

T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451

Prepared by:

RON HOWERTON

Date: 13 OCT 00

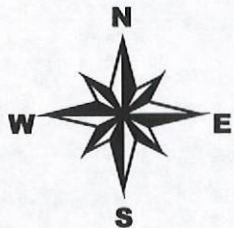
 Place of use

 POD

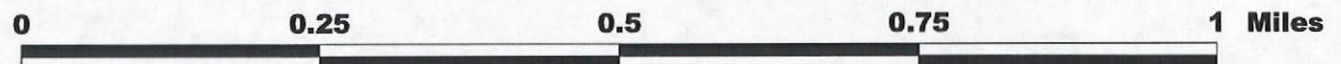
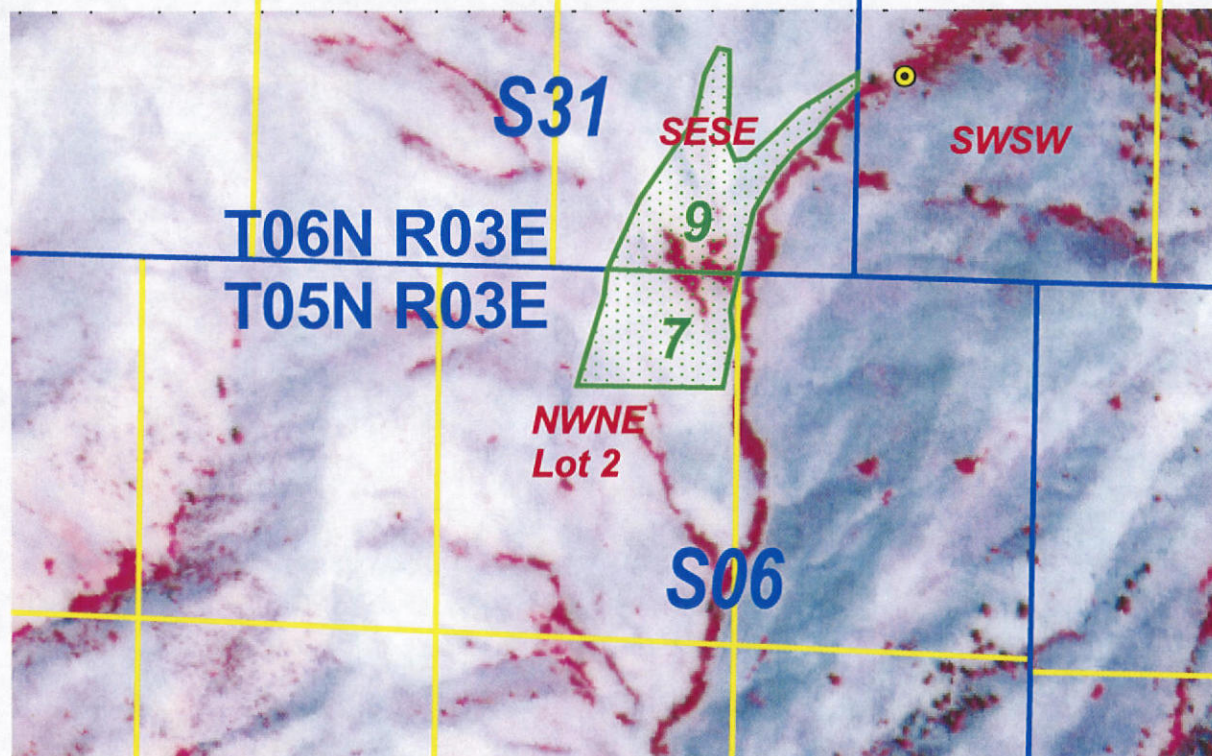
 SECTION

 1/4 1/4

16 Acres



1987 NAPP



T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451

Prepared by:

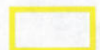
RON HOWERTON

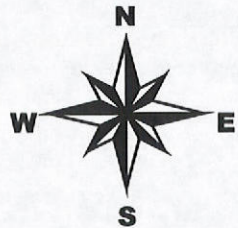
Date: 13 OCT 00

 Place of use

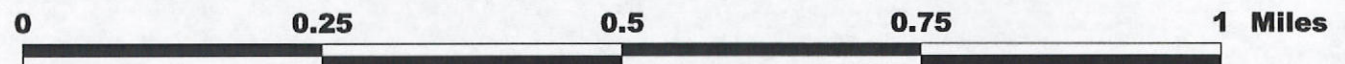
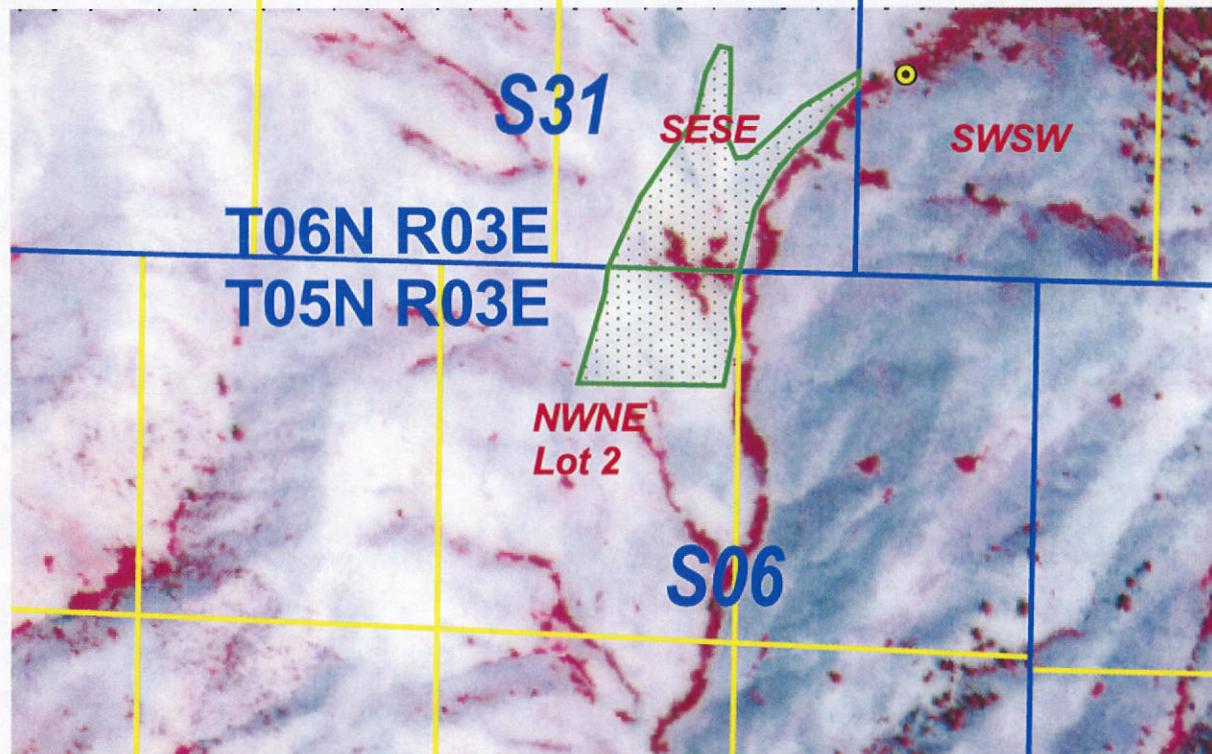
 POD

 SECTION

 1/4 1/4



1987 NAPP



T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451

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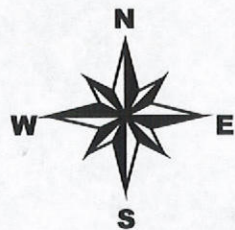
 Place of use

 POD

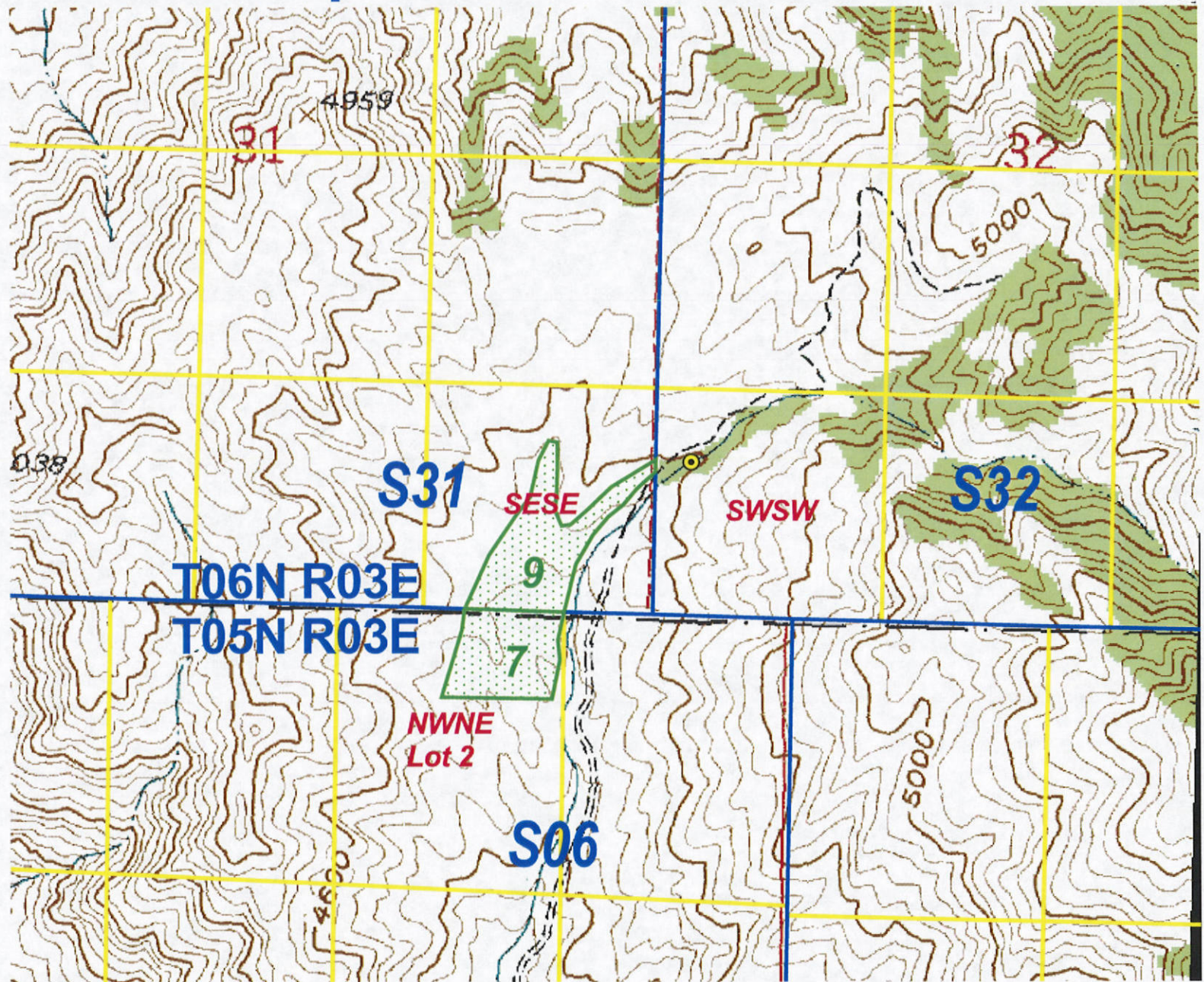
 SECTION

 1/4 1/4

16 Acres



W59 Topo



0 0.25 0.5 0.75 1 Miles

T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451

Prepared by:

RON HOWERTON

Date: 13 OCT 00

 **Place of use**

 **POD**

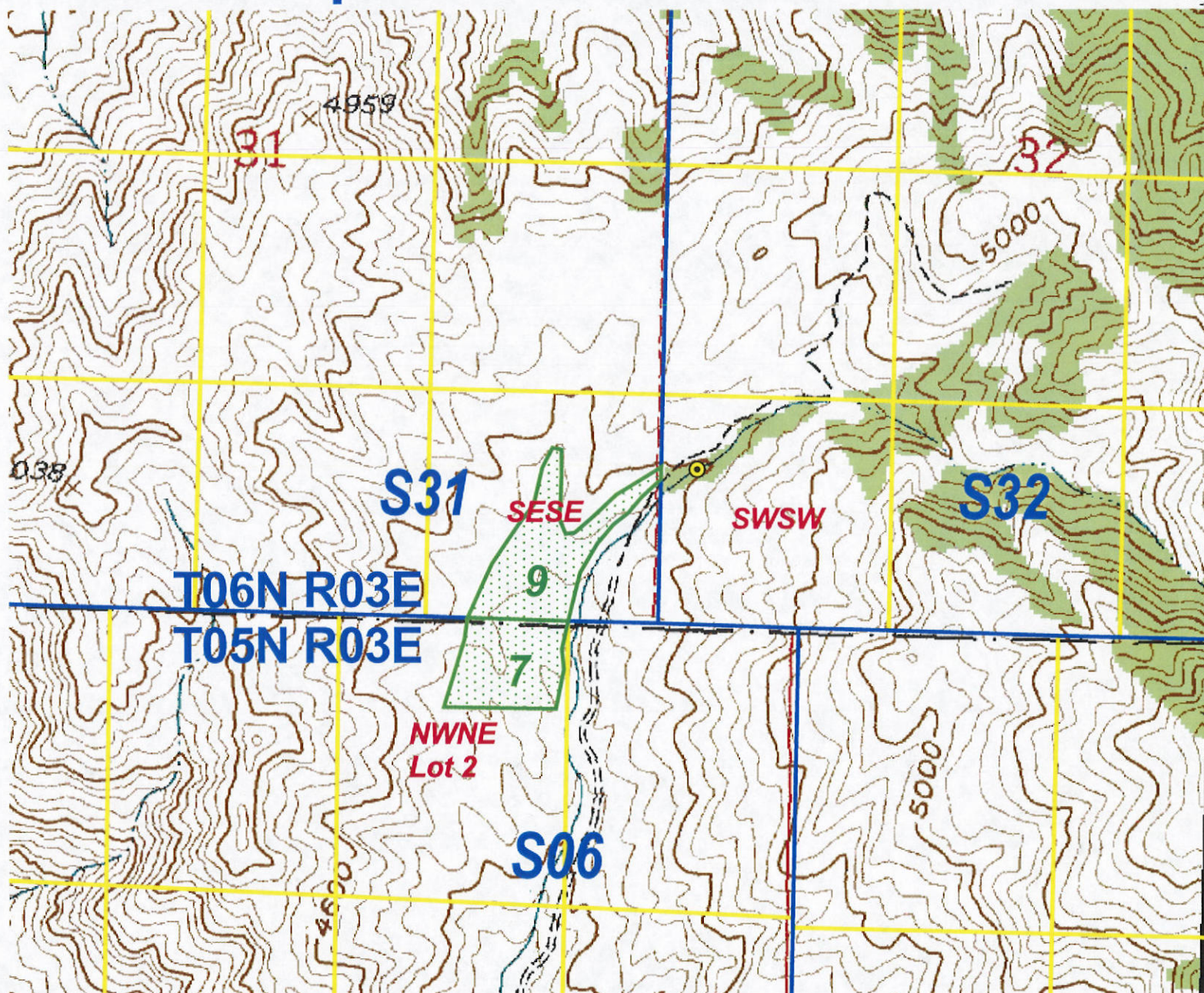
 **SECTION**

 **1/4 1/4**

16 Acres



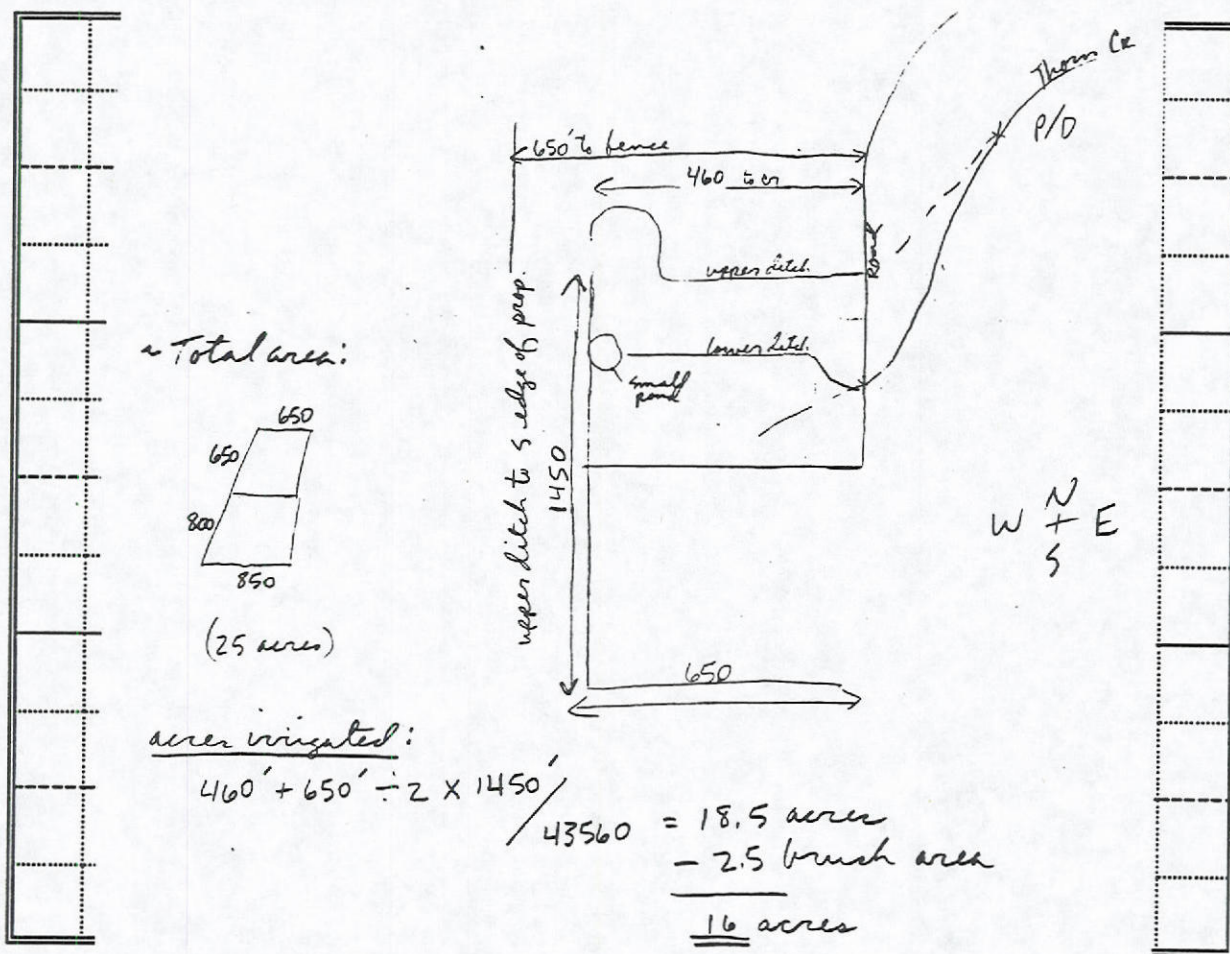
W59 Topo



0 0.25 0.5 0.75 1 Miles



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4. N/A

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Orange Peel						

2. Measurements:

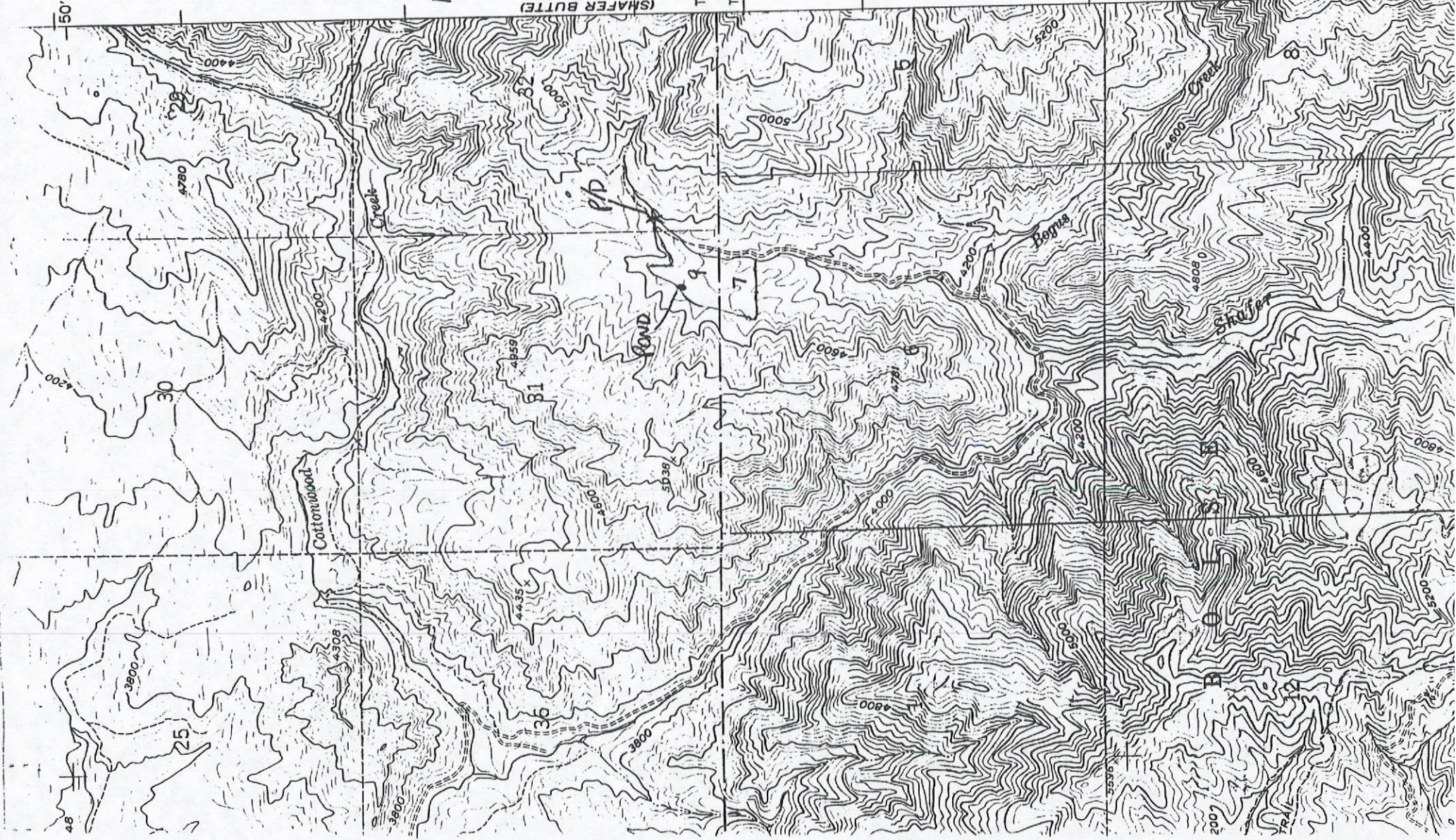
12.3' in 9.7 seconds, 12" culvert
3/4ths full

