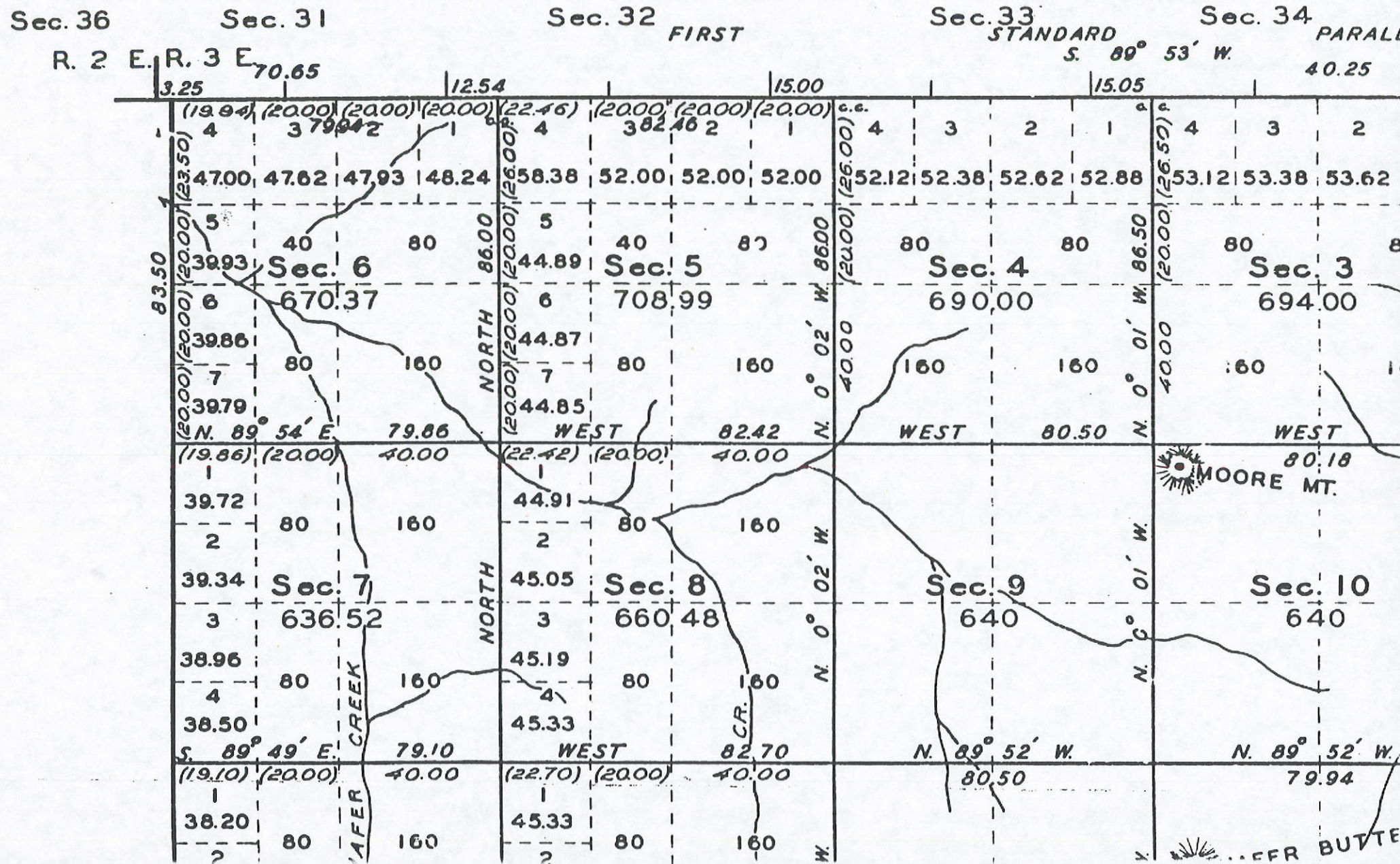
