G BEAGLEY
63-22033	Claim	04N	01W	24	NW	SW		GROUND WATER 7014 N. Linder - 5042432400	CLARENCE TARTER
63-4059A	Claim	04N	01W	24	NW	SW		NORTH SLOUGH BOISE RIVER 7150 N. Linder - 50424325445	LILA KANGAS
~~63-4059B~~	~~Claim~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~SW~~		~~NORTH SLOUGH BOISE RIVER 6940 N. Linder -~~	~~RONALD W KANGAS~~
63-4329	Water Right	04N	01W	24	NW	SW		GROUND WATER	JOHN DEBNAR
63-18102	Water Right	04N	01W	24	NW	SW		GROUND WATER	VIRGINIA M MAULE
63-18373	Water Right	04N	01W	24	NW	SW		GROUND WATER	LILA KANGAS
~~63-4059~~	~~Water Right~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~SW~~		~~UNNAMED DITCH BOISE RIVER parent~~	~~FAYETTE W SIMPSON~~
63-4935	Water Right	04N	01W	24	NW	SW		WASTE WATER PHYLLIS CANAL	SANDRA L BODILY
63-18377	Water Right	04N	01W	24	NW	SW		GROUND WATER	CLIFFORD G BEAGLEY
63-22033	Water Right	04N	01W	24	NW	SW		GROUND WATER	CLARENCE TARTER

No overlap -
Separate PODs.

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-4059B

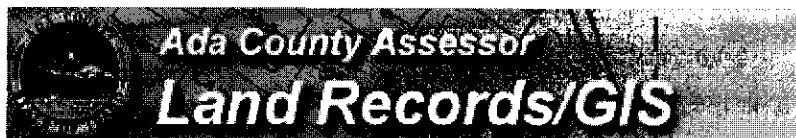
03/25/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1059A	Claim	04N	01W	24	NW	SW		IRRIGATION	6/6	6940 N. Linder LILA KANGAS
~~1059B~~	~~Claim~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~SW~~		~~IRRIGATION~~	~~10/10~~	~~50424 325 655 # 50424 325 865 RONALD W KANGAS~~
~~4059~~	~~Water Right~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~SW~~		~~IRRIGATION~~	~~24/38~~	~~parent FAYETTE W SIMPSON~~
1614B	Claim	04N	01W	24	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	24	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01W	24	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
2576	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	01W	24	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
4329	Water Right	04N	01W	24	NW	SW		DOMESTIC	7120 N. Linder 50424 322 150	JOHN DEBNAR
18102	Water Right	04N	01W	24	NW	SW		DOMESTIC	7180 N. Linder 50424 325 425	VIRGINIA M MAULE
18373	Water Right	04N	01W	24	NW	SW		DOMESTIC	6940 N. Linder - 50424 325 655	LILA KANGAS
18377	Water Right	04N	01W	24	NW	SW		DOMESTIC	7014 N. Linder - 50424 325 400	CLIFFORD G BEAGLEY
22033	Water Right	04N	01W	24	NW	SW		DOMESTIC	7150 N. Linder 50424 325 445	CLARENCE TARTER

no overlap -

different POU's.

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R1006840220

- [Main Page](#)
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- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 15.460
Zone Code: RUT
Primary Code 71 Tax Districts
Area:
Group Type: SUB
Subdivision: BODILY & BUNDERSON
 SPRINGS SUB NO 02
Section: 4N1W24

Property Description

LOT 23 BLK 1
 BODILY & BUNDERSON
 SPRINGS SUB #2


[Click to View Interactive Map](#)
Assessor Links

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- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Property Address

N LINDER RD
 MERIDIAN, ID 00000

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	15.460	\$15,900	INCOME

Total Assessed Value: \$15,900

Parcel Valuation History

Assessed value for year 2004	\$15,900
Assessed value for year 2003	\$16,300
Assessed value for year 2002	\$15,800
Assessed value for year 2001	\$15,500
Assessed value for year 2000	\$15,000

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**Agriculture Characteristics 1 for Parcel "R1006840220"****Irrigated Acres:**

Capability Class 1:	0.0
Capability Class 2:	15.46
Capability Class 3:	0.0
Capability Class 4:	0.0