p/u: T6N R3E S31
T5N R3E S6
Cor lot 2

(SHAFFER BUTTE)

T. 5 N.

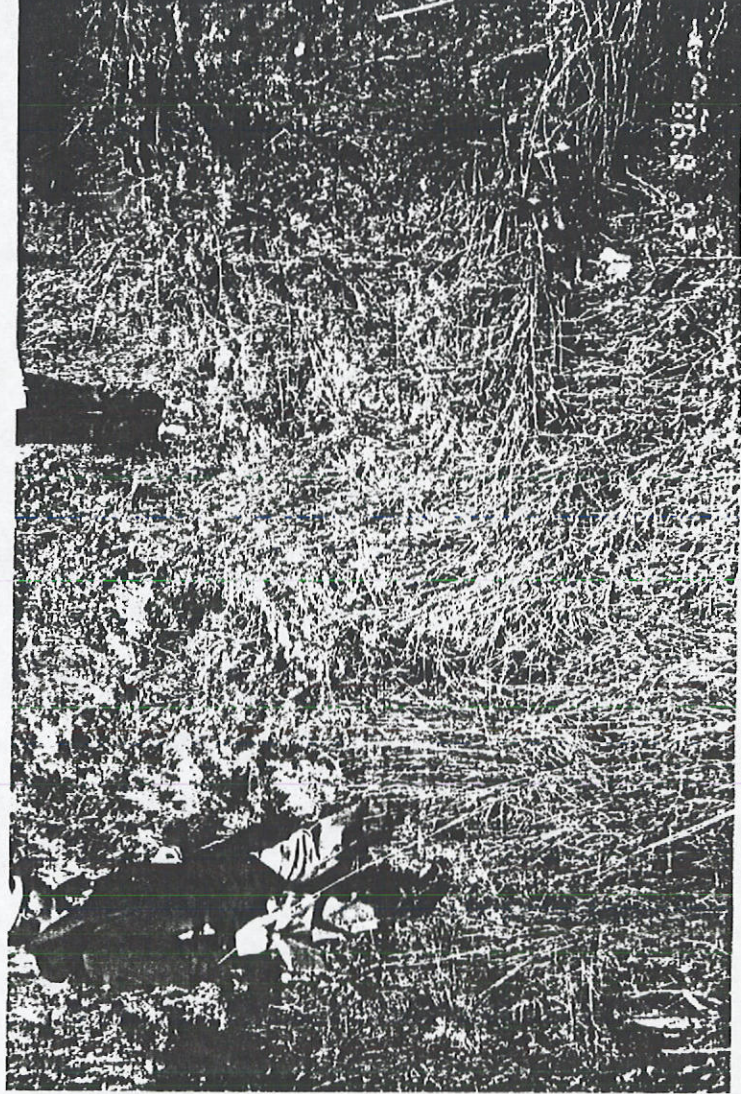
47'30"



P/D = 12" culvert
3/4 the full

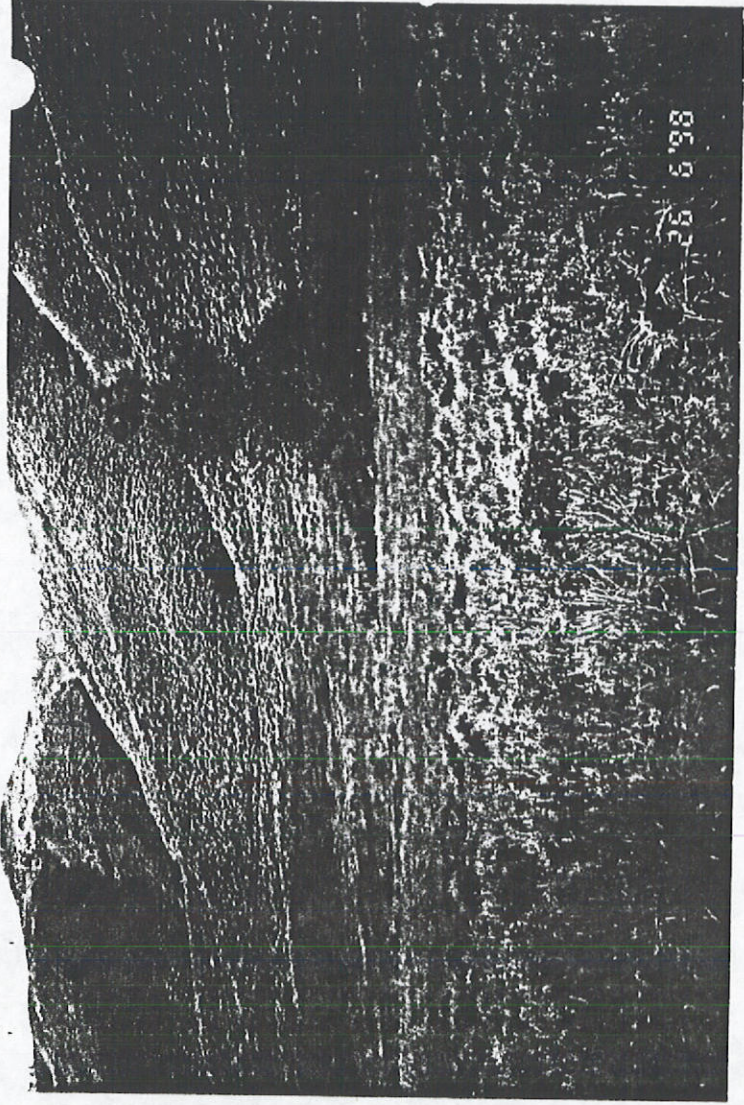


ditch
system



collected
Run off water
in addition
to unwarmed
stream water

65-07451



86.9 92
26 6'98

— small Pond

Pike looking SW

Pike - Looking North!



86.9 92
26 6'98

15740-51

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 4 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at BOISE, IDAHO, this 8th day of SEPTEMBER, 19 78.

J. L. Terteling
(signature)
J. L. Terteling, Vice President

GEOLOGIST [Signature]
9-7-78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, L. GLEN SAXTON, Chief, Operations of the Department of Water Resources hereby APPROVE this application for amendment on Permit No. 65-7451.

Witness my hand this 15th day of December, 19 78.
L. Glen Saxton
Chief, Operations Bureau

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: A65-07451
Date Received: 5/22/1989
Receipt No: X999999
Received By: _____

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

1. Name: THE TERTELING CO INC 208-338-5200
Address: 3823 N 36TH ST
BOISE ID 83703

2. Date of Priority: AUG 12, 1974

3. Source: UNNAMED STREAM Trib. to: BOGUS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03E	32	SW	SW			BOISE

5. Description of diverting works:
ROCK DAM, 16" HEADGATE WITH DITCHES & CEMENT HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.320		56.00

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) 56.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	6	NW	SE	2	IRR	7.0
						Section Acres	7.0
06N	03E	31	SE	SE		IRR	9.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	9.0
					Total Acres	16.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER LICENSE APPROVED 6/30/99.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 7/29/99
SOURCE IS ALSO KNOWN AS THORN CREEK.

15. Basis of Claim: LICENSE

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07451

Priority: August 12, 1974

Maximum Diversion Rate:

0.32 CFS

Maximum Diversion Volume:

56.0 AF

This is to certify, that J A TERTELING & SONS INC
877 W MAIN STE 706

BOISE ID 82702 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 3, 1974; and
has submitted Proof of Beneficial Use on December 27, 1977. An examination indicates
that the works have a diversion capacity of 0.750 cfs of water from:

UNNAMED STREAM

tributary to BOGUS CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.32 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 32, Township 06N, Range 03E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	03E	6	Lot 2(NWNE)	7			7
06N	03E	31	SESE	9			9

Total number of acres irrigated: 16

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Source is locally known as Thorn Creek.

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07451

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of JUNE, 1979.


Acting for KARL J. DREHER, Director

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: **A65-07451**
Date Received: 5/22/1989
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: THE TERTELING CO INC 208-338-5200
Address: 3823 N 36TH ST
BOISE ID 83703

2. Date of Priority: JAN 3, 1974

3. Source: THORN CREEK Trib. to: BOGUS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03E	31	SE	SE	SE		BOISE
			SE	SE	SE		BOISE

5. Description of diverting works:
ROCK DAM, 16" HEADGATE WITH DITCHES & CEMENT HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	6	SW	NW		IRR	4.0
			SE	NW		IRR	4.0
			SE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
06N	03E	31	SW	SE	IRR	5.0
			SE	SE	IRR	3.0
					Section Acres	8.0
					Total Acres	20.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 7/29/99

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP Department of Water Resources

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

RECEIVED

JUL 21 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s): 65-07450, 65-07451, and 65-07452
 Adjudication Claim No(s): A65-07450, A65-07451, and A65-07452

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant J A Terteling & Sons INC
877 W. main St. STE 706, Boise, Idaho 83702

4. New Owner/Claimant(s) The Terteling Co., Inc.
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
 New Mailing Address 3823 N. 36th Street
 City, State and ZIP Code Boise, Idaho 83703
 New Telephone Number (208) 338-5200

5. Date you acquired the property December 31, 1968

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner *J. L. Terteling* Date 7-12-99
 or Claimant(s) J. L. Terteling, President
 Date _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

State of Idaho



Department of State

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho and custodian of the Seal of said State, do hereby certify that the annexed is a full, true and complete transcript of certificate of incorporation for THE TERTELING COMPANY, INC., incorporated as J. A. Terteling & Sons, Inc. on February 1, 1944 as appears of record in this office as of this date.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho.

