

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: A65-07452
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, STE. 706
BOISE, ID 83702
2. Date of Priority: JAN 03, 1974
3. Source: BOGUS CREEK Trib. to: SHAFER CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03E	6		SE	SE		BOISE
				SE	SE		BOISE

5. Description of diverting works:
ROCK DIVERSION DAM & OPEN DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		2.70
IRRIGATION	04/01	11/01	0.140		2.70

7. Total Quantity Appropriated is:
0.190 C.F.S. (and/or) 2.70 A.F.A.

8. Total consumptive use is 10.7 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	NE	SE		IRR	1.0
			NW	SE		IRR	3.0

Section Acres 4.0

A65-07452

Page 1

Date: 08/11/89

MICROFILMED
SEP 23 1992

**T05N R03E
S06**

Idaho Department of Water Resources

Claims: 65-07452

Prepared by:

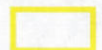
RON HOWERTON

Date: 13 OCT 00

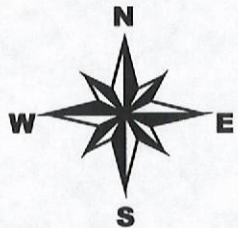
 **Place of use**

 **POD**

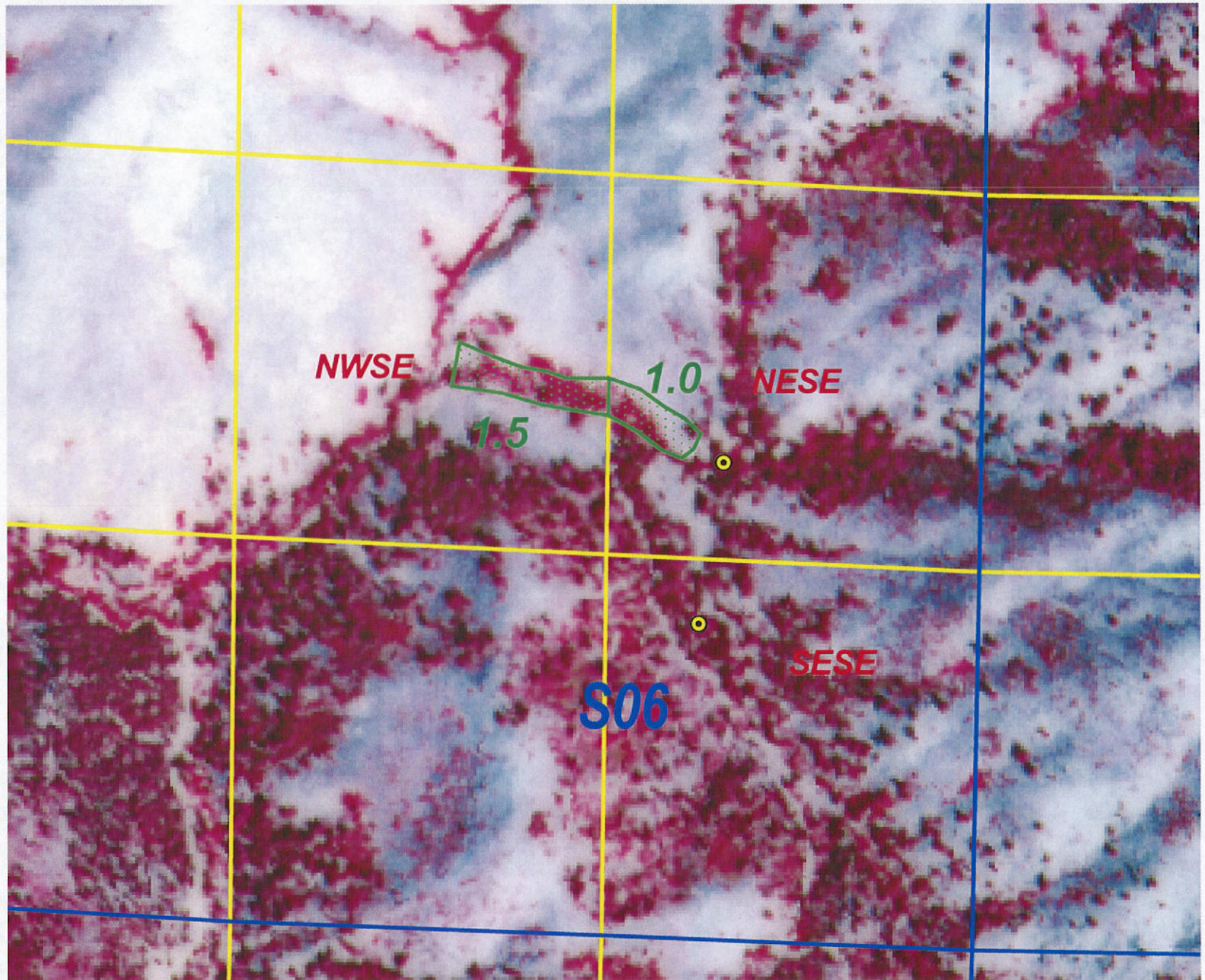
 **SECTION**

 **1/4 1/4**

2.5 Acres



1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 Miles

**T05N R03E
S06**

Idaho Department of Water Resources

**Claims: 65-07452
Prepared by:
RON HOWERTON
Date: 13 OCT 00**

 **Place of use**

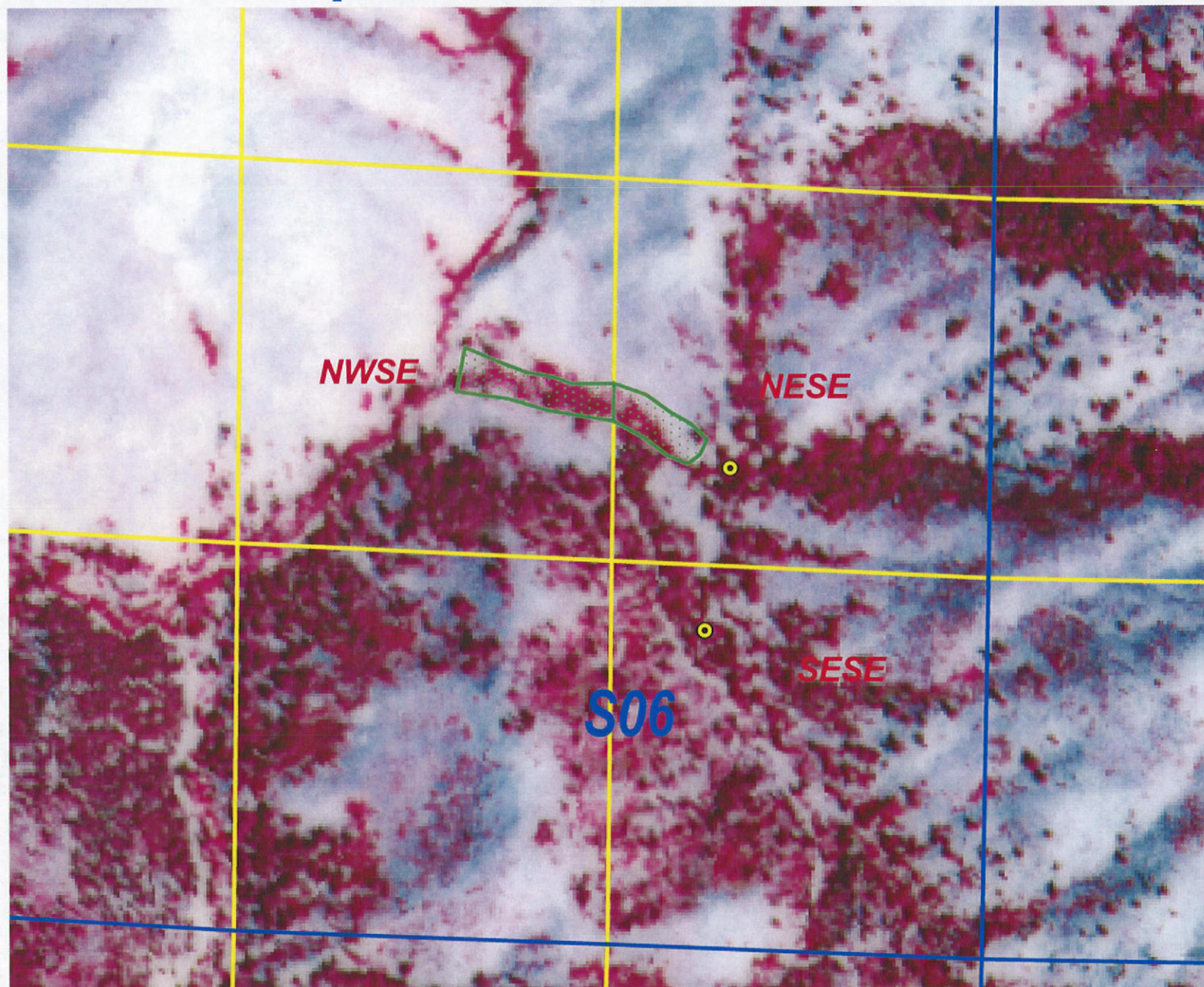
 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 Miles



