

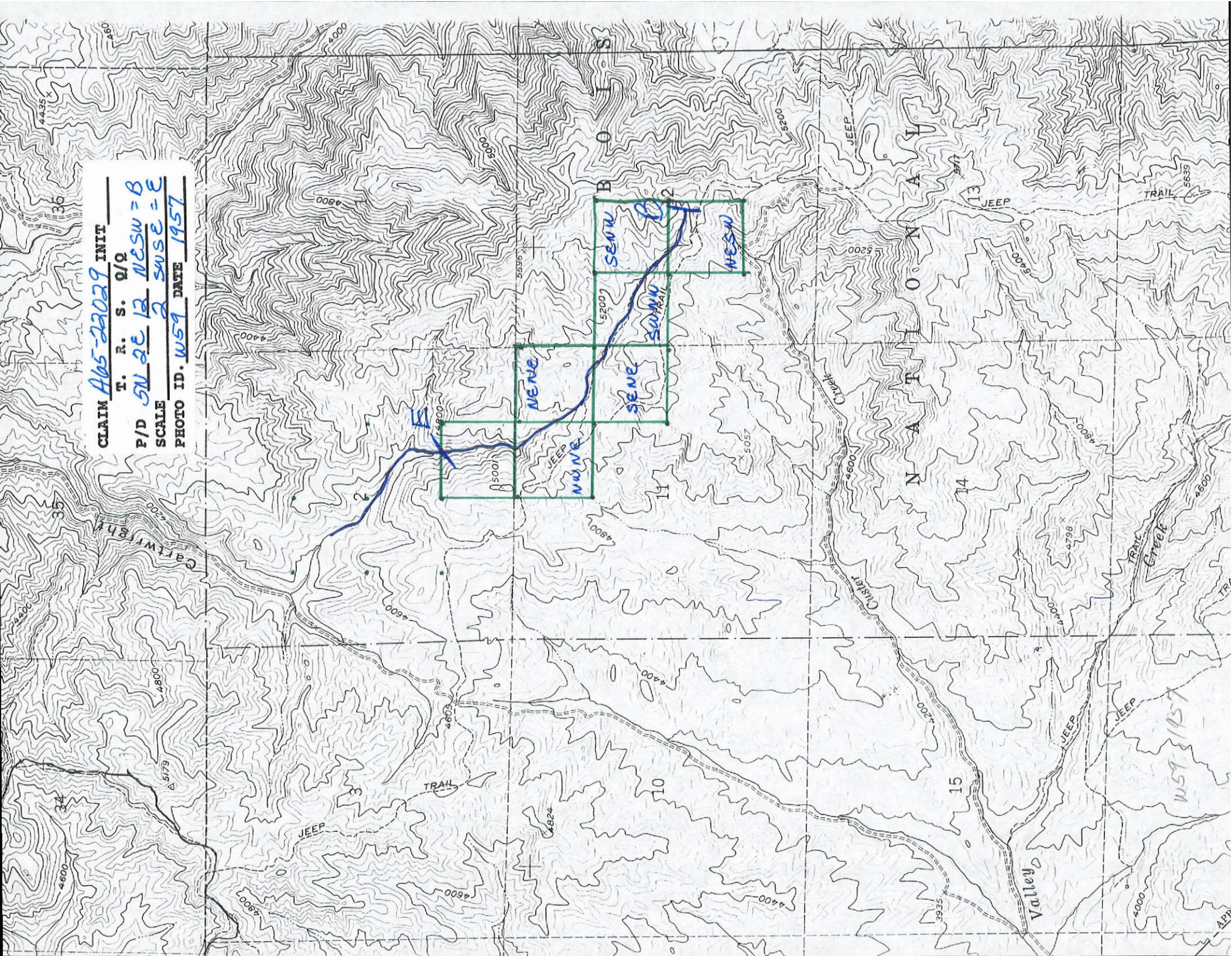
CLAIM A65-22029 INIT

T. R. S. Q/Q

P/D 5N 2E 12 NESW = B

SCALE 2 SWSE = E

PHOTO ID. W59 DATE 1957



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: **A65-22029**
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, 1870

3. Source: POLE CAT CREEK Trib. to: SHAFER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Instream Flow							
----------------------------------	--	--	--	--	--	--	--

05N	02E	12		NE	SW		BOISE
-----	-----	----	--	----	----	--	-------

Ending Point of Instream Flow							
-------------------------------	--	--	--	--	--	--	--

05N	02E	2		SW	SE		BOISE
-----	-----	---	--	----	----	--	-------

5. Description of diverting works:
INSTREAM USE ONLY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 60 HEAD.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	02E	2	SW		SE		STOCK	
		11	NE		NE		STOCK	
			NW		NE		STOCK	
		12	SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		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:

PLACE OF USE PROPERTY INCLUDES U.S. FOREST SERVICE LANDS THAT ARE
LEASED FOR GRAZING BY CLAIMANT.
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

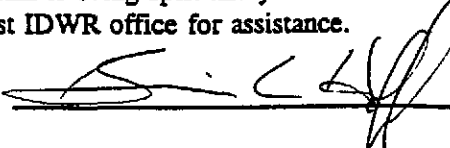
4. New Owner/Claimant(s) Hoff Companies, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 280 E. Corporate Drive, Suite #200
City, State and ZIP Code Meridian, ID 83642
New Telephone Number (208) 884-2002

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..

