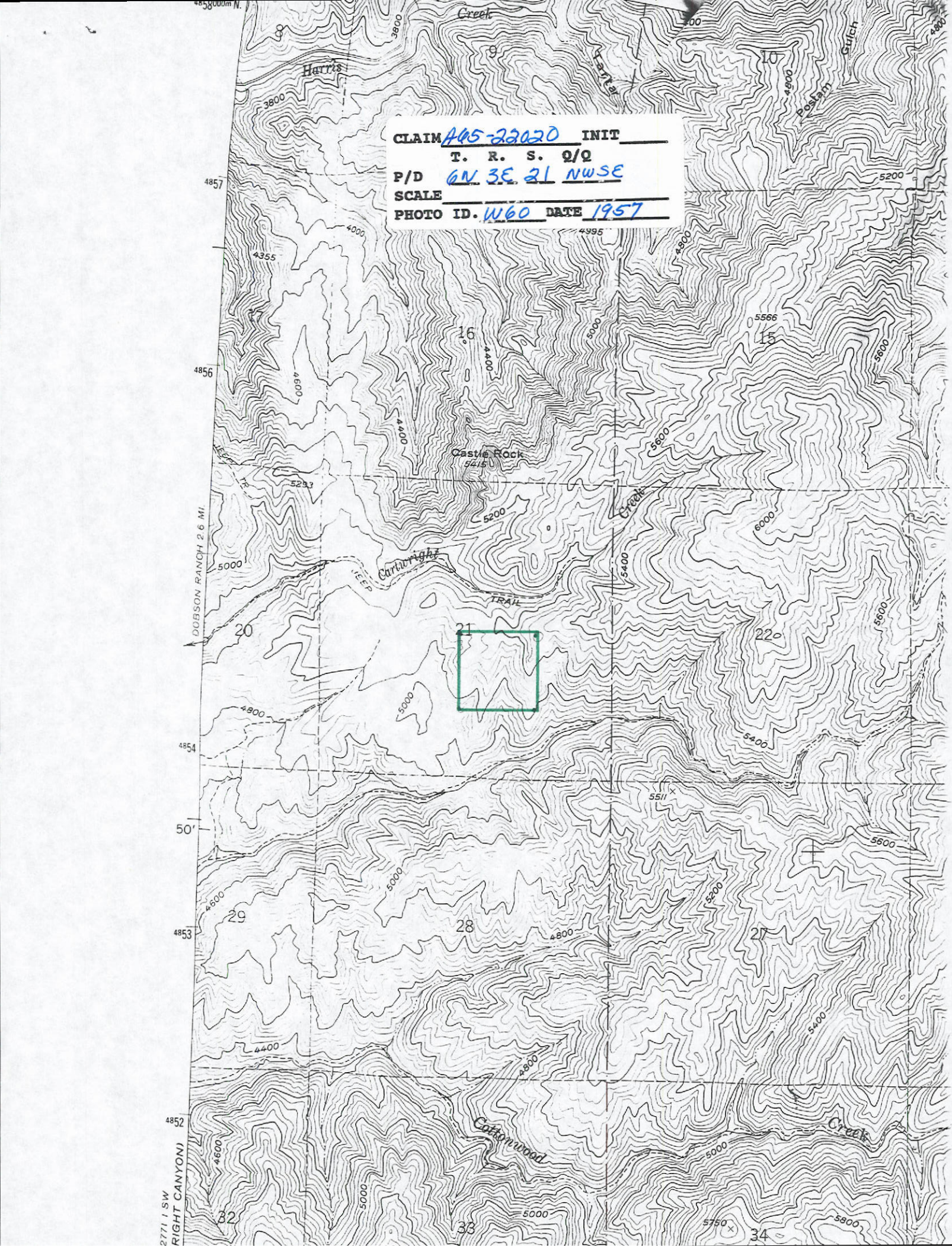

CLAIM A65-22020 INIT
T. R. S. Q/Q
P/D 6N 3E 21 NWSE
SCALE
PHOTO ID. W60 DATE 1957
Harris Creek
Santa Fe
Postam Gulch
Castle Rock
5415
Carbwright
JEEP TRAIL
DOBSON RANCH 2.6 MI.
Cottonwood Creek
16
15
21
22
20
29
28
27
32
33
34
4857
4856
4854
4853
4852
5293
5511
5566
5750
4995
4355

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: **A65-22020**
Date Received: 3/ 7/1990
Receipt No: W010665
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: HOFF COMPANIES INC 208-884-2002
   Address: 280 E CORPORATE DR #200
   MERIDIAN ID 83642

2. Date of Priority: DEC 31, 1875

3. Source: SPRING Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	03E	21	NW SE		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
06N	03E	21	NW SE		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:
    OWNERSHIP CHANGED BY LH 3/21/2000.