**T05N R03E
S06**

Idaho Department of Water Resources

**Claims: 65-07452
Prepared by:
RON HOWERTON
Date: 13 OCT 00**

 **Place of use**

 **POD**

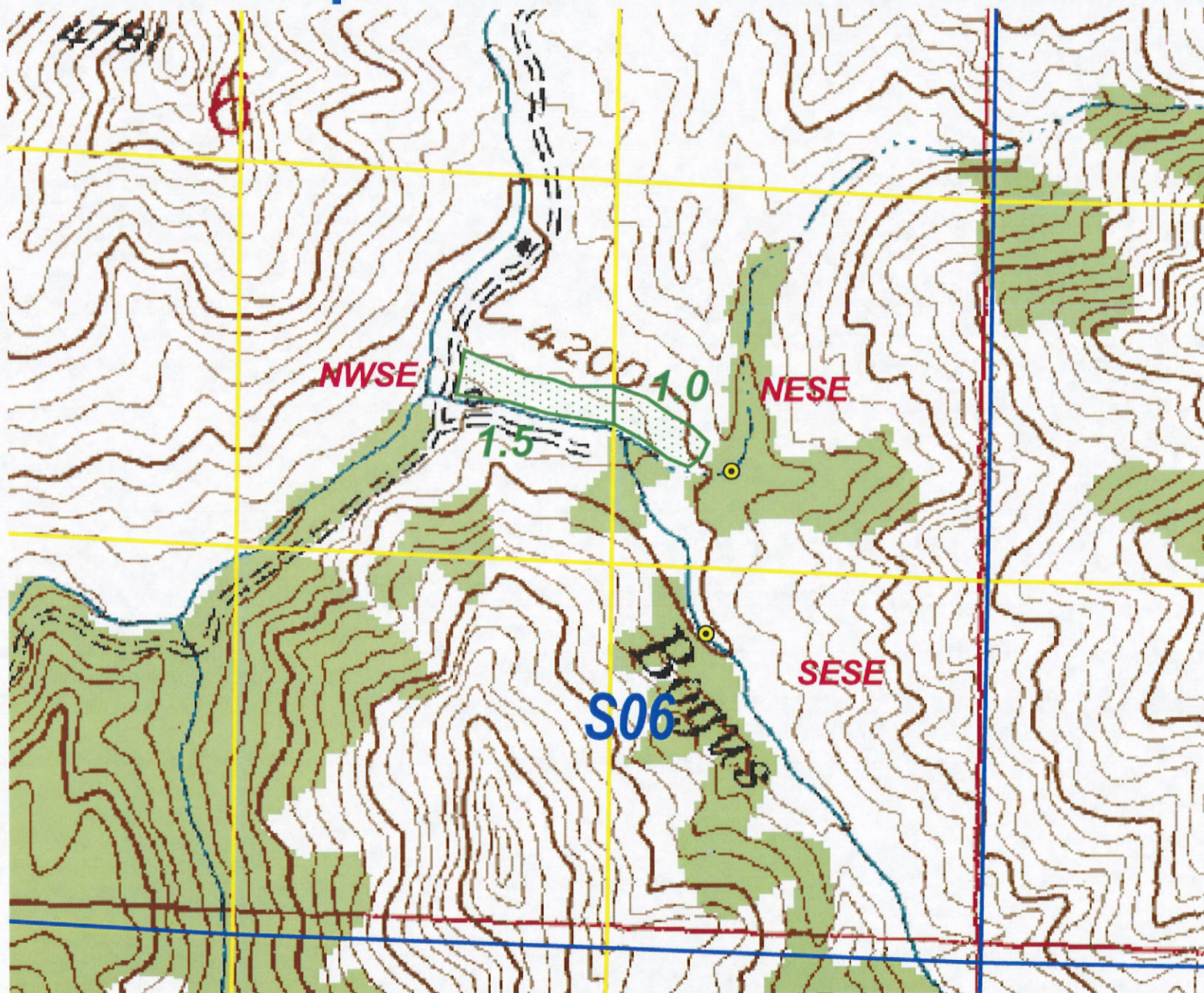
 **SECTION**

 **1/4 1/4**

2.5 Acres

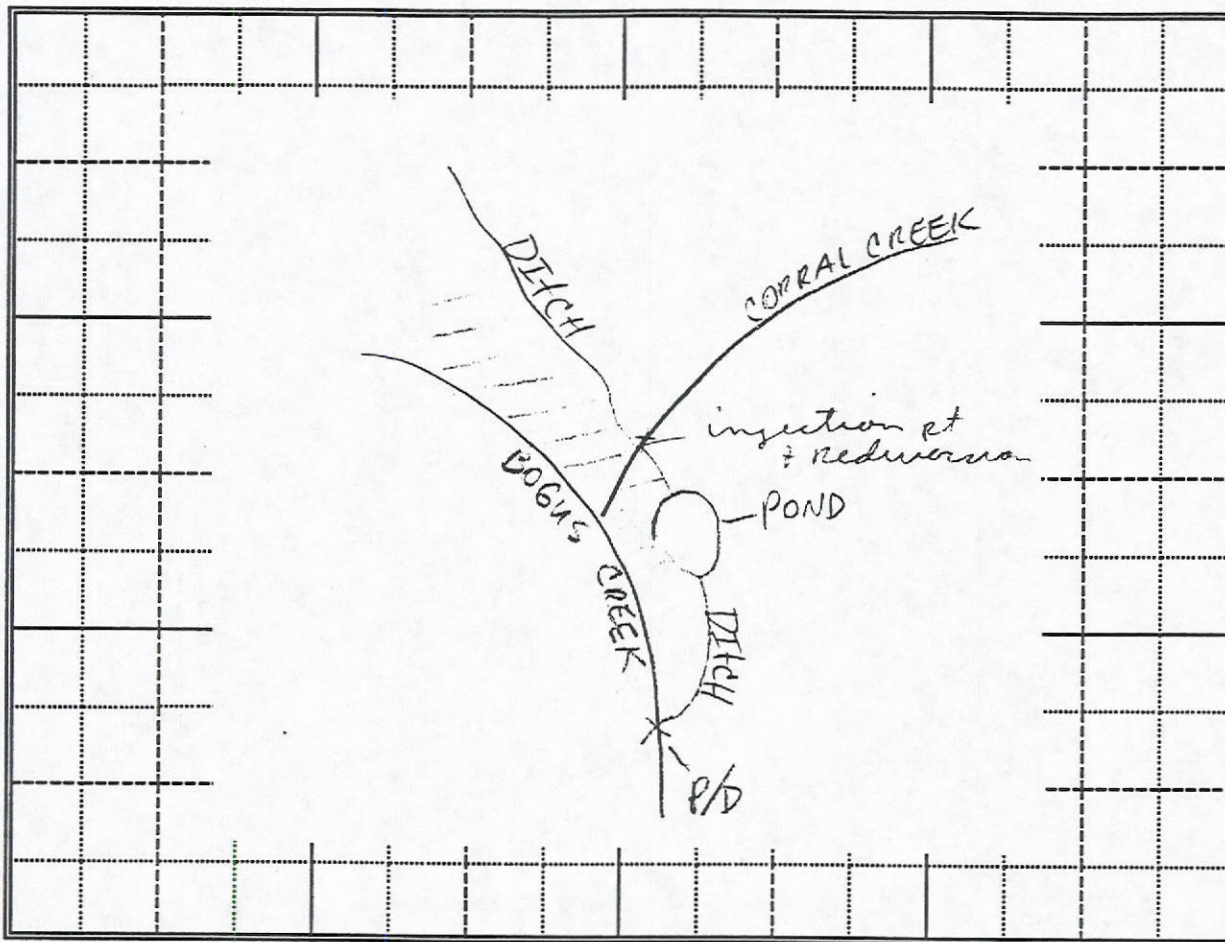


W59 Topo



0 0.1 0.2 0.3 0.4 0.5 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.