121-5

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

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.

THE TERTELING COMPANY, INC., an Idaho corporation

STATE OF IDAHO)
County of Ada) ss.

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

ARLENE C. KOLAR
BY Jayce M. Febbo
DEPUTY
FEE \$ 12.00



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 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
THE EAST HALF OF THE SOUTHWEST QUARTER; 101-M

SECTION 11

ALL; A65-22029, A65-22010, A63-30010

SECTION 12

THE NORTH HALF AND THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER AND THE SOUTH HALF OF THE SOUTHWEST QUARTER; 10-22-22

SECTION 13

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER AND THE
SOUTH HALF; 2

SECTION 14

ALL EXCEPT THE SOUTH HALF OF THE SOUTH HALF. 2

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

SECTION 36

THE SOUTH HALF. A65-2202

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 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, A65-22012, A65-22013
THE SOUTHWEST 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;

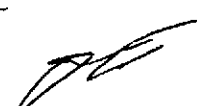
SECTION 32

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. *Ab5-82025*

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, 465-07452, 465-22027, 465-22021, 465-22025*
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 *465-22022*

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 6 NORTH, RANGE 2 EAST, BOISE-MERIDIAN *0*

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 *465-22021*

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 *Ab5-22021*

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 6 NORTH, RANGE 2 EAST, BOISE-MERIDIAN. *Ab5-22013, Ab5-22029*



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	Annual Report Form <i>Due No Later Than November 30, 1997</i>	2. Registered Agent and Office NOT A P.O. BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FEE REQUIRED	1. Mailing Address - Please Correct, If Not Correct HOFF COMPANIES, INC. HARVEY B HOFF 280 E CORPORATE DR SUITE 200 MERIDIAN ID 83642 2944	M D ARMSTRONG, JR. 280 E CORPORATE DR SUITE 200 MERIDIAN ID 83642 2
3. Organized Under the Laws of:		
* FIRST NOTICE * Corporations: Enter Names and Business Addresses of President, Secretary and Directors Limited Liability Companies: Enter Names and Addresses of ☐ Managers or ☐ Members (check one)		
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>
Chairman	Harvey B. Hoff	280 E. Corporate Dr. #200 Meridian
President	Brian C. Hoff	280 E. Corporate Dr. #200 Meridian
V.P.-CFO & Sec'y	M.D. Armstrong, Jr.	280 E. Corporate Dr. #200 Meridian
Director	George E. Alvarez	2850 Christine Boise
Director	Harry M. Little	P.O. Box 1157 Boise
Director	Frank O. Morrisette	784 River Park Ln. Boise
Director	Ray Peterson	442 S. Browning Boise
6. Signature		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 th 17 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
Joe L. Terteling
President

ASSIGNEE:

HOFF COMPANIES, INC.

By Harvey B. Hoff
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~~

T5N R3E, SEC 18, NWNE, SWNE, NESW, SESW - A65-22031

T5N R3E, SEC 7, SWNE, NENW, SENW, NWSE - A65-22031

T5N R3E, SEC 6, SWNW, NWSW, SWSW, SESW, SWSE - A65-22031, A65-22031

T6N R2E, SEC 36, NESW - A65-22031

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 A65-22023

T6N R3E, SEC 28, SESW A65-22023

Stockwater .03cfs

T6N R3E, SEC 28, SESW A65-22023

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 A65-22023

T6N R3E, SEC 32, NENE, NWNE, NWNW A65-22023

T6N R3E, SEC 31, NENE, NWNE, NENW A65-22023

T6N R3E, SEC 30 SWSW, SESW A65-22023

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
Custer Creek

T5N R2E, SEC 12, SESW

T5N R2E, SEC 14, NWNW

Stockwater, .03cfs

T5N R2E, SEC 12, NESW, SWSW, SESW A65-22023

T5N R2E, SEC 11, SESE as added in Hoff's name

T5N R2E, SEC 14, NENE, NWNE, NENW, NWNW

as added 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-20011

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-20012

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-20015

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-20014

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-20013

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-20010

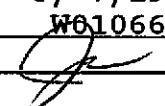
Notice of a Claim to a Water Right - Boise County
Instream Flow - Filed 3/90

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 A65-22029

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: A65-22029
Date Received: 3/ 7/1990
Receipt No: W610665
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: DEC 31, 1870

3. Source: POLE CAT CREEK Trib. to: SHAFER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
05N	02E	12		NE	SW		BOISE
Ending Point of Instream Flow							
05N	02E	2		SW	SE		BOISE

5. Description of diverting works:
INSTREAM USE ONLY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 60 HEAD.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	02E	2	SW		SE		STOCK	
		11	NE		NE		STOCK	
			NW		NE		STOCK	
		12	SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		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:

PLACE OF USE PROPERTY INCLUDES U.S. FOREST SERVICE LANDS THAT ARE
LEASED FOR GRAZING BY CLAIMANT.