Non-Irrigated Acres:

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	0.0

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Waste Acres:

Capability Class 8:	0.0
----------------------------	-----

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Receipt Details for ID W005379

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/1/1989 11:15:24 AM	9/1/1989	Western	\$85.00	Check
Payer		BEAGLEY, C.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2426			
Card Expiration Date	Credit Card Transaction #		

Comment SRBA CLAIMS

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$85.00	SRBA CLAIMS	410162	9337	00		6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18377		\$25.00	Claim
63	4059	B	\$60.00	Claim

[Print Report](#)

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A69-4935)

AFFIDAVIT

COPY

State of Idaho)
County of Ada)

Ludy Emminger being first duly sworn,
deposes and says: Harry + Ludy Emminger were one of the

deposes and says: Harry & Judy Cummings were one of the first owners of this Waste Water & pump starting 3-15-1970. It came from Rhy's canal. We (all) put it to beneficial use for irrigation for 27 acres located Twp 04N, R9E01W - Sec 23 & 24 in NW¹/₄, SW¹/₄.

pertaining to #63-4059B -KLB

Ludy Summer
(Signature)

Subscribed and sworn to before me this
day 15 of Sept, ~~19~~03.

SEAL

(Notary Public)

Residing at _____

My Commission Expires _____

Identification No.

Claim No.

Map No.

63-4059

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Fayette W. Simpson
post office address Route #1 - Meridian, Idaho 83642
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 24 Township 4 N
Range 1 W B.M. located on unnamed waste ditch
(name of source)
tributary to Settler's Ditch in Ada County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: 6-10-58 amount: 1.8 c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed 1.8 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
 use irrigate hay, corn period of use from April 15 to Oct. 15 (both dates inclusive)
 and/or pasture
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
 _____; length is _____ feet; height is _____ feet;
 width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
water has been pumped
 - b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
 capacity of pump is _____ g.p.m.; name and address of well driller is _____

63-4059

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, If so, give dates and describe_____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

- b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____
6. Where water is used for stock watering, give number of each kind of stock watered _____
7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____
8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities. _____
9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

State of Idaho

County of Ada 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 May 7 day of May, 1970.

Notary Public

Residing at Mendenhall, Ida.

My commission expires Feb 72

For Department Use Only

Received by <u>[Signature]</u>	Date <u>5-7-70</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>[Signature]</u>	Date <u>5-7-70</u>	_____	_____	_____
Fee received by <u>[Signature]</u>	Date <u>5-7-70</u>	Fee \$ <u>10.00</u>	_____	_____
Approved for publication by <u>[Signature]</u>	Dates <u>5-21-70-70</u>	_____	_____	_____

63-4059

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-07539

October 8, 2004

I have not received any evidence of priority from Merlin Bodily, so I sent a letter to Hal Bunderson requesting evidence. In addition, I also sent a *Change In Water Right Ownership form*. The telephone book lists Mr. Bunderson's address and number as:

582 River Heights Drive #888-7156
Meridian 83642

February 5, 2004

Since I have not received any evidence from Mr. Bodily or Mr. Bunderson, I found a Legislators listing (attached) of Mr. Bunderson's business number (#888-7156) and left a message on his answering machine. I spoke with Mr. Bunderson in the afternoon. When I asked if 582 River Heights Dr. is the correct address, he said that it was but that he didn't receive the evidence of priority letter and *Change of Ownership form* I sent in October 2003. I explained the need for evidence and gave him Mr. Beagley's telephone number; suggesting that he have Mr. Beagley fill out an affidavit.

March 25, 2004

I called Merlin Bodily (#939-2189 – work, #888-1140 – home). Bodily and Bunderson bought the land from Cliff Beagley and he is still alive; as is his son, Jeff Beagley. Mr. Bodily said that 7385 N. Linder is his correct address, that he received the evidence of priority letter I sent to him at this address, and that Hal Bunderson wants him to do all the work for supplying evidence. Mr. Bodily also mentioned that Kangas' claim is from the top ditch. According to Mr. Bodily, when Foxtail Golf Course went in, it basically obliterated the top ditch; so that now the water is diverted through a different ditch – it comes down below and then they pump the water out. Regarding evidence of priority, Mr. Bodily said that a field exam was done for #63-4935 and that this is the very same water ("wastewater that comes from the draw") used for 63-4935 and the 10 acres. He wants me to go look in the Enzminger's file to see if their evidence of priority will work for their claim!