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

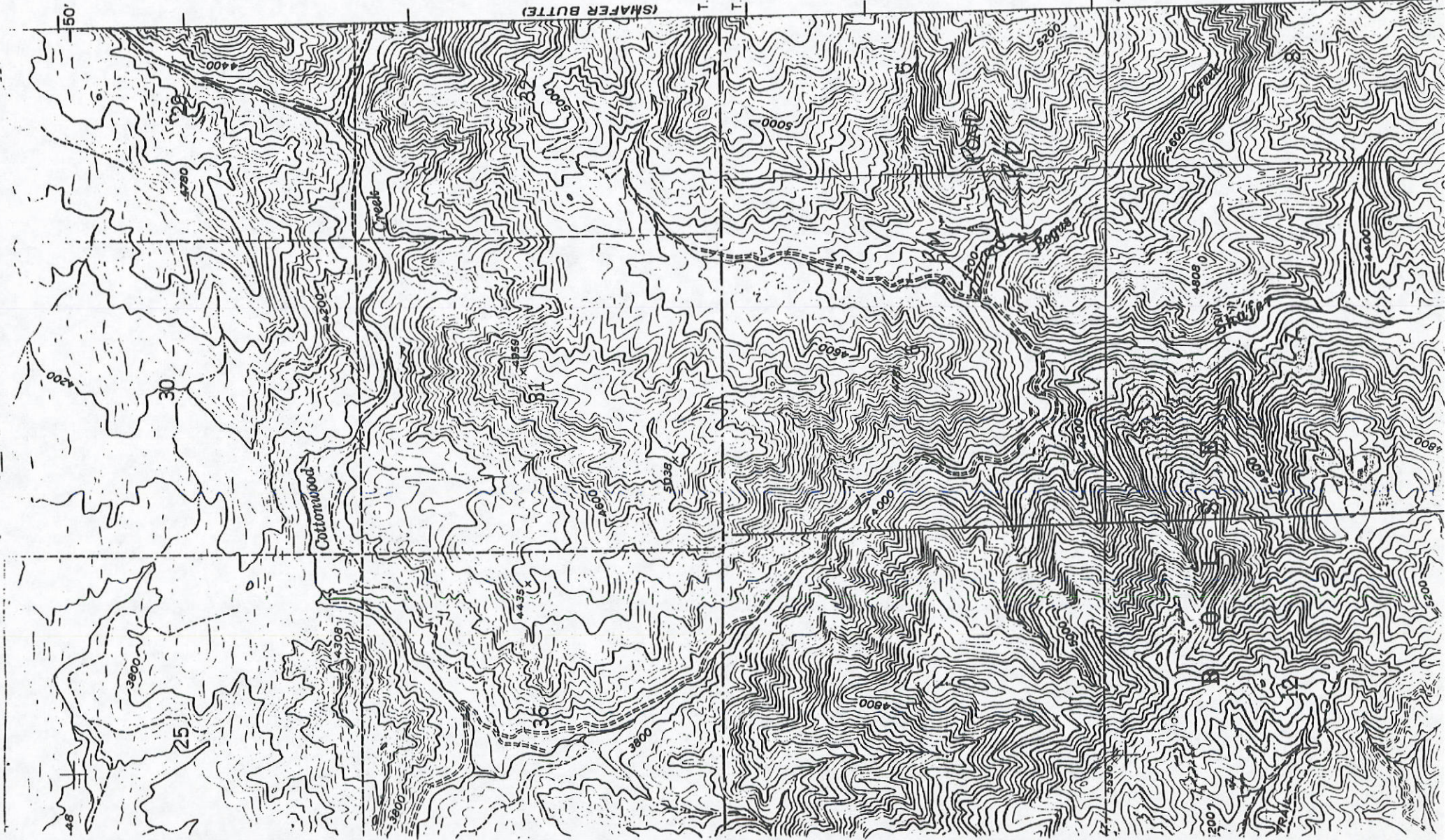
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____



TSN
R3E
Sec 6
p/d = SESE
p/u = NESE
NWSE

65-07452

Bogus Cove



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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number: **A65-07452**
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: BOGUS CREEK Trib. to: SHAFER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03E	6		NE	SE		BOISE
				SE	SE		BOISE

5. Description of diverting works:
ROCK DIVERSION DAM & OPEN DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		8.80
IRRIGATION	04/15	10/15	0.100		0.10

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 8.90 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	NE	SE		IRR	1.0
			NW	SE		IRR	1.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.5
					Total Acres	2.5

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:
65-07450

14. Remarks:

TWO POINTS OF DIVERSION LOCATED IN T05N, R03E, S06, NESE.
POINT OF INJECTION IN CORRAL CREEK: NESE, S. 6, T. 5N, R. 3E.
POINT OF RE-DIVERSION: NESE, S. 6, T. 5N, R. 3E.
CLAIM AMENDED PER LICENSE APPROVED 6/30/99.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 7/29/99.

15. Basis of Claim: LICENSE

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-07452

Priority: August 12, 1974

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

8.9 AF

This is to certify, that J A TERTELING & SONS INC

877 W MAIN ST STE 706

BOISE ID 83702

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 May 17, 1978. An examination indicates that the works have a diversion capacity of 0.120 cfs of water from:

BOGUS CREEK

tributary to SHAFER 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	0.10 CFS	8.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
	Totals	0.12 CFS	8.9 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection

Rediversion

SESE , Sec. 6, Township 05N, Range 03E

NESE , Sec. 6, Township 05N, Range 03E

NESE , Sec. 6, Township 05N, 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	NESE 1	NWSE 1.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works 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 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right 65-07450 is also diverted through the point of rediversion described above.

State of Idaho
Department of Water Resources

Water Right License

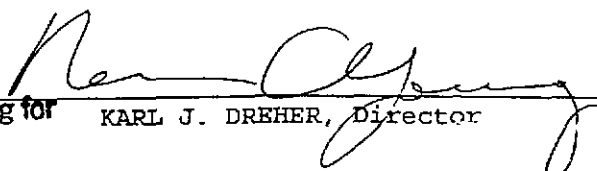
WATER RIGHT NO. 65-07452

CONDITIONS OF APPROVAL AND REMARKS

5. The 2 acre portion of the place of use west of Corral Creek is also irrigated under right no. 65-07450.
6. Water diverted from Bogus Creek is injected into an unnamed stream then rediverted from the unnamed stream to the place of use. The amount of water rediverted from the unnamed stream under this right shall not exceed the amount of water injected in to the unnamed stream. The unnamed stream is locally known as Corral Creek.

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, 1999.

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: **A65-07452**
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: BOGUS CREEK Trib. to: SHAFER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03E	6		SE	SE		BOISE
				SE	SE		BOISE

5. Description of diverting works:
ROCK DIVERSION DAM & OPEN DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		2.70
IRRIGATION	04/01	11/01	0.140		2.70

7. Total Quantity Appropriated is:
0.190 C.F.S. (and/or) 2.70 A.F.A.

8. Total consumptive use is 10.7 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	NE	SE		IRR	1.0
			NW	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:

2 POINTS OF DIVERSION AT NESE 6 5N 3E.
POINT OF INJECTION IN CORRAL CREEK: NESE, S. 6, T. 5N, R. 3E.
POINT OF RE-DIVERSION: NESE, S. 6, T. 5N, R. 3E.
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: PERMIT

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP Department of Water Resources

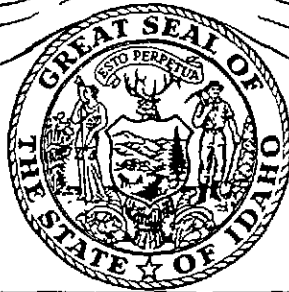
Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

JUL 21 1999

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

Index: 1

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 $\frac{1}{4}$; 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, 1968

Melvin D. Smith

Dorla J. Smith

Frank O. Smith

Virginia 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 Co

43 Min past 3 o'clock P.M. this 17 day of Jan, 1969

CLARENCE A. PLANTING, Recorder

240

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.