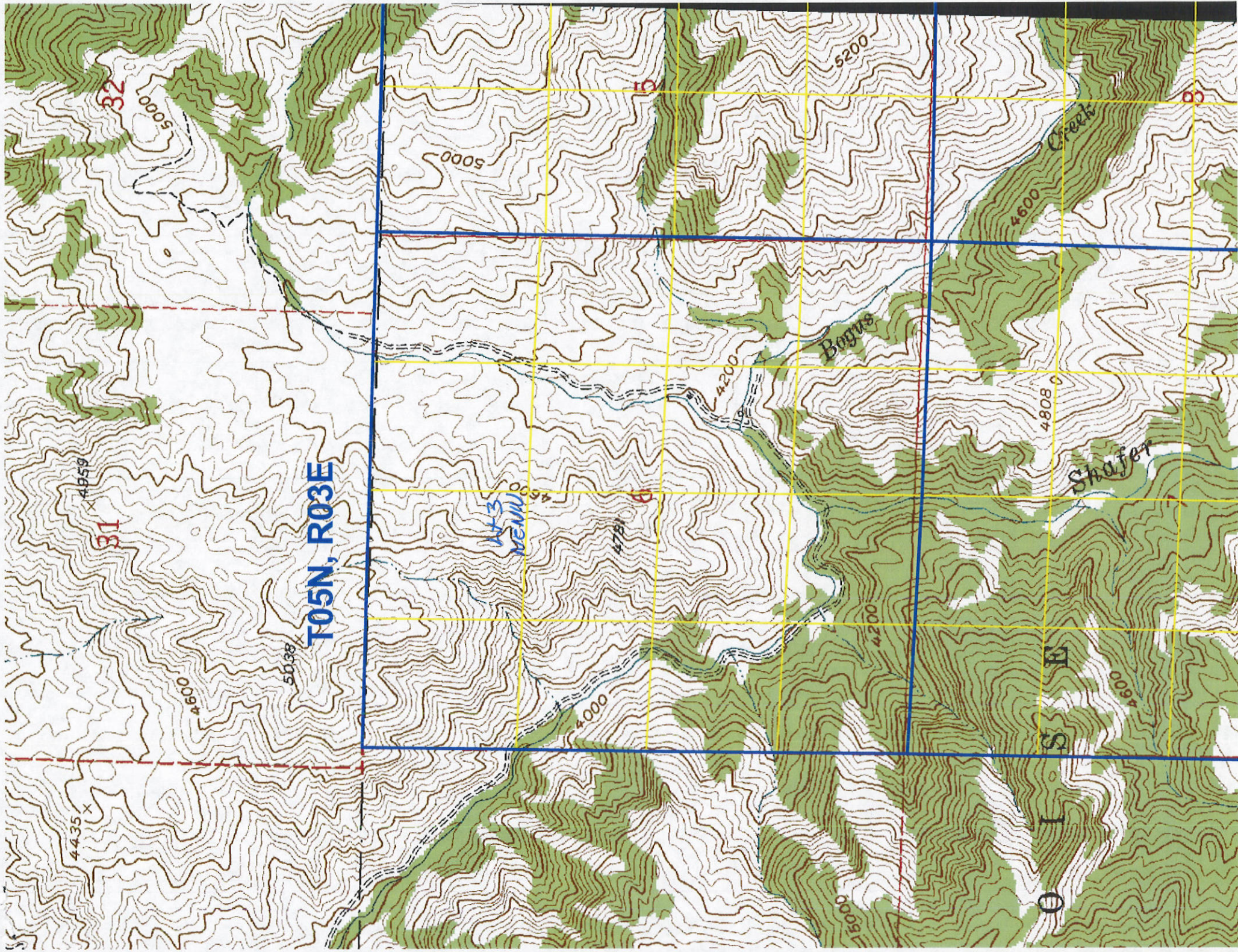