15. Basis of Claim: BENEFICIAL USE

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, 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.

_____
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 3-17-94

147297

BOISE COUNTY IDAHO SS
REQUEST OF
DATE TIME
93 MAY 18 PM 3:33
ARLENE C. KOLAR
BY _____ DEPUTY
FEE 3.00

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

SECTION 1
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND
THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND
THE SOUTH HALF OF THE SOUTHEAST QUARTER;

SECTION 2
THE SOUTH HALF OF THE SOUTH HALF;

SECTION 3
GOVERNMENT LOT 1 AND
THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND
THE EAST HALF OF THE SOUTHEAST QUARTER;

SECTION 11
ALL;

SECTION 12
THE NORTH HALF AND THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER AND THE SOUTH HALF OF THE SOUTHEAST QUARTER;

SECTION 13
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER AND THE
SOUTH HALF;

SECTION 14
ALL EXCEPT THE SOUTH HALF OF THE SOUTH HALF.

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

SECTION 36
THE SOUTH HALF.

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;

SECTION 5
GOVERNMENT LOTS 1, 2, 3, 4 AND 5 AND
THE SOUTH HALF OF THE NORTHEAST QUARTER AND
THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

SECTION 6
GOVERNMENT LOTS 3, 4, 5, 6 AND 7 AND
THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND
THE EAST HALF OF THE SOUTHWEST QUARTER;

LEGAL CONTINUED

EXHIBIT "A"

SECTION 7
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;

SECTION 27
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND
THE WEST HALF OF THE SOUTHWEST QUARTER;

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;

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;

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;

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;

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;

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.

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 A65-22024, A65-22026, A65-22028
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

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 SECTIN 18 TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE-MERIDIAN

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

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 A65-

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. A65-22013, A65-22

STATE OF IDAHO
PETE T. CENARRUSA
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

First-Class
Permit No. 1
Boise, Idaho
Pre-Sorted

IDAHO ANNUAL REPORT FORM

PRESORTED FIRST - CLASS MAIL

C 47552
HOFF COMPANIES, INC.
HARVEY B HOFF
280 E CORPORATE DR
SUITE 200
MERIDIAN ID 83642 2944

AUTO 83642

No. C 47552

Return to:
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FEE REQUIRED

* FIRST NOTICE *

Annual Report Form
Due No Later Than November 30, 1997

1. Mailing Address - Please Correct, If Not Correct

HOFF COMPANIES, INC.
HARVEY B HOFF
280 E CORPORATE DR
SUITE 200
MERIDIAN ID 83642 2944

2 Registered Agent and Office NOT A P.O. BOX

M D ARMSTRONG, JR.
280 E CORPORATE DR
SUITE 200
MERIDIAN ID 83642 2

3. Organized Under the Laws of:

ID C 47552

Corporations: Enter Names and Business Addresses of President, Secretary and Directors
Limited Liability Companies: Enter Names and Addresses of ☐ Managers or ☐ Members (check one)

Office held	Name	Street or P.O. Address	City	State	Zip
Chairman	Harvey B. Hoff	280 E. Corporate Dr. #200	Meridian	ID	83642
President	Brian C. Hoff	280 E. Corporate Dr. #200	Meridian	ID	83642
V.P-CFO & Sec'y	M.D. Armstrong, Jr.	280 E. Corporate Dr. #200	Meridian	ID	83642
Director	George E. Alvarez	2850 Christine	Boise	ID	83704
Director	Harry M. Little	P.O. Box 1157	Boise	ID	83701
Director	Frank O. Morrisette	784 River Park Ln.	Boise	ID	83706
Director	Ray Peterson	442 S. Browning	Boise	ID	83709

6.

Signature M D Armstrong Jr. Date 10/06/97

Name (Typed or Printed) M.D. Armstrong, Jr. Title VP-CFO & Sec'y.