1618 Section 18: $\checkmark$ W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ W $\frac{1}{2}$;

1619 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.

W. L. Barton
Secretary

By *W. H. T. Stirling* President LEGAL *Stirling*
ENGINEER *Stirling*
By *J. F. Stirling* Vice President DEPT HEAD _____

STATE OF IDAHO)
COUNTY OF ADA) ss.

On this 3rd day of March, 1978,
before me, Lana Messing,
a Notary Public in and for said County and State, personally appeared
Ad 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.

Lana 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. Lower,
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. Lower
Notary Public for Idaho
Residing at Boise, Idaho

Indexed ✓
Compared ✓
Tract ✓

Sub # 88361
Boise County Idaho ss
Request of
W. J. Gartin - J. L. Terteling
Time 8:10 a.m.
Date 3-6-78
Book 75-1000
Page 162
Robert J. Tufield
By Reginald J. Tufield Deputy
\$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. *5, 11*
Section 26: NW $\frac{1}{4}$ NW $\frac{1}{4}$; *1, 11*
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$; *5, 11*
Section 25: E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; *1, 11*
Section 24: E $\frac{1}{2}$, SW $\frac{1}{4}$; *1, 11*
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 $\frac{1}{4}$; *11, 15*
Section 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$; *11, 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: $W\frac{1}{2}NE\frac{1}{2}$; $NW\frac{1}{2}SE\frac{1}{2}$; $E\frac{1}{2}W\frac{1}{2}$; 1016
Section 19: $NE\frac{1}{2}NW\frac{1}{2}$; $NE\frac{1}{2}NE\frac{1}{2}$; $W\frac{1}{2}NE\frac{1}{2}$;
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:

- 12 170
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 [Signature]
ENGINEER [Signature]
DEPT. HEAD

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

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

Reviewed ☒
Compared ☐
Fract ☒

CORPORATION WARRANTY DEED
Page 3

Not # 92843
Boise County Idaho ss
Request of
The Terteling Co. Inc.
Time 1:00 P. M.
Date 8/29/79
Book 78-Deeds
Page 232
Ruth M. Stenham
By [Signature]
Deputy
Fees \$0

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: ~~55~~-07452
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, STE. 706
BOISE, ID 83702
2. Date of Priority: JAN 03, 1974
3. Source: BOGUS CREEK Trib. to: SHAFER CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03E	6		SE	SE		BOISE
				SE	SE		BOISE

5. Description of diverting works:
ROCK DIVERSION DAM & OPEN DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		2.70
IRRIGATION	04/01	11/01	0.140		2.70

7. Total Quantity Appropriated is:
0.190 C.F.S. (and/or) 2.70 A.F.A.

8. Total consumptive use is 10.7 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	NE	SE		IRR	1.0
			NW	SE		IRR	3.0
						Section Acres	4.0

A65-07452

Page 1

Date: 08/11/89

MICROFILMED
SEP 23 1992

10. Place of Use: Continued

Total Acres 4.0

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:

2 POINTS OF DIVERSION AT NESE 6 5N 3E.

POINT OF INJECTION IN CORRAL CREEK: NESE, S. 6, T. 5N, R. 3E.

POINT OF RE-DIVERSION: NESE, S. 6, T. 5N, R. 3E.

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 _____ 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)
County of _____) SS.

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. 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, Suite 706
Boise, Idaho 83702

Phone Number (208) 338 - 5200

MICROFILMED
SEP 23 1992

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: 65-07452
DATE RECEIVED: 5-22-89
RECEIPT NO: 2999999
RECEIVED BY: [Signature] *POSTMARKED 5/19/89*

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: C70 T. H. H000 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: BOGUS CREEK TRIB. TO: SHAFER CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
05N	03E	6	SE	SE	SE		BOISE
			SE	SE			BOISE

5. DESCRIPTION OF DIVERTING WORKS: Simple rock dam in Bogus Creek raising water, retarded by 14" cement headgate in ditch when not in use. Ditch rebuilt. Flood water diverted back to main channel. Rocks removed to allow free flow.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
STOCKWATER	01/01	12/31	0.050		2.70
IRRIGATION	04/01	11/01	0.140		2.70

7. TOTAL QUANTITY APPROPRIATED IS:
0.190 C.F.S. (AND/OR) 2.70 A.F.A.

8. TOTAL CONSUMPTIVE USE IS 10.7 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	NE	SE		IRR	1.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
05N	03E	6	NW SE		IRR	3.0
SECTION ACRES						4.0
TOTAL ACRES						4.0

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:

2 POINTS OF DIVERSION AT NESE 6 5N 3E.
POINT OF INJECTION IN CORRAL CREEK: NESE, S. 6, T. 5N, R. 3E.
POINT OF RE-DIVERSION: NESE, S. 6, T. 5N, R. 3E.
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 ____ 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: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF

The Terteling Co., Inc. _____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF

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
[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Bonsi, Id
MY COMMISSION EXPIRES 5-1-91

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Lertaling, Co. Inc.CLAIM IDENT. NO. 65-07450DATE 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: CJS Date: —Claim must be returned to claimant: (Yes) ☒ (No) ☐Claimant must be notified of modifications: (Yes) ☒ (No) ☐Receipt Prepared by: —Claim data entered by: —Sent to claimant by: —Date: —Date: —Date: —Checked by: — Date: —Comments: Name & address change, description of diverting works

MICROFILMED

SEP 23 1992

12/02/2000

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

RIGHT NUMBER: 65-7452

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

SOURCE: BOGUS CREEK

TRIBUTARY: SHAFER CREEK

QUANTITY: 0.12 CFS
8.9 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-7450 SHALL
PROVIDE NO MORE THAN .03 CFS PER ACRE NOR MORE THAN 3.5 AFA
PER ACRE WHEN MEASURED AT THE FIELD HEADGATE FOR IRRIGATION.