Done at Boise, Idaho, this 12th day of August A.D., 19 82

Pete T. Cenarrusa

Secretary of State

Gnn Fisk

Corporation Clerk

707920

Indca. 2

WARRANTY DEED

FOR VALUE RECEIVED, MELVIN D. SMITH and DORLA J. SMITH, husband and wife, and FRANK O. SMITH and VIRGINIA SMITH, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto TERTELING LAND COMPANY, a Washington corporation, the following described premises situate in Ada County and Boise County, Idaho, to wit:

TRACT I.

ADA COUNTY, STATE OF IDAHO, T. 5 N., R. 2 E.B.M.

Section 34: $S\frac{1}{2}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}SE\frac{1}{4}$; $SW\frac{1}{4}$;
 Section 35: $NW\frac{1}{4}SW\frac{1}{4}$;
 Section 33: $E\frac{1}{2}$; $E\frac{1}{2}W\frac{1}{2}$;
 Section 28: $SE\frac{1}{4}SW\frac{1}{4}$; $SE\frac{1}{4}$; $S\frac{1}{2}NE\frac{1}{4}$;
 Section 27: $N\frac{1}{2}SW\frac{1}{4}$; $SW\frac{1}{4}SW\frac{1}{4}$; $E\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$; $NW\frac{1}{4}NE\frac{1}{4}$;

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 2 E., B.M.

Section 27: That part of $N\frac{1}{2}NE\frac{1}{4}$ which lies in Boise County.

Section 26: $NW\frac{1}{4}NW\frac{1}{4}$;
 Section 23: $SW\frac{1}{4}SW\frac{1}{4}$;
 Section 25: $E\frac{1}{2}$, $N\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$;
 Section 24: $E\frac{1}{2}$, $SW\frac{1}{4}$;
 Section 13: $S\frac{1}{2}SE\frac{1}{4}$; $NW\frac{1}{4}SW\frac{1}{4}$; $NW\frac{1}{4}$; $N\frac{1}{2}NE\frac{1}{4}$;
 Section 14: $N\frac{1}{2}SE\frac{1}{4}$; $NE\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$;
 Section 12: All EXCEPT $NE\frac{1}{4}SW\frac{1}{4}$;
 Section 11: $N\frac{1}{2}$;
 Section 2: $S\frac{1}{2}S\frac{1}{2}$;
 Section 3: $E\frac{1}{2}E\frac{1}{2}$;
 Section 1: $SW\frac{1}{4}SW\frac{1}{4}$; $E\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}SE\frac{1}{4}$;

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

Section 6: $W\frac{1}{2}$; $SE\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}NE\frac{1}{4}$;
 Section 5: Lots 1, 2, 3, 4, $SE\frac{1}{4}NE\frac{1}{4}$;
 Section 4: Lot 4, $SW\frac{1}{4}NW\frac{1}{4}$;
 Section 7: $NW\frac{1}{4}W\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$; $NW\frac{1}{4}SE\frac{1}{4}$; Lots 3, 4;
 Section 30: $NE\frac{1}{4}SW\frac{1}{4}$; Lots 3, 4;
 Section 31: $NW\frac{1}{4}NW\frac{1}{4}$;

BOISE COUNTY, STATE OF IDAHO, T. 6 N., R. 3 E., B.M.

Section 30: $SW\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$; Lots 3, 4;
 Section 31: All.
 Section 32: $N\frac{1}{2}$; $SW\frac{1}{4}$; $S\frac{1}{2}SE\frac{1}{4}$;
 Section 29: $S\frac{1}{2}$; $SE\frac{1}{4}NW\frac{1}{4}$; $S\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$;
 Section 28: $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$; $SE\frac{1}{4}SW\frac{1}{4}$; $SE\frac{1}{4}$; $S\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$;

Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Section 27: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easements or other matters relating thereto whether expressed or implied.

and

EXCEPT roads and ditches and road and ditch rights.

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

Section 18: W $\frac{1}{2}$ NE $\frac{1}{2}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$;
 EXCEPT right-of-way granted in Instrument No. 66743.

TRACT II.

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

Section 18: E $\frac{1}{2}$ W $\frac{1}{2}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances except the following:

Mortgage dated January 3, 1963, to the Federal Land Bank of Spokane, recorded January 15, 1963, as Instrument No. 546943, records of Ada County, Idaho, and recorded January 15, 1963, as Instrument No. 68042, records of Boise County, Idaho.

A timber sale agreement dated the 21st of October, 1959, between the grantors and Hoff Lumber Company, an Idaho corporation,

and

A timber sale agreement between Grantors and Southern Idaho Timber and Logging Company, recorded September 16, 1955 as Instrument No. 61688, records of Boise County, Idaho,

and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: December 31, 1968Melvin D. SmithDorla J. SmithFrank O. SmithVirginia Smith

STATE OF IDAHO)
 : ss.
County of Ada)

On this 31st day of December, 1968, before me, the undersigned, a Notary Public in and for said state, personally appeared MELVIN D. SMITH and DORLA J. SMITH, and FRANK O. SMITH and VIRGINIA SMITH, known to me to be the persons whose names are subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]
Notary Public for Idaho
Residing at Boise, Idaho.

STATE OF IDAHO, COUNTY OF ADA, ss.

Filed for record at the request of Idaho Title Co45 Min past 3 o'clock P. M. this 12 day of Jan, 1969

CLARENCE A. PLANTING, Recorder

By [Signature] Deputy

CORPORATION WARRANTY DEED

TERTELING LAND COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office at Boise, County of Ada, State of Idaho, grantor, does hereby Grant, Bargain, Sell, Convey and Warrant to J. A. Terteling & Sons, Inc., an Idaho corporation, grantee, for the sum of One Thousand and no/100 Dollars (\$1,000.00) and other valuable consideration, the following described tracts of land in Boise County, State of Idaho:

Tract A

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 2 E., B.M.

- 1613 Section 27: ✓That part of N $\frac{1}{2}$ NE $\frac{1}{4}$ which lies in Boise County.
- 1612 Section 26: ✓NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- 1611 Section 23: ✓SW $\frac{1}{4}$ SW $\frac{1}{4}$;
- 1610 Section 25: ✓E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$;
- 1609 Section 24: ✓E $\frac{1}{2}$, SW $\frac{1}{4}$;
- 1607 Section 13: ✓S $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$;
- 1608 Section 14: ✓N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- 1606 Section 12: ✓All EXCEPT NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- 1605 Section 11: ✓N $\frac{1}{2}$;
- 1603 Section 2: ✓S $\frac{1}{2}$ S $\frac{1}{2}$;
- 1604 Section 3: ✓E $\frac{1}{2}$ E $\frac{1}{2}$;
- 1602 Section 1: ✓SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Tract B

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

- 1616 Section 6: ✓Lots 1, 2, 3, 4, 5, 6, 7; SW $\frac{1}{4}$ NE $\frac{1}{4}$;
SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
- 1615 Section 5: ✓Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- 1614 Section 4: ✓Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
- 1617 Section 7: ✓W $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1, 2, 3, 4, E $\frac{1}{2}$ NW $\frac{1}{4}$;
- 1620 Section 30: ✓NE $\frac{1}{4}$ SW $\frac{1}{4}$; Lots 3, 4;
- 1621 Section 31: ✓Lot 1;

Tract C

BOISE COUNTY, STATE OF IDAHO, T. 6 N., R. 3 E., B.M.

- 1626 Section 30: ✓SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 3, 4;
- 1627 Section 31: ✓All.
- 1628 Section 32: ✓N $\frac{1}{2}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$;
- 1625 Section 29: ✓S $\frac{1}{2}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- 1624 Section 28: ✓NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- 1622 Section 21: ✓SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- 1629 Section 33: ✓NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- 1623 Section 27: ✓SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easements or other matters relating thereto whether expressed or implied.

and

EXCEPT roads and ditches and road and ditch rights.

Tract D

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

16/5 Section 18: $\checkmark$ $W\frac{1}{2}NE\frac{1}{4}$; $NW\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}W\frac{1}{2}$;
16/9 Section 19: $NE\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$; $W\frac{1}{2}NE\frac{1}{4}$;
EXCEPT right-of-way granted in Instrument No. 66743

Tract E

BOISE COUNTY, STATE OF IDAHO, T. 4 N., R. 2 E., B.M.

Part of 170 Section 1: That part of Lots 1 and 2 which lies in
Boise County.

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945; and
2. All the mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.

Subject to easements, restrictions, limitations, encumbrances and reservations of record or apparent from observation of the real property.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said grantor(s):

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the grantees and their successors and assigns forever. And the said grantor(s) warrant the said premises in the quiet and peaceable possession of the grantee(s), their successors and assigns, against the said grantor(s) and against all and every person and persons whomsoever shall lawfully claim through grantor the same shall and will WARRANT and by these presents forever DEFEND to the extent of the warranties made herein.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In Witness Whereof, the grantor has caused its corporate
name and seal to be hereunto affixed by its duly authorized
officers this 3rd day of March, A.D. 19 78.

TERTELING LAND COMPANY

ATTEST:

By W. H. T. Teling
President

LEGAL Edg

ENGINEER WCC

By J. T. Teling
Vice President

DEPT HEAD _____

W. H. T. Teling
Secretary

STATE OF IDAHO }
COUNTY OF ADA } ss.

On this 3rd day of March, 1978,
before me, Dana Messing,
a Notary Public in and for said County and State, personally appeared
Neil Terteling,
known to me to be the ~~Vice~~ President of Terteling Land Company, the
corporation that executed the foregoing instrument and acknowledged
to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my
official seal the day and year above written.

Dana Messing
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF IDAHO }
COUNTY OF ADA } ss.

On this 3 day of March, 1978,
before me, Lela E. Laver,
a Notary Public in and for said County and State, personally appeared
J. L. Terteling,
known to me to be the Vice President of Terteling Land Company, the
corporation that executed the foregoing instrument and acknowledged
to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my
official seal the day and year above written.

Lela E. Laver
Notary Public for Idaho
Residing at Boise, Idaho

Indexed ✓
Compared _____
Tract ✓

Inst. # 88361
Boise County Idaho SS
Request of W. Terteling - J. L. Terteling
Time 8:10 A.M.
Date 3-6-78
Book 75-Weeds
Page 162
Robert J. Tufield
By Jacqueline Tufield Deputy
Fee 4.00

CORPORATION WARRANTY DEED

THE TERTELING COMPANY, INC., an Idaho corporation (formerly J. A. Terteling & Sons, Inc.), grantor, does hereby Grant, Bargain, Sell, Convey and Warrant to The Terteling Company, Inc., an Idaho corporation, grantee, for the sum of One Thousand and no/100 Dollars (\$1,000.00) and other valuable consideration, the following described tracts of land in Boise County, State of Idaho:

Tract A

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 2 E., B.M.