Kimberly Brown
Senior Water Resource Agent
Western Region

Important Message



Time: 4:08 Date: 2-5-84
For: Kimberly
From: Hal Bunderson
Telephone: 888-7156

- | | |
|--|---|
| ☐ Telephoned | ☒ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☒ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message: _____

Taken by: sk

2.5.05
LMOM to call

LEGISLATORS - by DISTRICT (continued)

11-CANYON & GEM COUNTIES

Brad Little (R) Senate 2nd Term
P.O. Box 488, Emmett 83617-0488
Home 365-6566 FAX 365-4615 Bus 365-4611
E-mail: blittle@senate.state.id.us

Rancher Wife - Teresa

MAJORITY CAUCUS CHAIR

Resources & Environment; State Affairs; Transportation

Kathy Skippen (R) House Seat A 1st Term
5454 W. Central Rd., Emmett 83617
Home 365-5686
E-mail: kskippen@house.state.id.us

Farmer Husband - Dar Olberding

State Affairs; Transportation & Defense

Gary W. Bauer (R) House Seat B 1st Term
6280 Cherry Ln., Nampa 83687
Home 463-0115 FAX 463-0115 Bus 866-6940
E-mail: gbauer@house.state.id.us

Semi-Retired Wife - Mary Lou

Commerce & Human Resources; Education;

Transportation & Defense

12-CANYON COUNTY

Curt McKenzie (R) Senate 1st Term
1911 Candlewood Dr., Nampa 83686
Home 468-1027 FAX 389-9040 Bus 387-4224
E-mail: cmckenzi@senate.state.id.us

Attorney Wife - Renee

Finance; Local Government & Taxation

Robert E. Schaefer (R) House Seat A 10th Term
P.O. Box 55, Nampa 83653
Home 466-3636 Bus 466-3636
E-mail: rschaefer@house.state.id.us

Architect Wife - Betty

CHAIR-Commerce & Human Resources

Revenue & Taxation

Gary E. Collins (R) House Seat B 2nd Term
2019 E. Massachusetts, Nampa 83686
Home 466-5460 FAX 466-8412 Bus 466-4787
E-mail: gcollins@house.state.id.us

Insurance Agency Owner Wife - Ann

VICE CHAIR-Local Government

Business; Legislative Council; Revenue & Taxation

LEGISLATORS - by DISTRICT (continued)

13-CANYON COUNTY

Patti Anne Lodge (R) Senate 2nd Term
P.O. Box 96, Huston 83630
Home 459-7158 FAX 459-7199
E-mail: palodge@senate.state.id.us

Education Media Husband - Edward J.

Consultant/Agribusiness Owner

VICE CHAIR-Judiciary & Rules

Finance; Legislative Council

Dolores J. Crow (R) House Seat A 11th Term
203 S. Olive, Nampa 83686
Home 467-1302

E-mail: infocntr@lso.state.id.us

Retired Businesswoman

CHAIR-Revenue & Taxation

Commerce & Human Resources

William W. "Bill" Deal (R) House Seat B 7th Term

1400 W. Roosevelt, P.O. Box B, Nampa 83653

Home 466-3184 FAX 466-2471 Bus 466-2465

E-mail: bdeal@house.state.id.us

Web Page: www.wdealinsurance.com

Insurance

CHAIR-State Affairs

Business

14-ADA COUNTY

Hal Bunderson (R) Senate 6th Term
582 River Heights Dr., Meridian 83642
Home 888-7156 FAX 888-7188 Bus 888-7156
E-mail: hbunders@senate.state.id.us

Retired CPA-Auditor Wife - Mary Kay

& Real Estate Developer

CHAIR-Local Government & Taxation

Judiciary & Rules

Mike Moyle (R) House Seat A 3rd Term
480 N. Plummer Rd., Star 83669
Home 286-7842 FAX 286-9540 Bus 286-7842