SHIP N° 5 NORTH, RANGE N° 3 EAST OF





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 65-22017
Date Received: 3/7/90
Receipt No: W010665
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOFF COMPANIES INC Phone: (208)884-2002

280 E CORPORATE DR #200
MERIDIAN ID 83642

2. Date of Priority: 12/31/1875

3. Source: SPRING Trib. to: BOGUS CREEK

4. Point of Diversion:

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

5. Description of diverting works:

NATURAL SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	03E	6	NE	NW	STOCKWATER	

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:

Ownership changed 10/23/00. LH

15. Basis of Claim: Beneficial Use

100%
NEW 3
Lot

OK 100%
to Diff

Received at
S.O. 11-13-97

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: A63-30212
Adjudication Claim No(s).: _____

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.

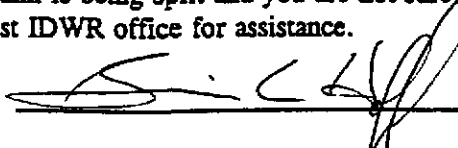
3. Name and Address of Former Owner/Claimant The Terteling Company, Inc.
877 W. Main St., Suite 706, Boise, ID 83702

4. New Owner/Claimant(s) Hoff Companies, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 280 E. Corporate Drive, Suite #200
City, State and ZIP Code Meridian, ID 83642
New Telephone Number (208) 884-2002

5. Date you acquired the property 5/17/93

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 .030 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 or Claimant(s) 
Brian C. Hoff, President
(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..

WARRANTY DEED

FOR VALUE RECEIVED, THE TERTELING COMPANY, INC., Grantor, does hereby grant, bargain, sell and convey unto HOFF COMPANIES, INC., of 5257 Fairview Avenue, Suite 230, Boise, Idaho 83706, Grantee, the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, EXCLUDING ALL MINERAL RIGHTS.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except (i) current taxes and assessments, easements, restrictions and reservations of record, and (ii) encumbrances set forth on Exhibit "B" attached. The Grantor will warrant and defend the same from all lawful claims whatsoever.

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.

DATED this 17th day of May, 1993.

THE TERTELING COMPANY, INC., an Idaho corporation

By J. L. Terteling
J. L. Terteling, President

STATE OF IDAHO)
) ss.
County of Ada)

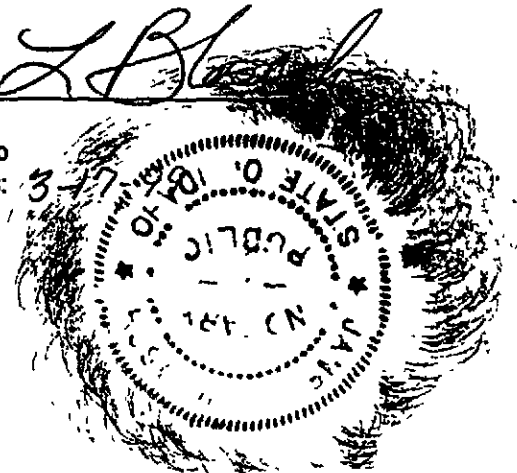
On this 17th day of May, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared J. L. Terteling, known or identified to me to be the President of THE TERTELING COMPANY, INC., the corporation that executed the within instrument or the person who executed the instrument 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 in this certificate first above written.

BOISE COUNTY IDAHO ss. Janet L. Blum
REQUEST OF Mrs. New Sister Notary Public for Idaho
DATE 93 MAY 18 TIME PM 3:33 Residing at Boise, Idaho
My commission expires: 3-17-1991

147297

ARLENE C. KOLAR
BY Janet L. Blum
DEPUTY
FEE 3.12⁰⁰



TOWNSHIP 5 NORTH, RANGE 2 EAST OF BOISE-MERIDIAN IN BOISE COUNTY, IDAHO

SECTION 1

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND ϕ
THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND
THE SOUTH HALF OF THE SOUTHWEST QUARTER;

SECTION 2

THE SOUTH HALF OF THE SOUTH HALF; A65-22010
22029

SECTION 3

GOVERNMENT LOT 1 AND
THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND BLM
THE EAST HALF OF THE SOUTHWEST QUARTER;