Section 27: That part of N $\frac{1}{2}$ NE $\frac{1}{4}$ which lies in Boise County. S. 11
Section 26: NW $\frac{1}{4}$ NW $\frac{1}{4}$; 11.10
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$; 5.10
Section 25: E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; 14.10
Section 24: E $\frac{1}{2}$, SW $\frac{1}{4}$; 5.10
Section 13: S $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$;
Section 14: N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Section 12: ALL EXCEPT NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Section 11: N $\frac{1}{2}$;
Section 2: S $\frac{1}{2}$ S $\frac{1}{2}$;
Section 3: E $\frac{1}{2}$ E $\frac{1}{2}$;
Section 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Tract B

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

Section 6: Lots 1, 2, 3, 4, 5, 6, 7; SW $\frac{1}{4}$ NE $\frac{1}{4}$;
SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
Section 5: Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$; 10.15
Section 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$; 10.14
Section 7: W $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1, 2, 3, 4,
E $\frac{1}{2}$ NW $\frac{1}{4}$;
Section 30: NE $\frac{1}{4}$ SW $\frac{1}{4}$; Lots 3, 4;
Section 31: Lot 1;

Tract C

BOISE COUNTY, STATE OF IDAHO, T. 6 N., R. 3 E., B.M.

Section 30: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 3, 4;
Section 31: All.
Section 32: N $\frac{1}{2}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 29: S $\frac{1}{2}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Section 28: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Section 27: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easements or other matters relating thereto whether expressed or implied.

and

EXCEPT roads and ditches and road and ditch rights.

Tract D

BOISE COUNTY, STATE OF IDAHO, T. 5 N., R. 3 E., B.M.

Section 18: $W\frac{1}{2}NE\frac{1}{4}$; $NW\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}W\frac{1}{2}$; 1016
Section 19: $NE\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$; $W\frac{1}{2}NE\frac{1}{4}$;
EXCEPT right-of-way granted in Instrument No. 66743.

Tract E

BOISE COUNTY, STATE OF IDAHO, T. 4 N., R. 2 E., B.M.

Section 1: That part of Lots 1 and 2 which lies in
Boise County.

EXCEPTING AND RESERVING TO THE UNITED STATES:

- 19 170
1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945; and
 2. All the mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.

Subject to easements, restrictions, limitations, encumbrances and reservations of record or apparent from observation of the real property.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said grantor:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the grantee and its successors and assigns forever. And the said grantor warrants the said premises in the quiet and peaceable possession of the grantee, its successors and assigns, against the said grantor and against all and every person and persons whomsoever shall lawfully claim through grantor the same shall and will WARRANT and by these presents forever DEFEND to the extent of the warranties made herein.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 24 day of AUGUST, A.D. 1979.

THE TERTELING COMPANY, INC.

ATTEST:

[Signature]
Secretary

By

[Signature]
J. L. Terteling
President

LEGAL

ENGINEER

DEPT. HEAD

STATE OF IDAHO)
COUNTY OF ADA) ss.

On this 24th day of August, 1979, before me, a Notary Public in and for said County and State, personally appeared J. L. TERTELING, known to me to be the President of THE TERTELING COMPANY, INC., the corporation that executed this instrument or the person who executed this instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho

Indexed ☒
Filed ☒
Hect ☒

Ind # 92843
Boise County Idaho ss
Request of
J. L. Terteling Co. Inc.
Time 1:00 P M.
Date 8/29/79
Book 98-Deeds
Page 232
Ruth M. Sherran
By [Signature]
Deputy
Fee 6.00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

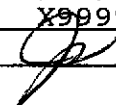
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-07451**

Date Received: 5/22/1989

Receipt No: ~~X999999~~

Received By: 

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

1. Name: THE TERTELING CO INC
Address: 877 WEST MAIN STREET
SUITE 706
BOISE ID

83702

2. Date of Priority: JAN 3, 1974

3. Source: THORN CREEK

Trib. to: BOGUS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03E	31		SE	SE		BOISE
				SE	SE		BOISE

5. Description of diverting works:

ROCK DAM, 16" HEADGATE WITH DITCHES & CEMENT HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

7. Total Quantity Appropriated is:

0.700 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	6	SW	NW		IRR	4.0
			SE	NW		IRR	4.0
			SE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
06N	03E	31	SW	SE	IRR	5.0
			SE	SE	IRR	3.0
					Section Acres	8.0
					Total Acres	20.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. Basis of Claim: LICENSE

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: _____

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 _____

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: 65-07451
DATE RECEIVED: 5-22-89 POSTMARKED 5-19-89
RECEIPT NO: 7999999
RECEIVED BY: [Signature]

May 1989
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: J. A. TERTELING & SONS, INC. The Terteling Co., Inc.
ADDRESS: 640 J. H. HOOB 877 West Main Street, Ste. 706
P.O. BOX 4127 Boise, Idaho 83702
BOISE, ID ~~83704-0000~~

2. DATE OF PRIORITY: JAN 03, 1974

3. SOURCE: THORN CREEK TRIB. TO: BOGUS CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	03E	31	SE	SE	SE		BOISE
			SE	SE	SE		BOISE

5. DESCRIPTION OF DIVERTING WORKS:

Rock dam with drop boards raising water to ditch level, 16" headgate and contour ditches with cement headgates.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

7. TOTAL QUANTITY APPROPRIATED IS:

0.700 C.F.S. (AND/OR) A.F.A.

8. TOTAL CONSUMPTIVE USE IS 64 ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
05N	03E	6	SW	NW		IRR	4.0
			SE	NW		IRR	4.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
05N	03E	6	SE	NW		IRR	4.0
						SECTION ACRES	12.0
06N	03E	31	SW	SE		IRR	5.0
			SE	SE		IRR	3.0
						SECTION ACRES	8.0
						TOTAL ACRES	20.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. BASIS OF CLAIM: PERMIT

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): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF
_____ TITLE
The Terteling Co., Inc., THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF
_____ TITLE
The Terteling Co., Inc. AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

[Signature]
SIGNATURE OF AUTHORIZED AGENT

President, The Terteling Co., Inc.
TITLE AND ORGANIZATION

5-19-89
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 19th DAY
OF May 19 89
Feinda A. Shroyer
NOTARY PUBLIC

SEAL

RESIDING AT Boise, Id.
MY COMMISSION EXPIRES 5-7-91

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. No.

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

Please type or print clearly:

Name of Claimant(s) The Terteling Co., Inc. J. L. Terteling, President

Mailing Address (include Zip Code) 877 West Main Street, Ste. 706
Boise, Idaho 83702

Phone Number (208) 338 - 5200

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Lerteling Co. CLAIM IDENT. NO. 165-07451

DATE RECEIVED 5-22-89 CK # — AMOUNT \$ Exempt

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☒	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: JS Date:

Claim must be returned to claimant: (Yes) ☒ (No)

Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: Date:

Claim data entered by: Date: Checked by: Date:

Sent to claimant by: Date:

Comments: Name & address change. Descrip. of diverting works.

Basis of claim - License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

12/02/2000

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

RIGHT NUMBER: 65-7451

NAME AND ADDRESS: THE TERTELING CO INC
3823 N 36TH ST
BOISE, ID 83703

SOURCE: UNNAMED STREAM TRIBUTARY: BOGUS CREEK

QUANTITY: 0.32 CFS
56 AFY

PRIORITY DATE: 08/12/1974

POINT OF DIVERSION: T06N R03E S32 SWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-15 10-15	0.32 CFS 56.0 AFY

PLACE OF USE:

<u>IRRIGATION Within BOISE County</u>			
T05N R03E S6	LOT 2 NWSE	7	T06N R03E S31 SESE 9

16 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SOURCE IS ALSO KNOWN AS THORN CREEK.

AJ5809NP
No. A65-07451

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/16/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE TERTELING CO INC 3823 N 36TH ST BOISE ID 83703 (208) 338-5200	08/12/1974	IRRIGATION	04-15 10-15	0.320 CFS	56.00 AFA
TOTAL DIVERSION:					0.320 CFS	56.00 AFA

Water Source: UNNAMED STREAM

Tributary to: BOGUS CREEK

Stage: LICENSE

Point(s) of Diversion:

T06N R03E S32

SWSW

BOISE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	03E 6	:		:		:		:		:		:		:		02-07	:	7.0
06N	03E 31	:		:		:		:		:		:		:		09	:	9.0
TOTAL ACRES																	16.0	

POU County: BOISE

Remarks: GEN CLAIM AMENDED PER LICENSE APPROVED 6/30/99.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 7/29/99

EXP SOURCE IS ALSO KNOWN AS THORN CREEK.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18

WR5809NP
No. 65-07451

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/16/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J A TERTELING & SONS INC 877 W MAIN STE 706 BOISE ID 83702 (208) 338-5200	08/12/1974	IRRIGATION	04/15 10/15	0.320 CFS	56.00 AFA
TOTAL DIVERSION:					0.320 CFS	56.00 AFA

Water Source: UNNAMED STREAM

Tributary to: BOGUS CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.750 CFS

Point(s) of Diversion: T06N R03E S32 SWSW

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	03E	6	:			02-07														7.0
06N	03E	31	:																09	9.0
TOTAL ACRES																			16.0	

Pou County: BOISE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
- R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks: GEN Source is locally known as Thorn Creek.