ISSUED: 07-04-1997 DO NOT TAPE OR STAPLE 15486

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 ("Assignor");

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	The Terteling Company, Inc.
Date of Priority	1870s
Source of Water Supply	Shafer Creek
Beginning Point of Claimed Instream Flow	T5N R3E, SEC 21, SWNE
Ending Point	T5N R3E, SEC 36, NESW
Use	Stockwater .03cfs
Place of Use	~~T5N R3E, SEC 19, NWNE, SWNE, NENW~~ T5N R3E, SEC 18, NWNE, SWNE, NESW, SESW T5N R3E, SEC 7, SWNE, NENW, SENW, NWSE T5N R3E, SEC 6, SWNW, NWSW, SWSW, SESW, SWSE T6N R2E, SEC 36, NESW

Claimant	The Terteling Company, Inc.
Date of Priority	1870
Source of Water Supply	Cottonwood Creek
Beginning Point of Claimed Instream Flow	T6N R3E, SEC 28, SESW
Ending Point	T6N R3E, SEC 28, SESW
Use	Stockwater .03cfs
Place of Use	T6N R3E, SEC 28, SESW

Claimant	The Terteling Company, Inc.
Date of Priority	1870
Source of Water Supply	Cottonwood Creek
Beginning Point of Claimed Instream Flow	T6N R3E, SEC 29, SESE
Ending Point	T6N R3E, SEC 30, SWSW
Use	Stockwater, .03cfs
Place of Use	T6N R3E, SEC 29, SWSW, SESW, SESE T6N R3E, SEC 32, NENE, NWNE, NWNW T6N R3E, SEC 31, NENE, NWNE, NENW T6N R3E, SEC 30 SWSW, SESW

Claimant	The Terteling Company, Inc.
Date of Priority	1870
Source of Water Supply	Custer Creek
Beginning Point of Claimed Instream Flow	T5N R2E, SEC 12, SESW
Ending Point	T5N R2E, SEC 14, NWNW
Use	Stockwater, .03cfs
Place of Use	T5N R2E, SEC 12, NESW, SWSW, SESW T5N R2E, SEC 11, SESE T5N R2E, SEC 14, NENE, NWNE, NENW, NWNW

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

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

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

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

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 R3E, SEC 5, NWNW

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

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
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 A65-2-529

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: **A65-22020**
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: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	03E	21	NW SE		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
06N	03E	21	NW SE		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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____

Form No. 42-1409 (2) b 9/88

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. A65-22020
Date Received 3-7-90
Receipt Number W010665-257 $0 LATE FEE = $75 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) Cottonwood Creek

4. Location of point of diversion is: Township 06N Range 03E

Section 21, _____ 1/4 of NW 1/4 of SE 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: 06N Range 03E

Section 21, NW 1/4 of SE 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 _____ No X
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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President (Title) of The Terteling Company, Inc. (Organization), that I have signed the foregoing document in the space below as President (Title) of The Terteling Company, Inc. (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J. L. Terteling Date 3-2-90

Title and Organization President, The Terteling Company, Inc.

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

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

SEAL

Notary Public Linda A. Drouyer

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.

09/05/2000

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

RIGHT NUMBER: 65-22020

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

SOURCE: SPRING **TRIBUTARY:** COTTONWOOD 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: T06N R03E S21 NWSE Within BOISE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T06N R03E S21 NWSE

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

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

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 - Beneficial Use

STOCKWATER, 50 RANGE CATTLE

IN STREAM USE

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	HOFF COMPANIES INC 280 E CORPORATE DR #200 MERIDIAN ID 83642 (208) 884-2002	12/31/1875	STOCKWATER	01-01	12-31	0.020 CFS	
				TOTAL DIVERSION:		0.020 CFS	

Water Source: SPRING Tributary to: COTTONWOOD CREEK Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R03E S21 NWSE BOISE County

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
06N	03E	21														S		

POU County: BOISE EXP

Non-Irrigation Uses: STOCKWATER, 50 HD CATTLE.