SECTION 11

ALL; A65-22029, A65-22015, A63-30210

SECTION 12

THE NORTH HALF AND THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE A65-22027
SOUTHWEST QUARTER AND THE SOUTH HALF OF THE SOUTHWEST QUARTER;

SECTION 13

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER AND THE
SOUTH HALF; ϕ

SECTION 14

ALL EXCEPT THE SOUTH HALF OF THE SOUTH HALF. ϕ

TOWNSHIP 6 NORTH, RANGE 2 EAST OF BOISE-MERIDIAN IN BOISE COUNTY, IDAHO

SECTION 36

THE SOUTH HALF. A65-22031

TOWNSHIP 5 NORTH, RANGE 3 EAST OF BOISE-MERIDIAN IN BOISE COUNTY, IDAHO

SECTION 4

GOVERNMENT LOT 4, AND
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; ϕ

SECTION 5

GOVERNMENT LOTS 1, 2, 3, 4 AND 5 AND A65-22012
THE SOUTH HALF OF THE NORTHEAST QUARTER AND
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

SECTION 6

GOVERNMENT LOTS 3, 4, 5, 6 AND 7 AND A65-22011, A65-22031, A65-22012
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND
THE EAST HALF OF THE SOUTHWEST QUARTER;

LEGAL CONTINUED

EXHIBIT "A"

SECTION 7

AB5-22024, AB5-22031

- THE NORTH HALF OF THE NORTHEAST QUARTER AND
- THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND
- THE EAST HALF OF THE NORTHWEST QUARTER AND
- GOVERNMENT LOTS 1 AND 2 AND
- THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
- EXCEPT ROAD RIGHT OF WAY;

SECTION 18

- THE WEST HALF OF THE EAST HALF AND
- THE EAST HALF OF THE WEST HALF AND
- GOVERNMENT LOTS 1, 2, 3 AND 4;

TOWNSHIP 6 NORTH, RANGE 3 EAST OF BOISE-MERIDIAN IN BOISE COUNTY

SECTION 21

- THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; 0

SECTION 27

- THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND
- THE WEST HALF OF THE SOUTHWEST QUARTER;

AB5-22027

SECTION 28

- THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND
- THE SOUTH HALF OF THE NORTHEAST QUARTER AND
- THE NORTHWEST QUARTER AND
- THE NORTH HALF OF THE SOUTHWEST QUARTER AND
- THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND
- THE SOUTHEAST QUARTER;

AB5-22028

SECTION 29

- THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND
- THE SOUTH HALF OF THE NORTHEAST QUARTER AND
- THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND
- THE SOUTH HALF;

AB5-22029

SECTION 30

- THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND
- GOVERNMENT LOTS 3 AND 4 AND
- THE EAST HALF OF THE SOUTHWEST QUARTER AND
- THE SOUTHEAST QUARTER;

AB5-22030

SECTION 31

- THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER AND
- GOVERNMENT LOTS 1, 2, 3 AND 4 AND
- THE EAST HALF OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE
- SOUTHEAST QUARTER;

AB5-22031-5

SECTION 32

- ALL EXCEPT THE NORTH HALF OF THE SOUTHEAST QUARTER AND ALSO
- EXCEPT THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND ALSO EXCEPT THE NORTH
- HALF OF THE SOUTHWEST QUARTER AND ALSO EXCEPT THE WEST HALF OF THE SOUTHWEST
- QUARTER OF THE SOUTHWEST QUARTER;

AB5-22022-2

AB5-22020 *E 1/2 1/4 - 2020

SECTION 33

- THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER.