E-mail: mmoyle@house.state.id.us

Agribusiness

Wife - Sue Ann

ASST. MAJORITY LEADER

Resources & Conservation; Revenue & Taxation; Ways

& Means

Henry Kulczyk (R) House Seat B 1st Term
3305 N. Ballantyne Ln., Eagle 83616-2435
Home 939-8888 Bus 447-9962

E-mail: hkulczyk@house.state.id.us

Web Page: www.hkulczyk.com

Master Carpenter/Builder

Wife - Charmagne

Education; Health & Welfare; Judiciary, Rules, &

Administration



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

MERLIN BODILY
7385 N LINDER ROAD
MERIDIAN ID 83642

Re: SRBA Claim A63-04059B

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 6, 2004

HAL BUNDERSON
582 RIVER HEIGHTS DR.
MERIDIAN, ID 83642

RE: Snake River Adjudication Water Right No. A63-04059A

Dear Mr. Bunderson,

When I spoke with Mr. Clifford Beagley in August 2003 regarding claim #63-04059B, he informed me that he sold the land pertaining to this right to you and Mr. Merlyn Bodily. In order for you to fulfill the department's requirement for evidence of priority, I suggest that you call Mr. Beagley and speak to him regarding the 1958 priority date. If Mr. Beagley has the personal knowledge of when the slough was first used to irrigate the 10 acres; which I am assuming he does since he filled out the original Notice of Claim, then he would merely need to describe this knowledge in the enclosed Affidavit and sign it. Mr. Beagley's telephone number is 459-6681.

In addition, before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return it to this office with all of the required information.

Please send the evidence of priority and completed form to my attention, Kimberly Brown.

If you have any questions regarding this letter, please feel free to contact me at 334-2190.

Sincerely,

Kimberly L. Brown
Adjudication Section
Western Region

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 8, 2003

HAL BUNDERSON
582 RIVER HEIGHTS DR.
MERIDIAN, ID 83642

RE: Snake River Basin Adjudication Water Right Number 63-04059B

Dear Mr. Bunderson,

I spoke with Mr. Clifford Beagley regarding claim #63-4059B and he informed me that he sold the land pertaining to this right to you and Mr. Merlin Bodily. Therefore, I am sending you a copy of the original letter sent to Mr. Beagley that requests evidence of your priority date.

If you are the current owner of this water right, please fill-out the enclosed Change In Water Right Ownership form and return to me, Kimberly Brown, at the Western Region office. If you have any questions, please give me a call.

Sincerely,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 8, 2003

HAL BUNDERSON
582 RIVER HEIGHTS DR.
MERIDIAN, ID 893642

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-04059B

Dear Claimant(s),

In the past, Clifford Beagley and Ronald Kangas submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. They indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of your priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by November 5, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04059B

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2003

MERLIN R. BODILY
7385 N. LINDER RD.
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-04935

Dear Claimant(s),

In the past, Clifford Beagley and Ronald Kangas submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. Mr. Beagley indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 16, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04935

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

CONVERSATION MEMO

August 18, 2003

RE: A63-04059B Evidence of Priority and Field Examination

According to 2002 Tax Lot information, ownership has changed. When I called the number listed on the claim, # 888-5369, I was informed that the number had been changed to # 888-6428. After calling # 888-6428 I was answered by a voice recording for SON, Inc.; which has no listing for a Clifford Beagley.

However, the 2003 telephone book lists a Clifford G. Beagley:

18430 Lewis Lane
Caldwell, ID 83607
(208) 459-6681

I called # 459-6681 and spoke to Mr. Beagley. He said that the land was sold to Hal Bunderson, the legislator, and Merlin Bodily. According to Mr. Beagley, his co-claimant, Ronald W. Kangas, has passed away.

I sent the Evidence of Priority letter for 63-04059B to Merlin R. Bodily, whose address is listed in A63-04935 as:

7385 N. Linder Rd.
Meridian, ID 83642

Merlyn Bodily
7075 N. Linder Rd.
Meridian - ID 83642
888-1140

-Kimberly L. Brown

* sent Change of Ownership form w/ evidence letter

10.8.03

I have not received any evidence of priority from Merlin Bodily, so I sent a letter to Hal Bunderson requesting evidence.

Telephone books lists address as:

582 River Heights Dr.
Meridian, 83642

888-7156