Dates: App. Received: 01/03/1974 Priority Date: 08/12/1974
Proof Due Date: 02/01/1978 Proof Made Date: 12/27/1977
Exam Made Date: 06/26/1998 Exam Sent to S.O.: 07/23/1998
Licensed Date: 06/30/1999

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Audit: 05/05/87 04/30/88 CONVERT 07/13/89 CURTIS 01/26/92 DUPE-POU
07/23/98 KGALE 08/04/98 SCURTIS 04/29/99 CZIMMERM 05/25/99 CZIMMERM

Idaho Department of Water Resources

T06N R03E
T05N R03E

Claims: 65-07451

Prepared by:

RON HOWERTON

Date: 13 OCT 00

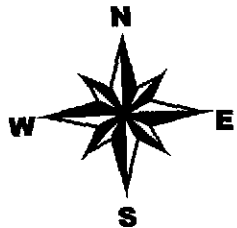
 Place of use

● POD

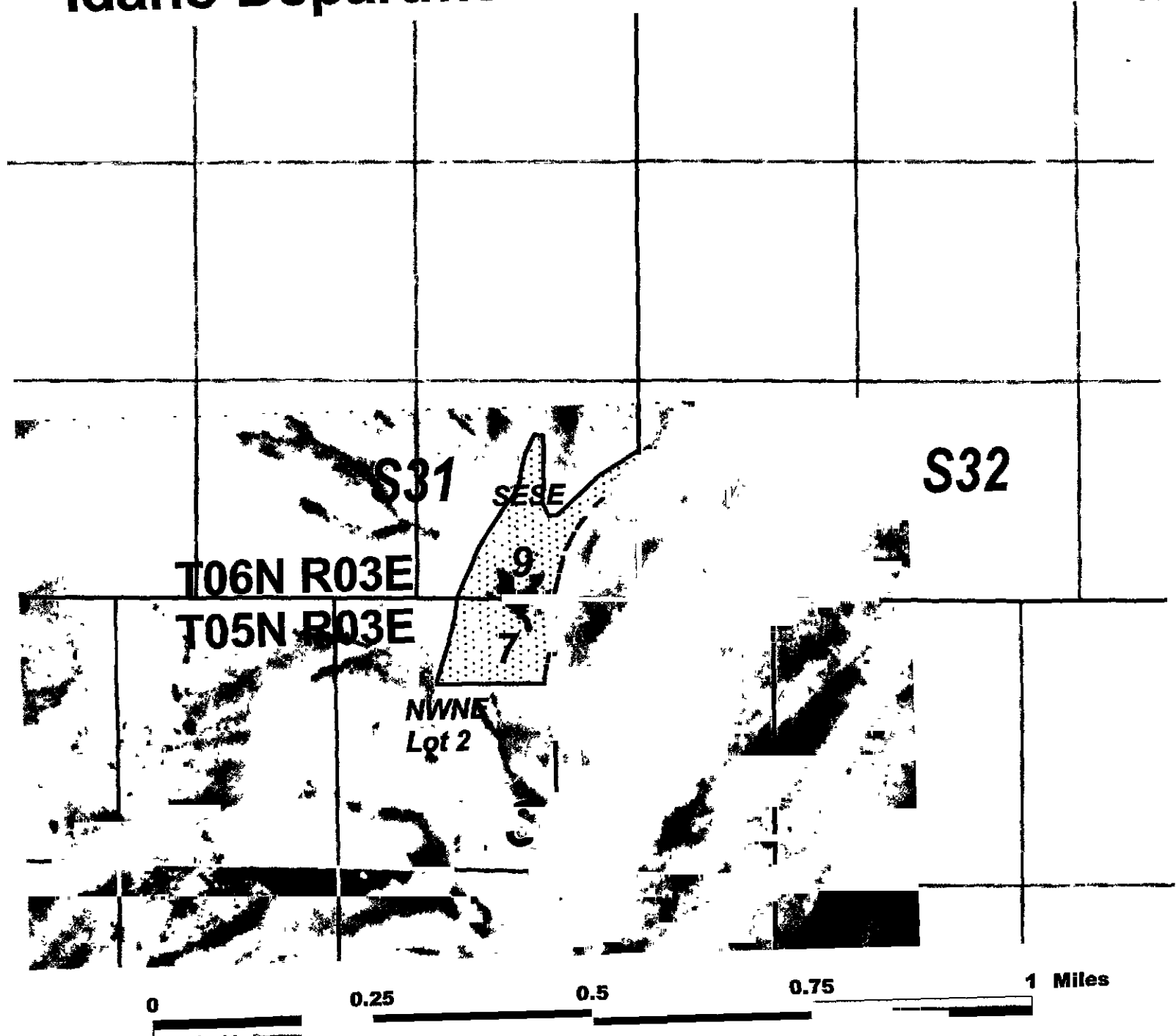
 SECTION

 1/4 1/4

16 Acres



1987 NAPP



Idaho Department of Water Resources

T06N R03E
T05N R03E

Claims: 65-07451

Prepared by:

RON HOWERTON

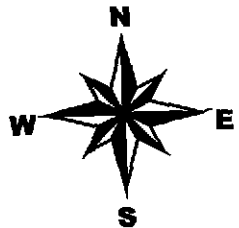
Date: 13 OCT 00

 Place of use

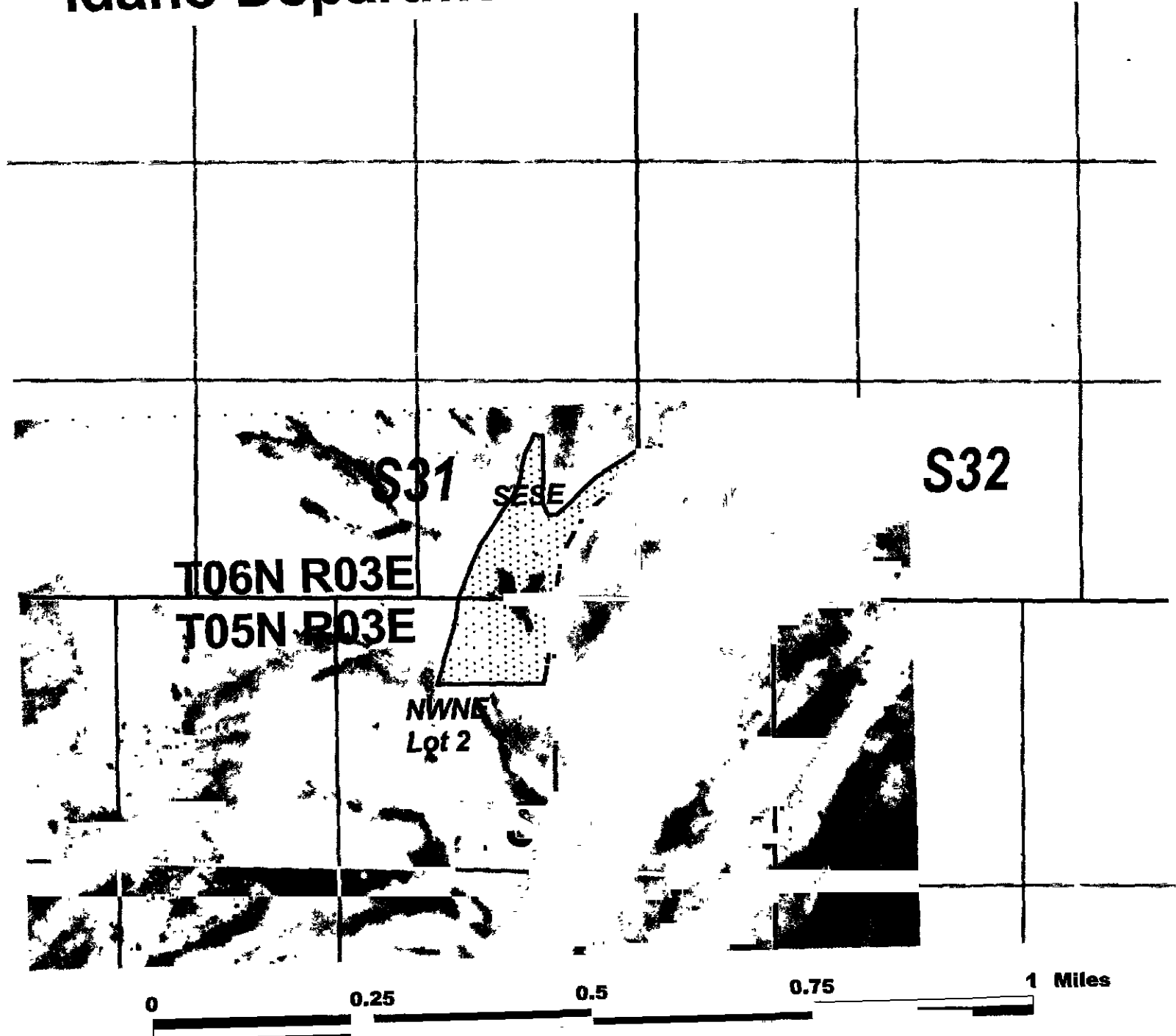
● POD

 SECTION

 1/4 1/4



1987 NAPP



T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451
Prepared by:
RON HOWERTON
Date: 13 OCT 00