Other Rights: NONE

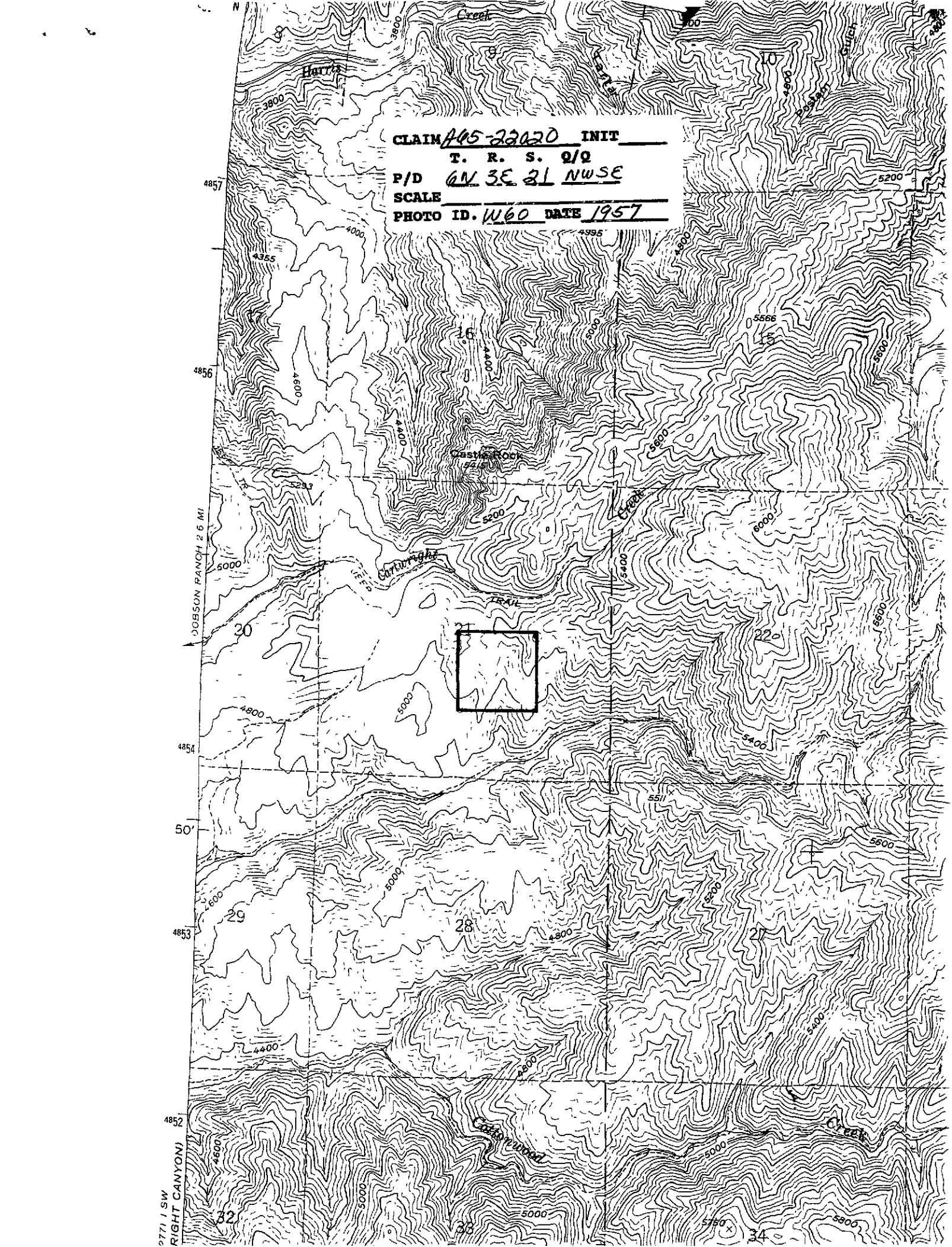
Remarks: GEN OWNERSHIP CHANGED BY LH 3/21/2000.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/23/95 JSHURTE 03/30/95 POST-STD 03/21/00 LHARRIS

N11 + N13
Instream


CLAIM AMS-22020 INIT
T. R. S. Q/Q
P/D 6N 3E 21 NWSE
SCALE
PHOTO ID. W60 DATE 1957
Harris Creek
Castle Rock
5293
Carlwright
JEEP TRAIL
DOBSON RANCH 2.6 MI
Cottonwood
Creek
Pleasant Gulch
16
15
20
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28
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32
33
34
4857
4856
4854
4853
4852
5566
5511
5406