PRIORITY DATE: 08/12/1974

POINT OF DIVERSION:	T05N R03E S6	NESE	Injection	Within BOISE County
	T05N R03E S6	NESE	Rediversion	Within BOISE County
	T05N R03E S6	SESE		Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS
		8.8 AFY
IRRIGATION	04-15 10-15	0.10 CFS
		0.1 AFY

PLACE OF USE:

<u>STOCKWATER Within BOISE County</u>				
T05N R03E S6	NESE		T05N R03E S6	NWSE
<u>IRRIGATION Within BOISE County</u>				
T05N R03E S6	NESE	1	T05N R03E S6	NWSE 1.5

2.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-7450 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STOCKWATER, 10 RANGE CATTLE.

AJ5809NP
No. A65-07452

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM 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	THE TERTELING CO INC 3823 N 36TH ST BOISE ID 83703 (208) 338-5200	08/12/1974	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.100 CFS 0.020 CFS	0.10 AFA 8.80 AFA
TOTAL DIVERSION:					0.120 CFS	8.90 AFA

Water Source: BOGUS CREEK

Tributary to: SHAFER CREEK

Stage: LICENSE

Point(s) of Diversion:

T05N R03E S06

NESE

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	:	SUM	
05N	03E	6	:															:	2.5	
																			TOTAL ACRES	2.5

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BOISE

Other Rights: 65-07450

~~Remarks: POD~~ TWO POINTS OF DIVERSION LOCATED IN T05N, R03E, S06, NESE.

GEN POINT OF INJECTION IN CORRAL CREEK: NESE, S. 6, T. 5N, R. 3E.
POINT OF RE-DIVERSION: NESE, S. 6, T. 5N, R. 3E.
CLAIM AMENDED PER LICENSE APPROVED 6/30/99.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 7/29/99.

SHOW IN POD FIELD

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18
N08
N09
Stock conditions
Exp. Stockwater, 10 RANGE CATTLE

Pou 1 E11
TOTAL 5 ACRES
with 7450
QNT E28
with 7450
0.03 cfs @ 3.5 AFA
when new AT
FH FOR 12h

DATE: 10/16/00
PAGE: 4

Remarks: GEN Right 65-07450 is also diverted through the point of redirection described above.
The 2 acre portion of the place of use west of Corral Creek is also irrigated under right no. 65-07450.
Water diverted from Bogus Creek is injected into an unnamed

WR5809NP
No. 65-07452

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/16/00
PAGE: 5

Remarks: stream then diverted from the unnamed stream to the place of
use. The amount of water diverted from the unnamed stream
under this right shall not exceed the amount of water injected in
to the unnamed stream. The unnamed stream is locally known as
Corral Creek.

Dates: App. Received: 01/03/1974 Priority Date: 08/12/1974
Proof Due Date: 04/01/1981 Proof Made Date: 05/17/1978
Exam Made Date: 06/26/1998 Exam Sent to S.O.: 07/23/1998
Licensed Date: 06/30/1999

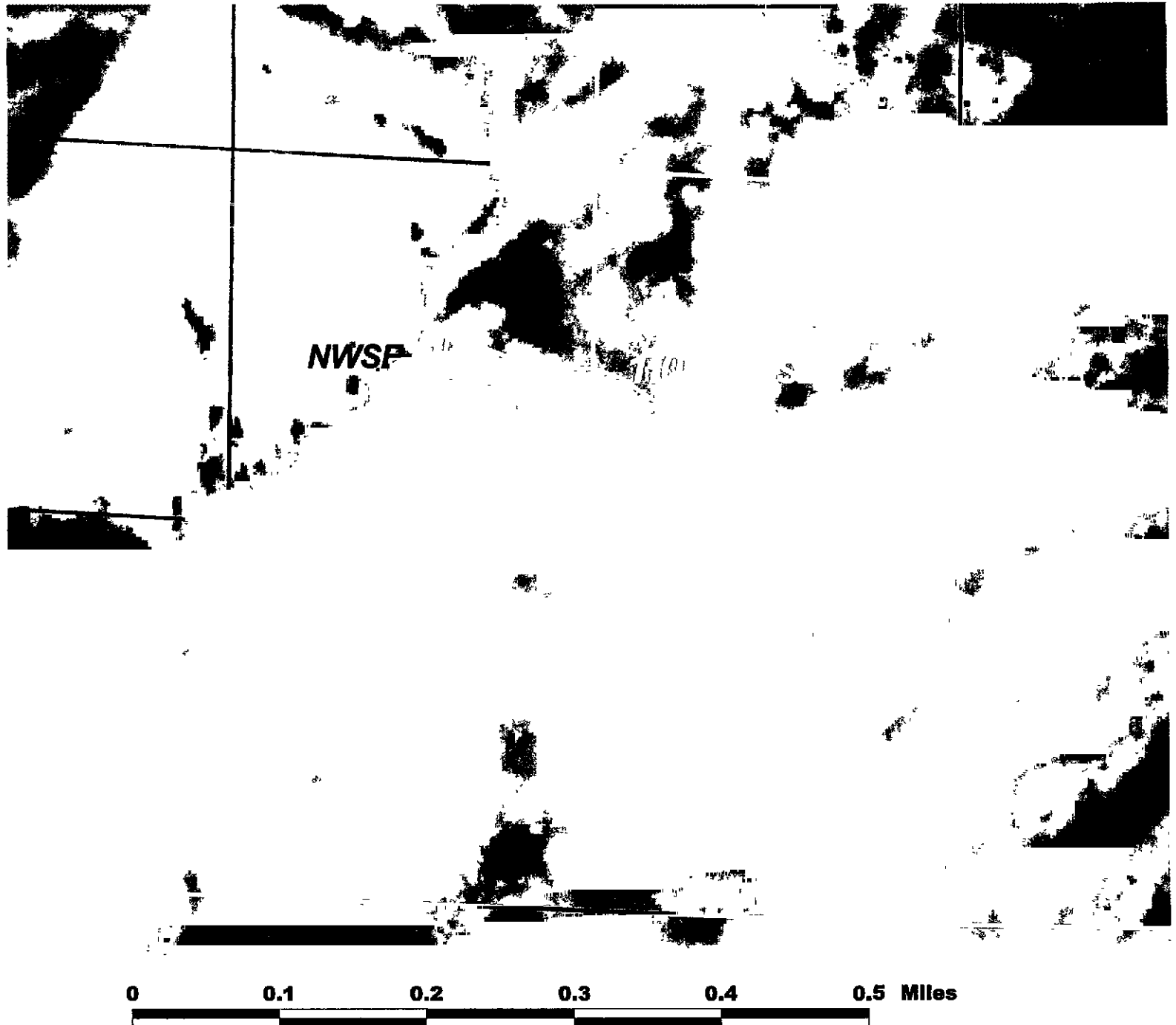
Misc: Water District Number: 65 Field Exam Fee: R (Received)