END OF LEGAL DESCRIPTION

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION 2

File Number: P 119670/B

C. Special Exceptions:

3. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: ROAD OF TRAMWAY FOR GENERAL LOGGING PURPOSES
DISCLOSED BY: DEED RECORDED JULY 28, 1916, UNDER INSTRUMENT NO. 24717 IN BOOK 41 OF DEEDS AT PAGE 256
IN FAVOR OF: UNDISCLOSED
AFFECTS: A STRIP OF LAND 50' FEET WIDE THROUGH THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 3 EAST. *Ab5-62025*
4. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: A RIGHT OF WAY AND EASEMENT FOR THE ERECTION AND CONTINUED OPERATION, MAINTENANCE, REPAIR, ALTERATION, INSPECTION AND REPLACEMENT OF THE ELECTRICAL TRANSMISSION, DISTRIBUTION AND TELEPHONE LINES AND CIRCUITS OF THE GRANTEE, ATTACHED TO POLES OR OTHER SUPPORTS, TOGETHER WITH GUYS, CROSSARMS AND OTHER ATTACHMENTS AND INCIDENTAL EQUIPMENT THEREON AND APPURTENANCES, WITH THE RIGHT TO PERMIT THE ATTACHMENT OF THE WIRES AND FIXTURES OF OTHER COMPANIES OR PARTIES
IN FAVOR OF: IDAHO POWER COMPANY, A CORPORATION
RECORDED: FEBRUARY 1, 1966
INSTRUMENT NO.: 70747 *Ab5-22024, Ab5-22026, Ab5-22028, Ab5-07456, Ab5-27453, Ab5-60717, Ab5-22031, Ab5-00051*
AFFECTS: NORTHWEST QUARTER AND THE SOUTH HALF SECTION 6, TOWNSHIP 5 NORTH, RANGE 3 EAST, BOISE-MERIDIAN, AND THE NORTH HALF NORTHEAST QUARTER AND SOUTHWEST QUARTER NORTHEAST QUARTER, SECTION 7, TOWNSHIP 5 NORTH, RANGE 3 EAST, BOISE-MERIDIAN.
5. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: ACCESS TO THE LANDS OF DOBSON
RECORDED: MAY 13, 1974
INSTRUMENT NO.: 80603
AFFECTS: THE SOUTH HALF OF SECTION 36 TOWNSHIP 6 NORTH, RANGE 2 EAST, BOISE-MERIDIAN *Ab5-22031*
6. RESERVATIONS CONTAINED IN DEED
DATED: MARCH 3, 19__
EXECUTED BY: TERTELING LAND COMPANY, A CORPORATION
IN FAVOR OF: TERTELING LAND COMPANY, A CORPORATION
RECORDED: MARCH 6, 1978
INSTRUMENT NO.: 88361
AS FOLLOWS: 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.
AFFECTS: ALL OF SAID PREMISES EXCEPT THAT PORTION LYING WITHIN SECTION 18 TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE-MERIDIAN *Ab5-22031*
7. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF IDAHO WHEREBY SAID GRANTOR EXCEPTS ALL MINERAL RIGHTS AS DEFINED BY SECTION 47-701 OF IDAHO CODE, TOGETHER WITH RIGHTS AND CLAIMS OF PARTIES CLAIMING BY THROUGH OR UNDER THEM.
RECORDED: MAY 16, 1984
INSTRUMENT NO./BOOK AND PAGE: 113132
AFFECTS: THE SOUTH HALF OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 2 EAST *Ab5-22031*
8. RIGHTS OF WAY FOR DITCHES, TUNNELS AND TELEPHONE AND TRANSMISSION LINES CONSTRUCTED BY AUTHORITY OF THE UNITED STATES, AS GRANTED TO THE UNITED STATES UNDER THE PROVISIONS OF SECTION 58-604 IDAHO CODE 1947.
AFFECTS: THE SOUTH HALF OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 2 EAST *Ab5-22031*
9. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: ACCESS TO LANDS OF DOBSON
RECORDED: SEPTEMBER 20, 1974
INSTRUMENT NO.: 115552
AFFECTS: EAST HALF OF THE EAST HALF OF SECTION 3 AND THE SOUTH HALF OF THE SOUTH HALF OF SECTION 2 AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE-MERIDIAN. *Ab5-22013, Ab5-22029*