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 _____

**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:

Ident. Number

Date Received

Receipt Number

39576

AL5-220293-7-90W010665-25+50^{LATE} = 75

RECEIVED

MAR 07 1990

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

Department of Water Resources
Western Regional Office

Please type or print clearly

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

Mailing Address 877 West Main Street, Suite 706, Boise, ID Zip 83702

2. Date of Priority (Only one (1) per claim) 1870

3. Source of water supply (a) Pole Cat Creek
which is tributary to (b) Shafer Creek

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 05N Range 02E Section 12, _____ 1/4 of NE 1/4 of SW 1/4,

Govt. Lot _____ B.M., County of Boise

ending point is: Township 05N Range 02E Section 2, _____ 1/4 of SW 1/4 of

SE 1/4, Govt. Lot _____ B.M., County of Boise

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Instream Use Only

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1/1 to 12/31 amount 0.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 60 head

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
05N	02E	12							S	S	S								
		11	S	S															
		2															S		

Total number of acres irrigated 0

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 X* 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.
_____ or None (X)

14. Remarks:

*Place of use property includes U.S. Forest Service lands that are
leased for grazing by claimant.

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.

Scale: 2 inches equals 1 mile

A 16x16 grid map showing land parcels. The grid is divided into four 8x8 quadrants. Handwritten annotations include:

- Top Left (Rows 5-8, Columns 5-8):** "R02 E." in the top right corner.
- Top Left (Rows 9-12, Columns 5-8):** "T. 05 N." in the top left corner.
- Top Left (Rows 9-12, Columns 5-8):** "NW" and "NE" in the middle left and right corners.
- Top Left (Rows 9-12, Columns 5-8):** "2" in the bottom right corner.
- Top Left (Rows 9-12, Columns 5-8):** "SW" and "SE" in the bottom left and right corners.
- Top Left (Rows 9-12, Columns 5-8):** "Place of Use" in the bottom right corner.
- Top Left (Rows 9-12, Columns 5-8):** "Pole Cat Creek" in the bottom right corner.
- Top Left (Rows 9-12, Columns 5-8):** "Instream Use Only" in the bottom right corner.
- Top Left (Rows 9-12, Columns 5-8):** "11" in the bottom left corner.
- Top Left (Rows 9-12, Columns 5-8):** "2" in the bottom right corner.
- Top Left (Rows 9-12, Columns 5-8):** "SW" and "SE" in the bottom left and right corners.

Some areas are shaded with diagonal lines, indicating specific land use or ownership.

Last Name The Terteling Co. , Incident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 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 Co., Inc. _____, that I have signed the foregoing
Organization

document in the space below as President of The Terteling Co., Inc.
Title Organization

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

Signature of Authorized Agent [Signature]

Title and Organization President, The Terteling Co., Inc. Date 3-2-90

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. Brown

Residing at Boise, ID

My Commission Expires 5-7-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name The Terteling Co. Inc. Ident. Number _____

Copies White-State, Yellow-Claimant

09/05/2000

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

RIGHT NUMBER: 65-22029

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

SOURCE: UNNAMED STREAM TRIBUTARY: CARTWRIGHT CANYON

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1870

POINT OF DIVERSION:	T05N R02E S2	NESWSE	Within BOISE County
	T05N R02E S12	NENESW	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:

<u>STOCKWATER Within BOISE County</u>			
T05N R02E S11	NWNE	T05N R02E S11	NENE
T05N R02E S11	SENE	T05N R02E S12	SWNW
T05N R02E S12	SENW	T05N R02E S12	NESW
T05N R02E S2	SWSE		

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

**SOURCE IS ALSO KNOWN AS POLE CAT CREEK.
STOCKWATER, 60 RANGE CATTLE.**

AJ5809NP
No. A65-22029

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/09/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOFF COMPANIES INC 280 E CORPORATE DR #200 MERIDIAN ID 83642 (208) 884-2002	12/31/1870	STOCKWATER	01-01 12-31	0.030 cfs	0.02
TOTAL DIVERSION:					0.030 cfs	0.02
Water Source: ~~POLE CAT CREEK~~ <i>Unnamed Stream</i>		Tributary to: ~~SHARON CREEK~~ <i>Cartwright Canyon</i>		Stage: BENEFICIAL USE		
Point(s) of Beginning Stream Reach: T05N R02E S12		NESW		BOISE County		
Point(s) of Ending Stream Reach: T05N R02E S02		SWSE		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	:
05N	02E	2	:																			:
05N	02E	11	:	S-		S-														S-		:
05N	02E	12	:									S-		S-		S-						:

POU County: BOISE

Non-Irrigation Uses: STOCKWATER, 60 HEAD.

Other Rights: NONE

Remarks: GEN PLACE OF USE PROPERTY INCLUDES U.S. FOREST SERVICE LANDS THAT ARE
LEASED FOR GRAZING BY CLAIMANT.
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:

EXP-B01

N11 + N13

Arstream

CLAIM 465-22029 INIT

T. R. S. Q/Q

P/D SW 2E 12 N 2SW = B

SCALE

PHOTO ID. W59 DATE 1957