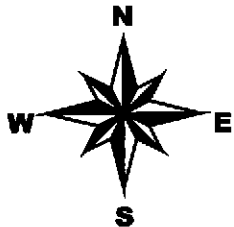
 **Place of use**

 **POD**

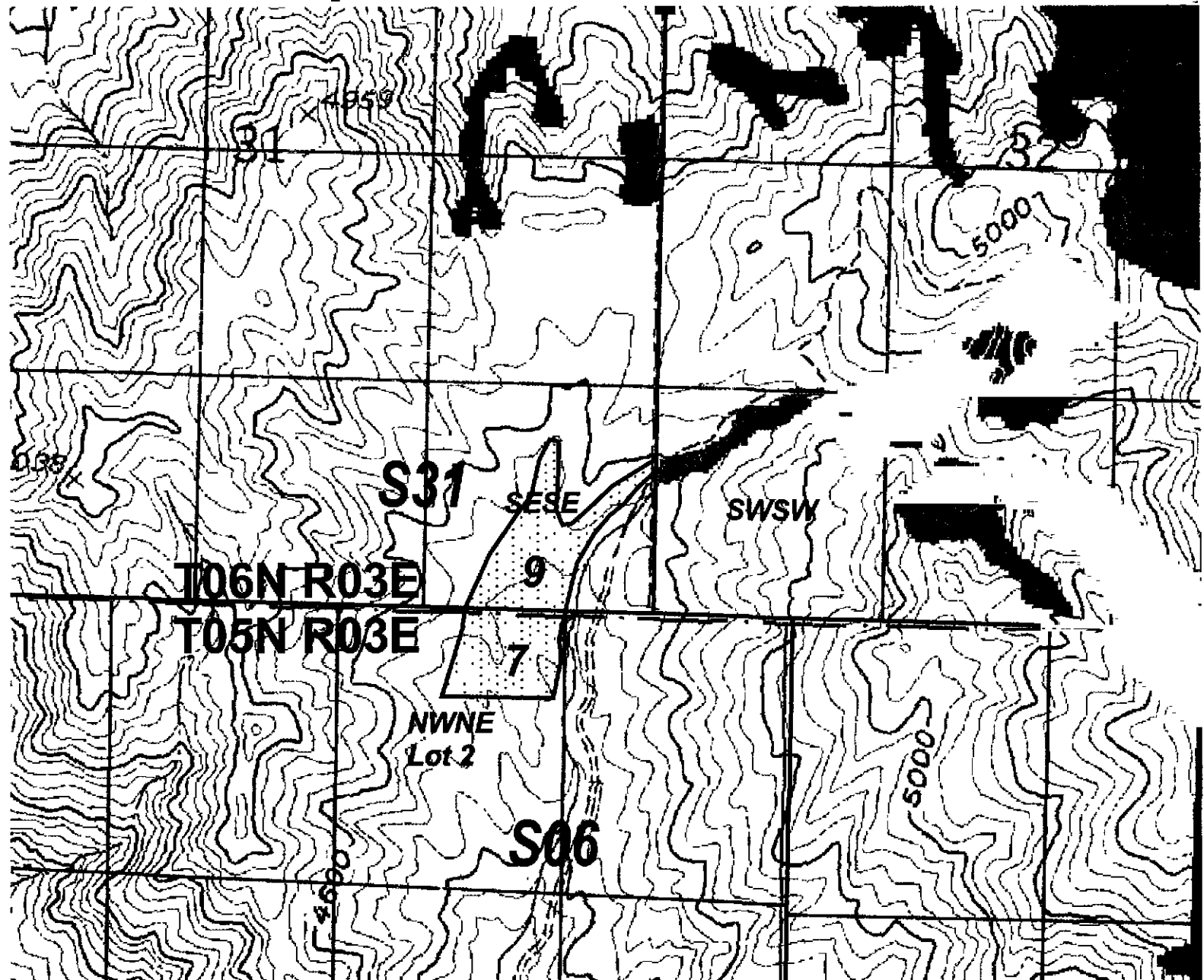
 **SECTION**

 **1/4 1/4**

16 Acres



W59 Topo



0 0.25 0.5 0.75 1 Miles

T06N R03E
T05N R03E

Idaho Department of Water Resources

Claims: 65-07451
Prepared by:
RON HOWERTON
Date: 13 OCT 00

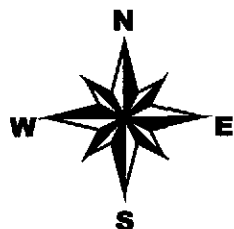
 Place of use

 POD

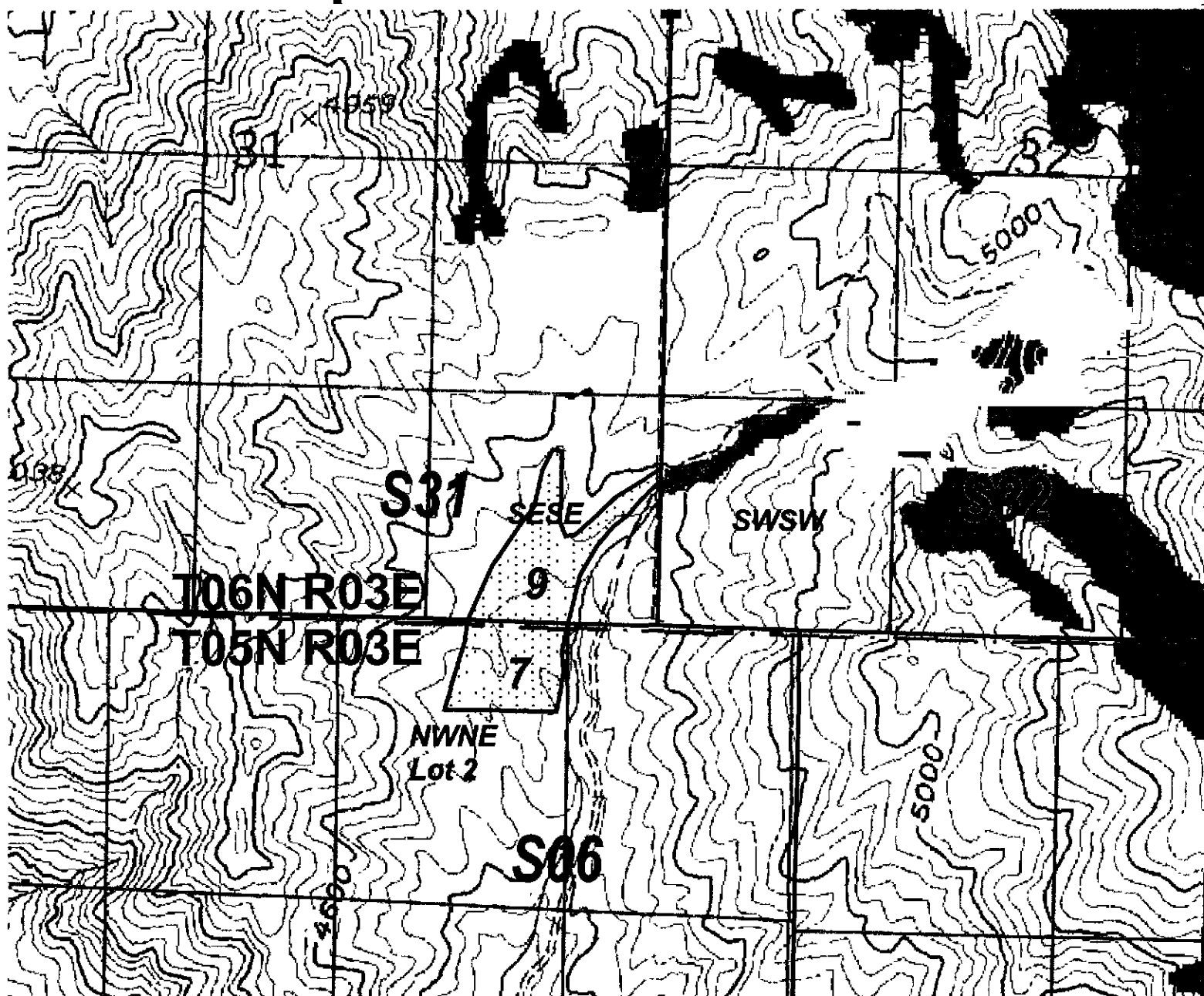
 SECTION

 1/4 1/4

16 Acres



W59 Topo

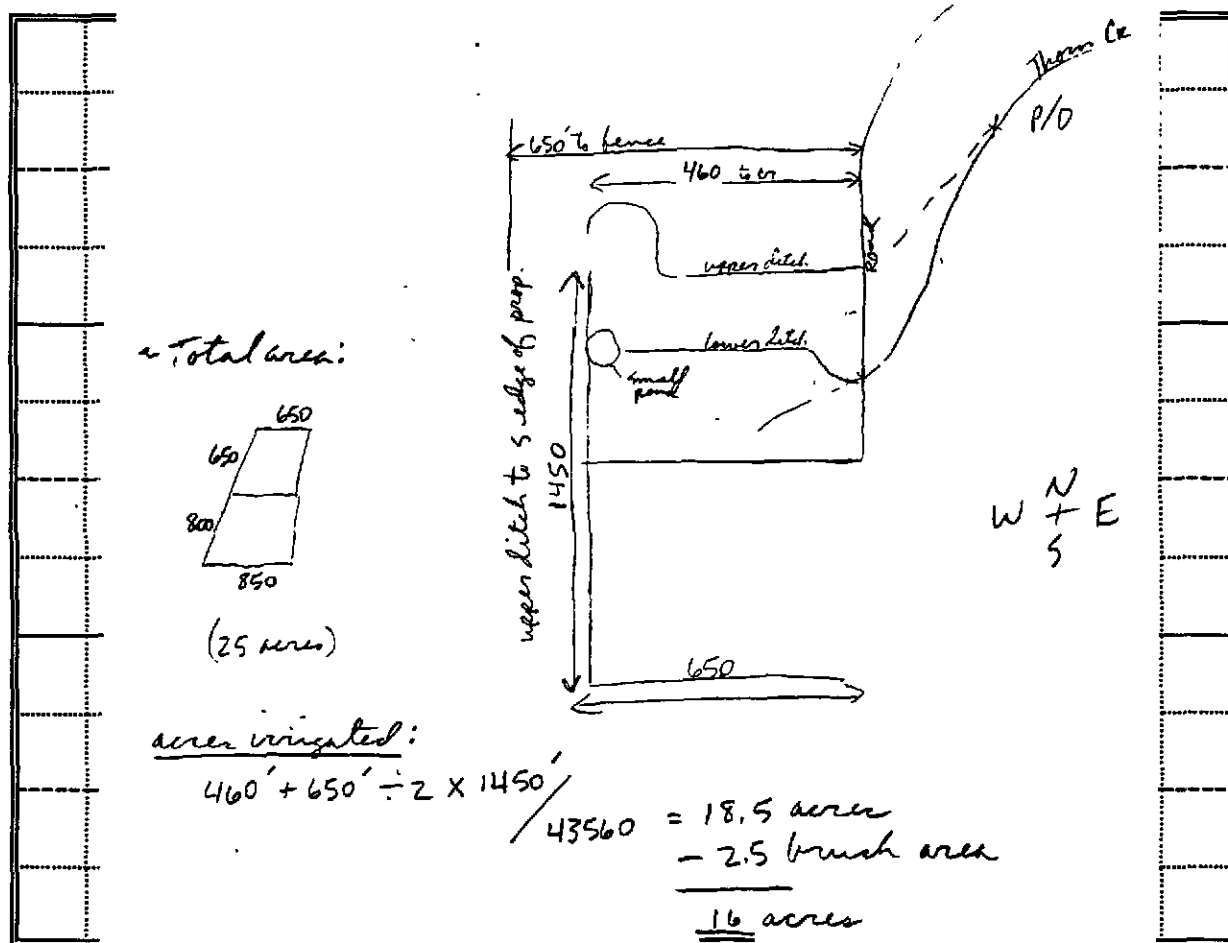


0 0.25 0.5 0.75 1 Miles



[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4. N/A

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Orange Peel						

2. Measurements: 12.3' in 9.7 seconds, 12" culvert
3/4ths full

E. NARRATIVE/REMARKS/COMMENTS

16 acres of grass hay within a 25 acre pasture/meadow area are irrigated with water from the unnamed stream via ditch and gravity irrigation system. The P/A + P/O were determined by pacing in the field and by planimetry and comparing maps.