ASSIGNMENT OF WATER RIGHTS

THIS ASSIGNMENT is entered into as of the 17th day of May, 1993, by and between THE TERTELING COMPANY, INC., an Idaho corporation ("Assignor"), and HOFF COMPANIES, INC., an Idaho corporation ("Assignee");

WITNESSETH:

WHEREAS, Assignor desires to assign all of its right, title and interest in, to and under the water and water rights set forth and described on Exhibit "A" attached hereto and by this reference made a part hereof, together with all applications, permits, shares of stock in water and canal companies, and all licenses, permits, applications and all rights to water now owned or hereafter perfected in any water adjudication matters, and Assignee is desirous of accepting same;

NOW, THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, Assignor has assigned, transferred and conveyed, and by these presents does assign, transfer and convey unto Assignee all of Assignor's right, title and interest in, to and under all applications, permits, shares of stock in water and canal companies and all licenses, permits, applications and rights to water now owned or hereafter perfected in any water adjudication matters described on Exhibit "A" attached hereto.

By its execution hereof, Assignee hereby agrees to assume and perform all duties and obligations under said water rights and to hold Assignor harmless from any liability for performance or nonperformance of such obligations.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

ASSIGNOR:

THE TERTELING COMPANY, INC.

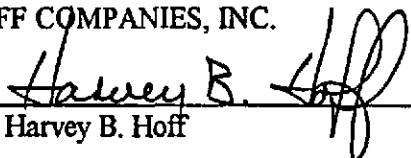
By


Joe L. Terteling
President

ASSIGNEE:

HOFF COMPANIES, INC.

By


Harvey B. Hoff

Notice of a Claim to a Water Right - Boise County
Instream Flow - Filed 3/90

Claimant
Date of Priority
Source of Water Supply
Beginning Point of Claimed
Instream Flow
Ending Point
Use
Place of Use

The Terteling Company, Inc.
1870s
Shafer Creek

T5N R3E, SEC 21, SWNE
T5N R3E, SEC 36, NESW
Stockwater .03cfs

~~T5N R3E, SEC 19, NWNE, SWNE, NENW~~ - 465-22031
T5N R3E, SEC 18, NWNE, SWNE, NESW, SESW - 465-22031
T5N R3E, SEC 7, SWNE, NENW, SENW, NWSE - 465-22031
T5N R3E, SEC 6, SWNW, NWSW, SWSW, SESW, SWSE - 465-22031
T6N R2E, SEC 36, NESW - 465-22031

Claimant
Date of Priority
Source of Water Supply
Beginning Point of Claimed
Instream Flow
Ending Point
Use
Place of Use

The Terteling Company, Inc.
1870
Cottonwood Creek

T6N R3E, SEC 28, SESW 465-22023
T6N R3E, SEC 28, SESW 465-22023
Stockwater .03cfs
T6N R3E, SEC 28, SESW 465-22023

Claimant
Date of Priority
Source of Water Supply
Beginning Point of Claimed
Instream Flow
Ending Point
Use
Place of Use

The Terteling Company, Inc.
1870
Cottonwood Creek

T6N R3E, SEC 29, SESE
T6N R3E, SEC 30, SWSW
Stockwater .03cfs
T6N R3E, SEC 29, SWSW, SESW, SESE 465-22025
T6N R3E, SEC 32, NENE, NWNE, NWNW 465-22025
T6N R3E, SEC 31, NENE, NWNE, NENW 465-22025
T6N R3E, SEC 30 SWSW, SESW 465-22025

Claimant
Date of Priority
Source of Water Supply
Beginning Point of Claimed
Instream Flow
Ending Point
Use
Place of Use

The Terteling Company, Inc.
1870
Custer Creek

T5N R2E, SEC 12, SESW
T5N R2E, SEC 14, NWNW
Stockwater .03cfs
T5N R2E, SEC 12, NESW, SWSW, SESW 465-22021
T5N R2E, SEC 11, SESE in each in Hoff's name
T5N R2E, SEC 14, NENE, NWNE, NENW, NWNW
a copy in Hoff's name