Audit: 05/05/87 04/30/88 CONVERT 07/13/89 CURTIS 07/23/98 KGALE
08/04/98 SCURTIS 04/30/99 CZIMMERM 05/24/99 CZIMMERM 05/25/99 CZIMMERM
06/30/99 SCURTIS

**T05N R03E
S06**

Idaho Department of Water Resources

**Claims: 65-07452
Prepared by:
RON HOWERTON
Date: 13 OCT 00**



T05N R03E
S06

Claims: 65-07452
Prepared by:
RON HOWERTON
Date: 13 OCT 00

Idaho Department of Water Resources

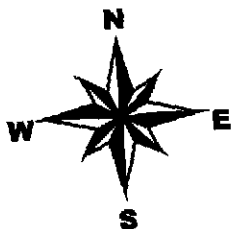
NWSF

Place of use

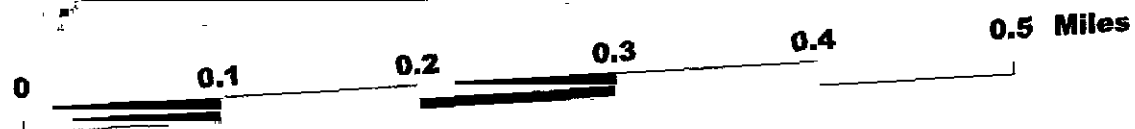
● POD

SECTION

1/4 1/4



1987 NAPP



**T05N R03E
S06**

Idaho Department of Water Resources

**Claims: 65-07452
Prepared by:
RON HOWERTON
Date: 13 OCT 00**

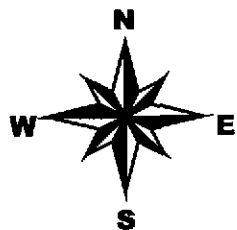
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

2.5 Acres



W59 Topo

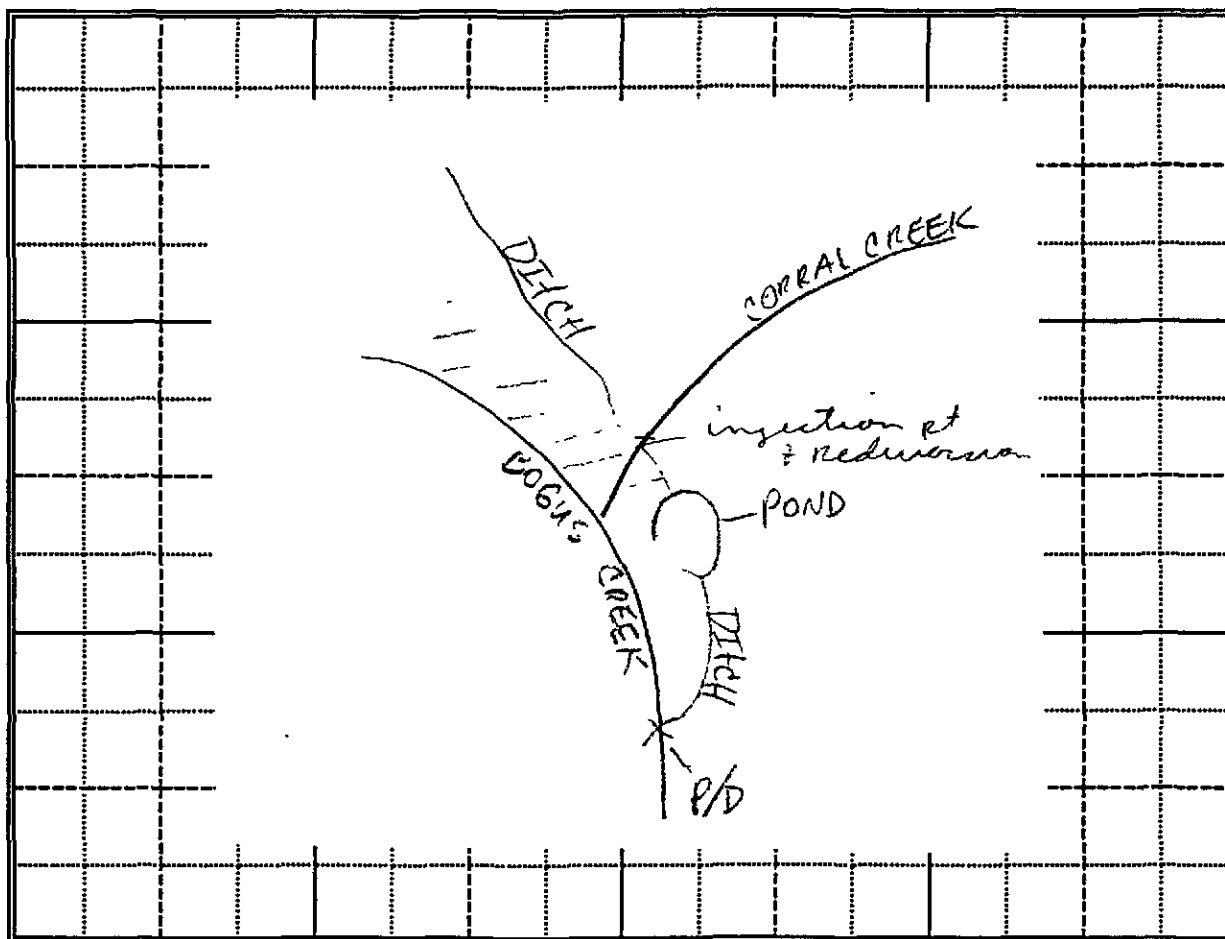


0 0.1 0.2 0.3 0.4 0.5 Miles



[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 Quadrange 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.