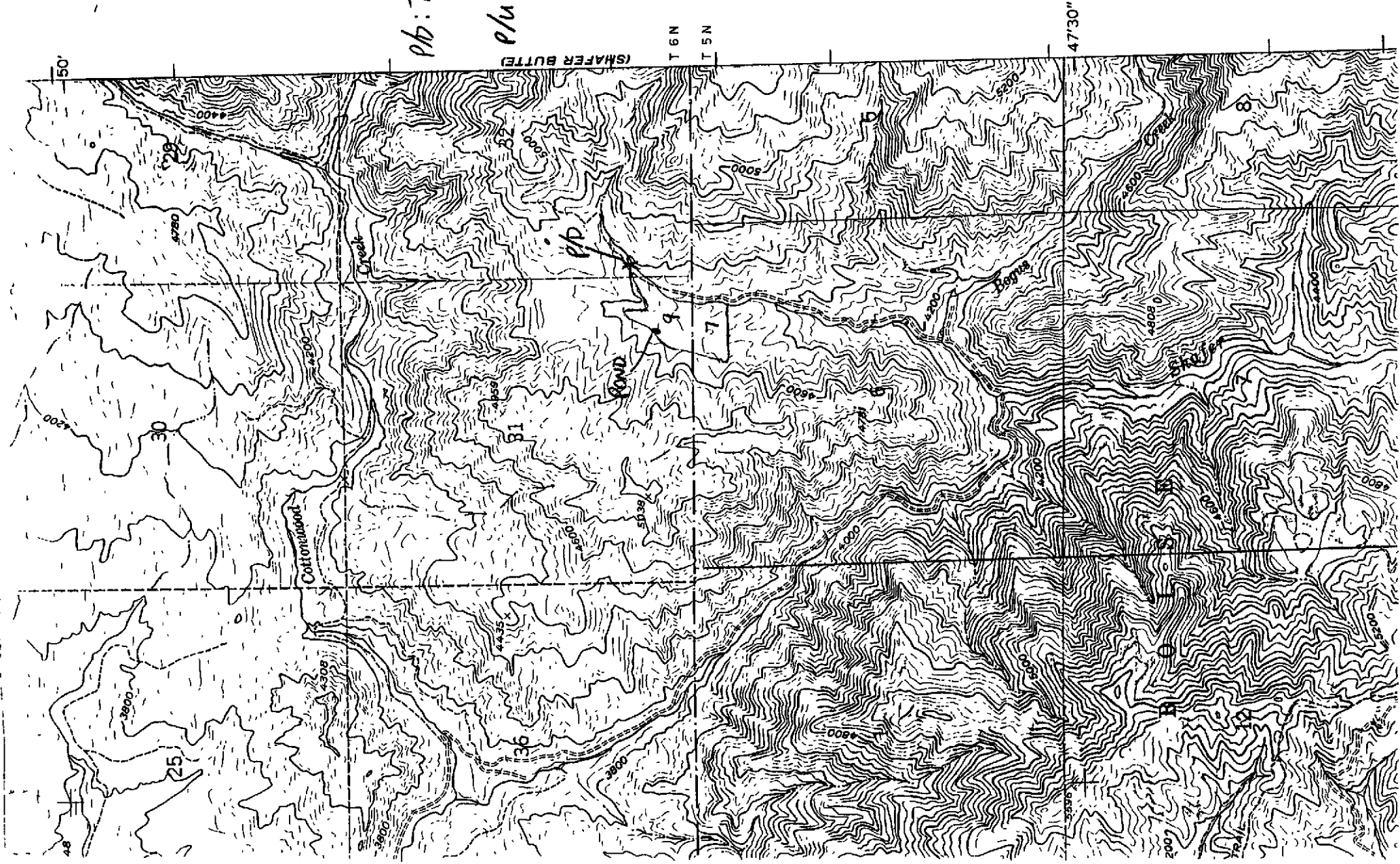
The Ditch system utilizes a small pond in sec 31. Run off water from surrounding draws is also collected in the ditch system during good water years.

No other rights are used.

NOTE:- Unnamed stream locally known as Horn Creek

- attached are MR + Mrs Dobson's comments regarding applicant's system development. They have earlier property to Shafter Creek which Horn Creek is tributary to.

Have conditions of permit approval been met? ☐ yes ☐ no



PB: T6N R3E S32
SWSW
P/U: T6N R3E S31
T5N R3E S6
Gov Lt 2

T 6 N
T 5 N

47°30"

P/D = 12" culvert
3/4 ch full



collected
Run off water
in addition
to unwarmed
to warm water

65-07451

catch
system





— small Pond

Pine orchard St

86.9 82

Pine - Looking North!



86.9 82

121100 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 29, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A65-07450, A65-07451
and A65-07452

KARL J. DREHER
DIRECTOR

THE TERTELING CO INC
3823 N 36th ST
BOISE ID 83703

Dear Claimants:

Enclosed are copies of the above referenced claims which reflect the change in address. Our records indicate that these claims are currently in the name of The Terteling Company, Inc., therefore, no name change was necessary.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any further questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

FROM Gen. Thurtell

DATE

2-11-97

TO Claim File # A6507457

SUBJECT

Data entry of water right & claim.
The data entry of the original water right appeared to be in error. Then, the print-out of the aqy claim also appears to be in error - in a different way than the water right. See memo on water right file & notes on aqy. claim form. Licensing may (well) correct this.

SIGNATURE

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: **A65-07451**
Date Received: 5/22/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TERTELING CO INC
Address: 877 WEST MAIN STREET
SUITE 706
BOISE ID

83702

2. Date of Priority: JAN 3, 1974

3. Source: THORN CREEK Trib. to: BOGUS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03E	31	SE	SE	SE		BOISE
			SE	SE	SE		BOISE

5. Description of diverting works:
ROCK DAM, 16" HEADGATE WITH DITCHES & CEMENT HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	6	SW	NW		IRR	4.0
			SE	NW		IRR	4.0
			SE	NW		IRR	4.0

PERMIT AS AMENDED
ON 12-15-78 SHOWS

A65-07451 **NWNE - 15 AC**
SWNE - 3 AC
SEC. 6

Page 1
**LISTED TWICE
ON CLAIM**

Date: 02/12/97

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

06N	03E	31	SW	SE	IRR	5.0
			SE	SE	IRR	3.0

Section Acres 12.0

Section Acres 8.0

Total Acres 20.0

PERMIT
 ← 15 AC
 ← 2 AC
 17 AC
 + 18 (FRM S. 6)
 35 TOTAL
 ON PERMIT

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
 PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
 NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. Basis of Claim: LICENSE

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: _____

WR5809NP
No. 65-07451

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/12/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J.A. TERTELING & SONS INC. C/O T. H. HOOD P.O. BOX 4127 BOISE ID 837040000	01/03/1974	IRRIGATION	04/01 11/01	0.700 CFS	
TOTAL DIVERSION:					0.700 CFS	

Water Source: THORN CREEK Tributary to: BOGUS CREEK Stage: PERMIT
Point(s) of Diversion: T06N R03E S31 SESE BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05N	03E	6	:							04	04										8.0
06N	03E	31	:															05	03	:	8.0
TOTAL ACRES																				16.0	

Pou County: BOISE

Remarks: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

Dates: App. Received: Priority Date: 01/03/1974 (Priority Date Advanced.)
Proof Due Date: Proof Made Date: 01/01/1900 (Proof Received Late.)
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee: R (Received)

→ LEGAL DATA ENTERED WRONG - SEE AMENDMENT
DATED 9-8-1978. IT SHOWS: 5N 3E 5.6

AC
NWNE - 15
SWNE - 3
6N 3E 5.31 SWSE - 15
SESE - 2
TOTAL 35

COPY

Permit No. 65-7451

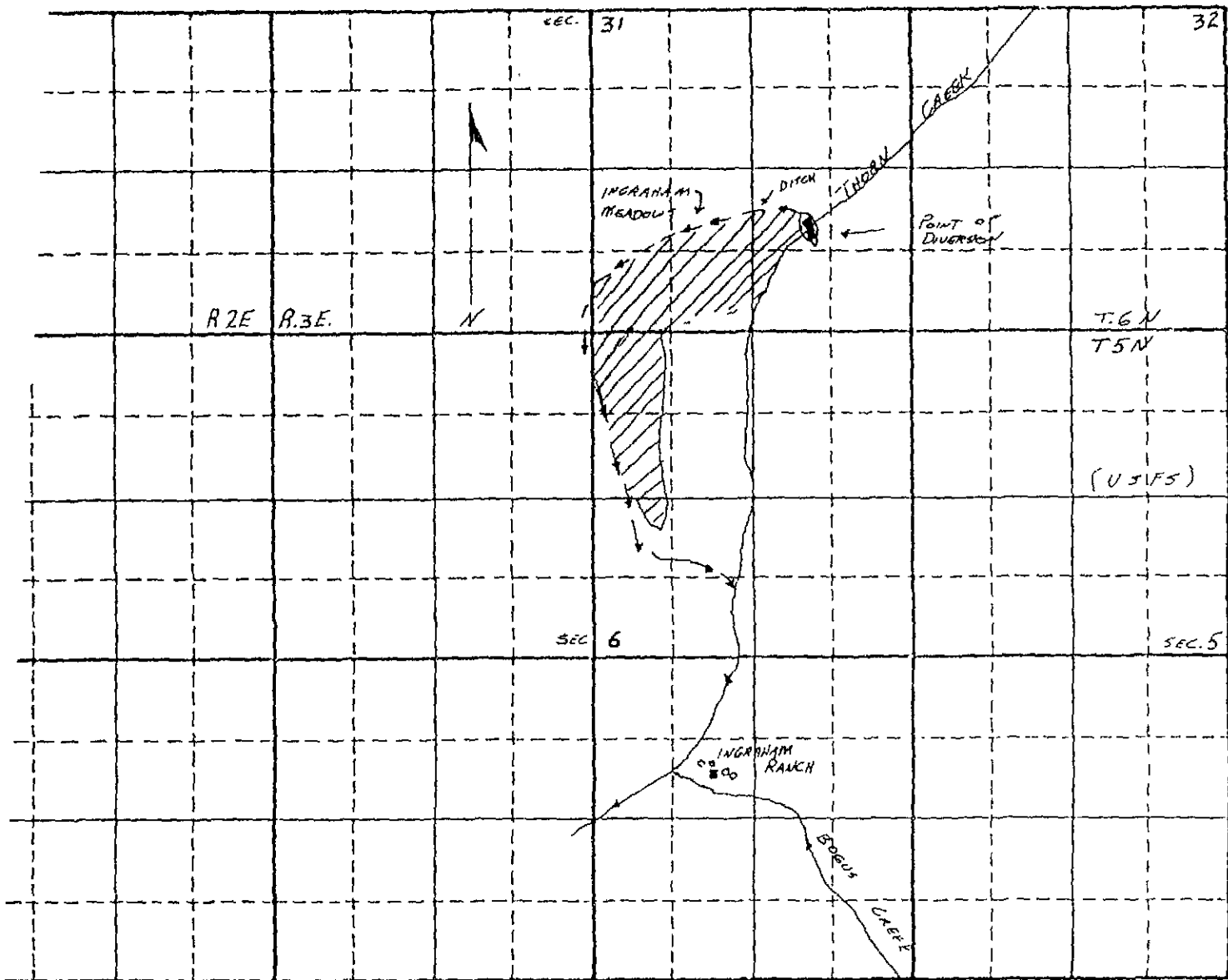
P. O. Box 1428, Boise, Idaho 83701, and represents to the Director of
the Idaho Department of Water Administration:

1. Point of diversion: SE 1/4 SE 1/4, Sec. 31 Twp. 6N
Rge. 3E, B.M., County of Boise. Other points of diversion:

3. Place of use or land to be irrigated:

[illegible]

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches



Scale: 4 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 8th day of SEPTEMBER, 19 78.

J. L. Terteling
(Signature)
J. L. Terteling, Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

GEOLOGIST [Signature]
9-7-78

I, L. GLEN SAXTON, Chief, Operations of the Department of Water Resources hereby APPROVE this application for amendment on Permit No. 65-7451.

Witness my hand this 15th day of December, 19 78.
L. Glen Saxton
Chief, Operations Bureau