Notice of Claim to a Water Right - Boise County
Stockwater - Filed 3/90

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T6N R3E, Sec. 27 SWNW
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T6N R3E, SEC 27, SWNW

✓ AGS-22011

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T5N R2E, SEC 2, SWSW
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T5N R2E, SEC 2, SWSW'

✓ AGS-22010

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T5N R2E, SEC 11, NENW
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T5N R2E, SEC 11, NENW

✓ AGS-22015

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T5N R2E, SEC 12, NENE
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T5N R2E, SEC 12, NENE

✓ AGS-22014

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T5N R3E, SEC 5, NWNW
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T5N R2E, SEC 5, NWNW

✓ AGS-22012

Claimant	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Unnamed Spring
Location of Diversion	T6N R3E, SEC 21, NWSE
Use	Stockwater, 1/1 to 12/31, .02cfs
Place of Use	T6N R3E, SEC 21, NWSE

✓ AGS-22020

[Handwritten signature]

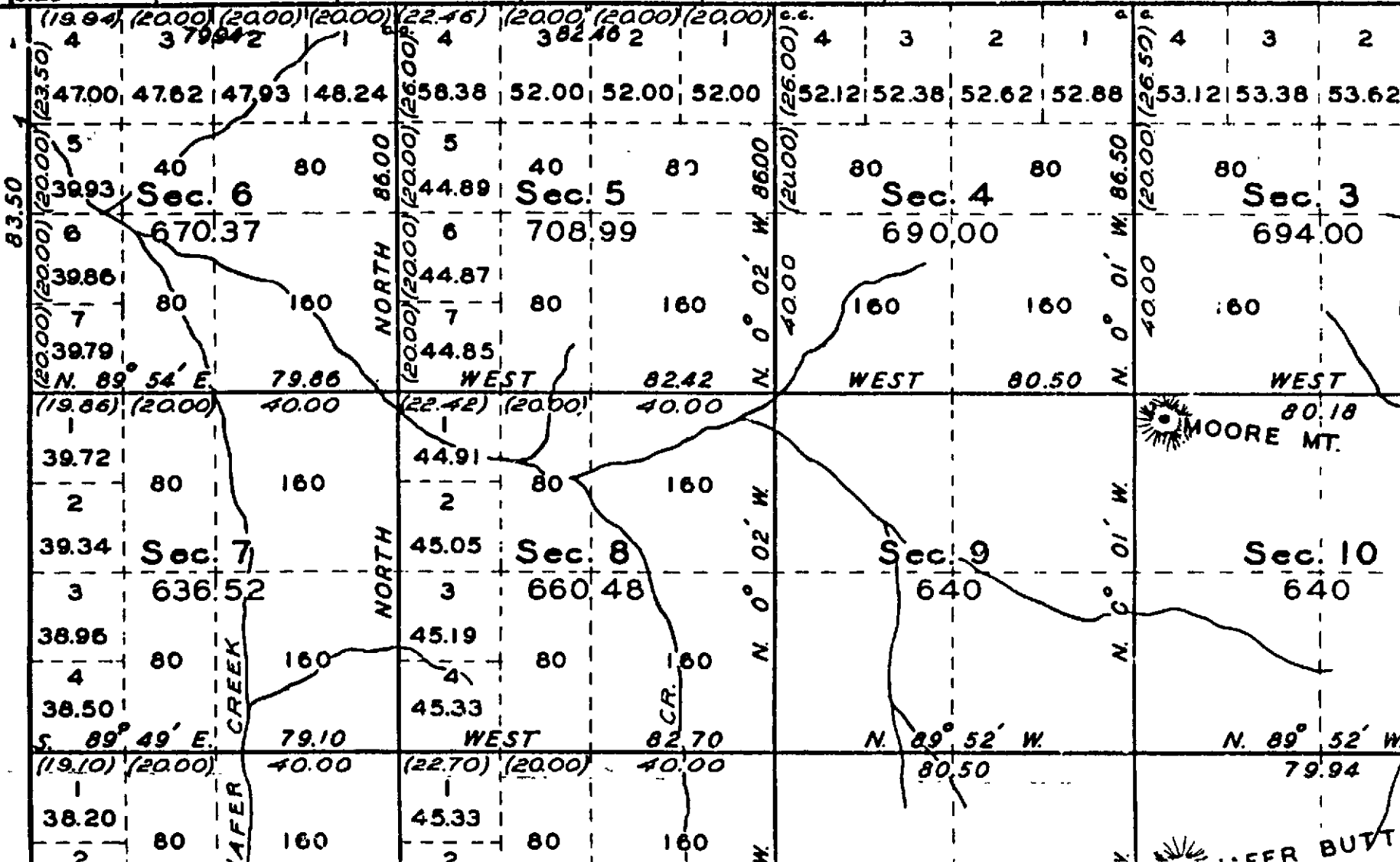
[Handwritten signature]