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

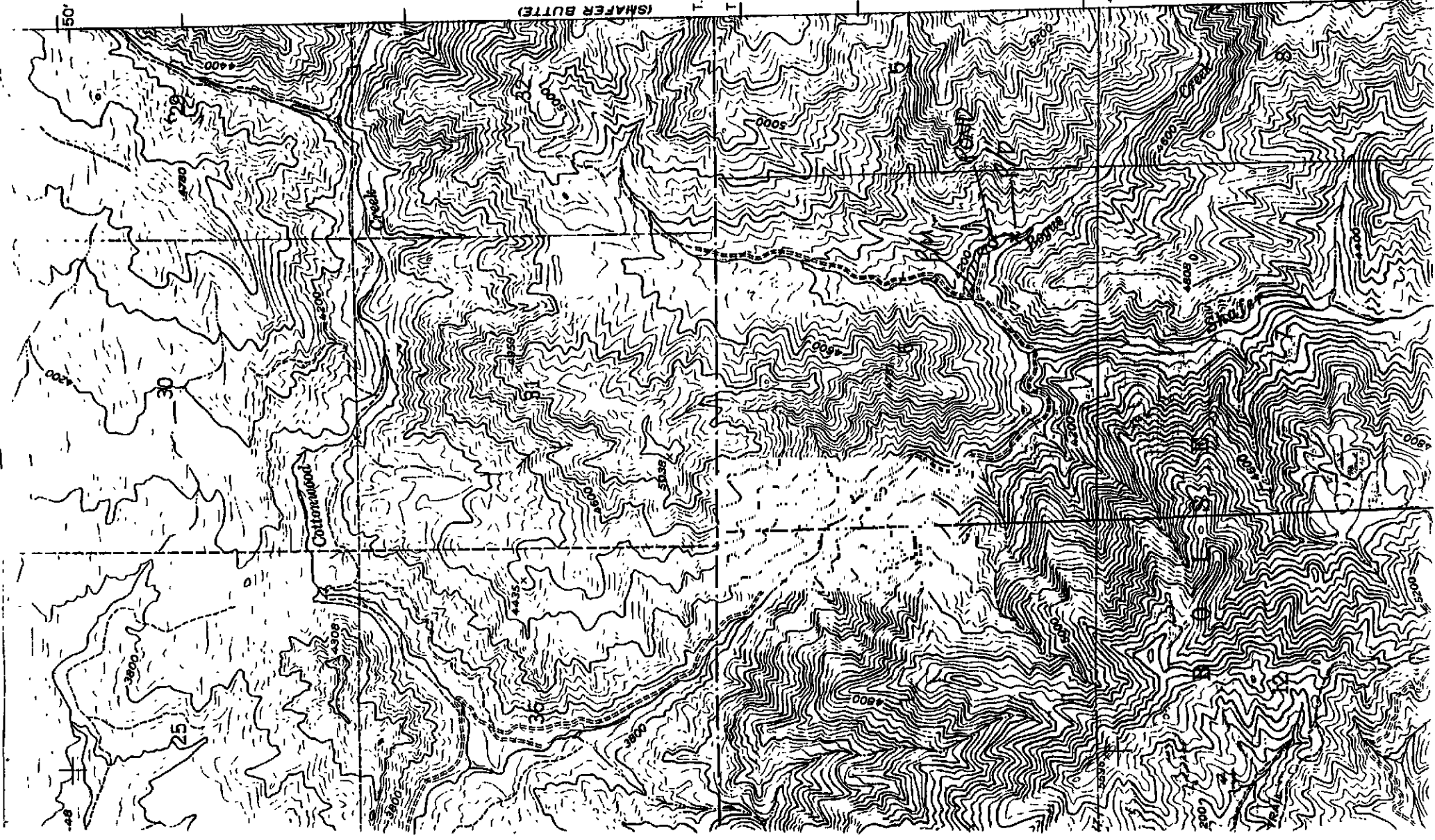
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____



TSN
R3E
Sec 6
P/D = SESE
P/u = NESE
NWSE

65-07452

E. NARRATIVE/REMARKS/COMMENTS

Water is diverted from Bogus Creek into a Rock Dam into a 3' x 1' ditch, then into a 12" culvert, which then delivers water to another ditch leading to a 1.4 of pond (1.13 is surface area). The overflow from the pond can be diverted back into Bogus Creek or into an unnamed stream locally known as Coral Creek. From this junction, Coral Creek + 10 Bogus Creek water can be diverted into a lower ditch used to irrigate land NW of Coral Creek. Owner also uses a portable 4 HP pump in the pond to irrigate land directly surrounding the pond (bank at 1/4 mi). The pond is also used for stockwater.

A measurement was not made due to the volume capacity of the system to deliver 4" of water to the P/A. The ditch system is situated 1/4 mi under a road through a culvert into an unnamed stream (Thorn Creek) tributary to Bogus Creek. This might when combined with 05-07450 (Coral Creek) should be limited to 1.5'/sec.

NOTE: Attached are Met Mra Release comments regarding applicant's development. They have earlier present to Shafter Creek which Bogus Creek is tributary to.

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

1' x 1' ditch - obvious capacity to deliver
4" of water. Measurement was not made.
see photos

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3.5 = 7$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \times 184 \times 1.9835 = 21.9$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7$$

2. Volume Calculations for Other Uses:

stockwater: 10 bcf $\times .0134 = 1 \text{ afa}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	.06	7
stockwater	1/1	12/31	.02	.1
Totals:			.08	7.1

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL

3-1-60





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