Notice of a Claim to a Water Right - Boise County
Instream Flow - Filed 3/90

Claimant	The Terteling Company, Inc.
Date of Priority	1870
Source of Water Supply	Pole Cat Creek
Beginning Point of Claimed	
Instream Flow	T5N R2E, SEC 12, NESW L
Ending Point	T5N R2E, SEC 2, SWSE
Use	Stockwater, .03cfs
Place of Use	T5N R2E, SEC 12, SWNW, SENW, NESW A65-22029
	T5N R2E, SEC 11, NENE, NWNE A65-22029
	T5N R2E, SEC 2, SWSE 265-2-029

SHIP NO 5 NORTH, RANGE NO 3 EAST OF

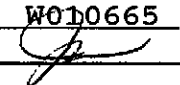
40.25



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: A65-22017
Date Received: 3/ 7/1990
Receipt No: W010665
Received By: 

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

1. Name: THE TERTELING COMPANY INC 208-338-5200
Address: 877 W MAIN ST
SUITE 706
BOISE ID 83702

2. Date of Priority: DEC 31, 1875 .

3. Source: SPRING Trib. to: BOGUS CREEK

4. Point of Diversion:

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

5. Description of diverting works:
NATURAL SPRING

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 HD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	6	NE	NW		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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

Identification No. A65-22017
Date Received 3-7-90
Receipt Number 6010665-25 FSD LATE FEE
= 25 TOTAL

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED
MAR 07 1990

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) The Terteling Company, Inc. Phone (208) 338-5200

Mailing Address 877 W. Main St., Suite 706, Boise, ID Zip 83702

2. Date of Priority (Only one per claim) 1870's Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Unnamed Spring
Name or kind of source

which is tributary to (b) Bogus Creek

4. Location of point of diversion is: Township 05N Range 03E

Section 6, 1/4 of NE 1/4 of NW 1/4, Govt. Lot , BM.,

County of Boise

Additional points of diversion if any: none

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Natural Spring

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.02 (cfs)
(Both dates are inclusive)

For purposes from to amount

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 50 head cattle

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 05N Range 03E
Section 6, NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of Boise for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any None

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

12. Do you own the property listed above as place of use? Yes y No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None (X)

14. Remarks: None

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments _____

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

Signature of Claimant (s) J R Terteling Date 3-2-90
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

of The Terteling Company, Inc. Title _____ that I have signed the foregoing
Organization
document in the space below as President of The Terteling Company, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization President, The Terteling Company, Inc.

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of March 19 90

SEAL

Notary Public Flinda A. Inouye

Residing at Boise, ID

My Commission Expires 5-7-91

Last Name The Terteling Co., Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

10/24/2000

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

RIGHT NUMBER: 65-22017

NAME AND ADDRESS: HOFF COMPANIES INC
280 E CORPORATE DR #200
MERIDIAN, ID 83642

SOURCE: SPRING TRIBUTARY: BOGUS CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1875

POINT OF DIVERSION: T05N R03E S6 LOT 3 NENW 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

PLACE OF USE:

STOCKWATER Within BOISE
County
T05N R03E S6 LOT 3 NENW

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 IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 50 RANGE CATTLE

