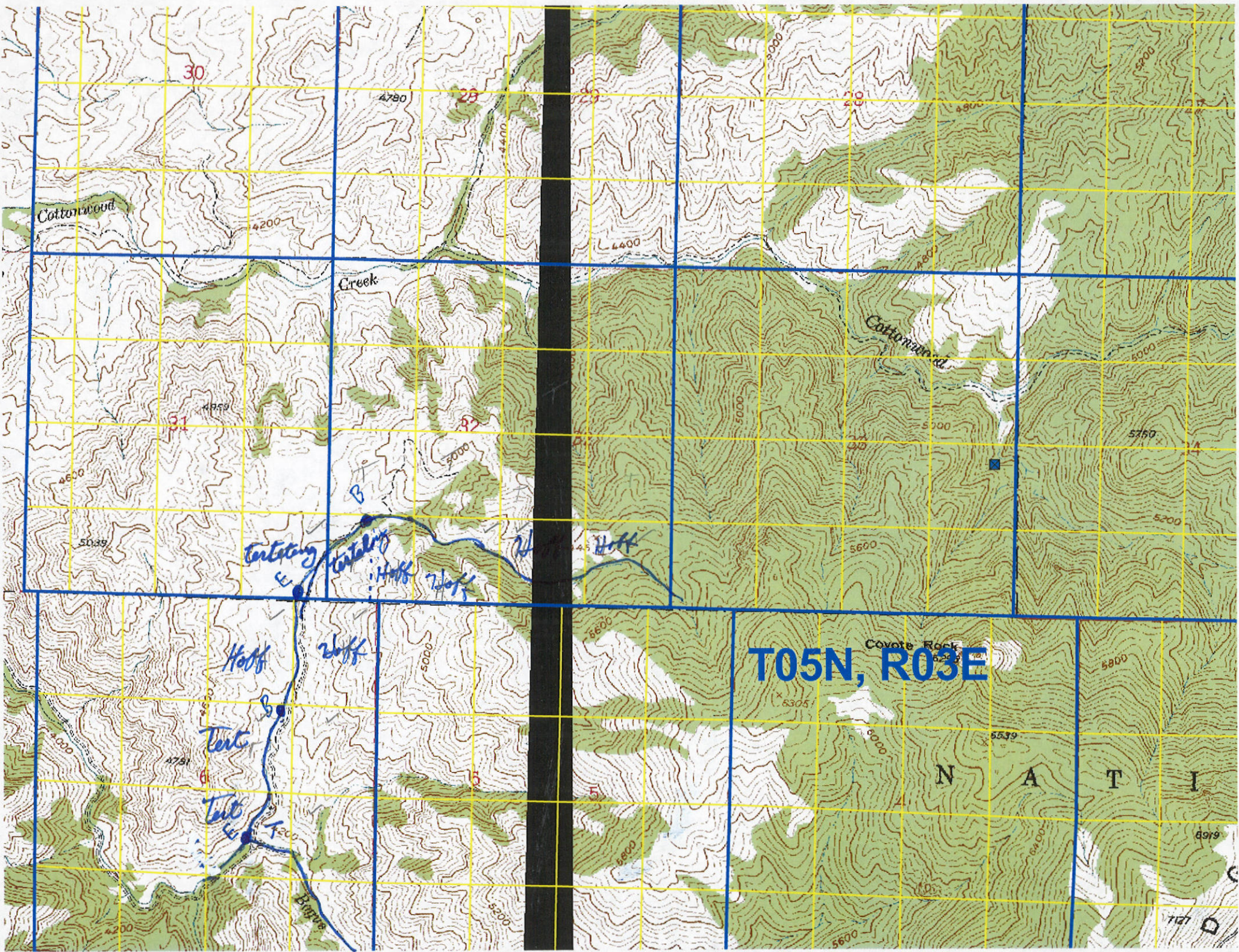
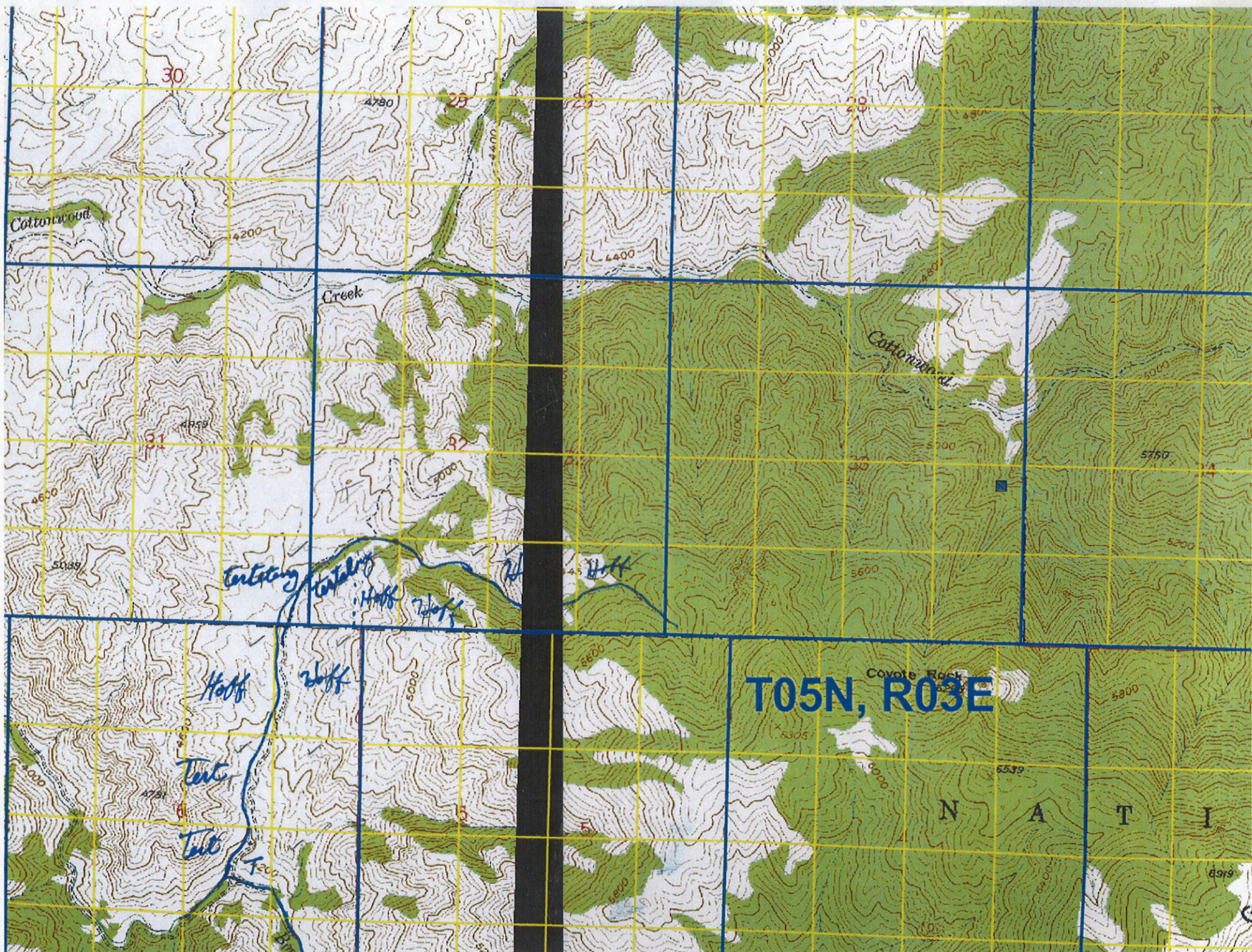






IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

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 65-22293  
Date Received: 3/7/90  
Receipt No:  
Received By:

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

1. Name of Claimant(s): TERTELING COMPANY INC  
877 WEST MAIN ST  
SUITE 706  
BOISE ID USA 83702

Phone: (208)338-5200

2. Date of Priority: 12/31/1870

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County    |
|----------|-------|---------|-----------------------|-----------|
| 05N      | 03E   | 6       | NE SW NE              | BOISE (b) |
| 05N      | 03E   | 6       | NW SE                 | BOISE (e) |
| 06N      | 03E   | 32      | NW SW SW              | BOISE (b) |
| 06N      | 03E   | 31      | SE SE SE              | BOISE (e) |

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 | 0.02   |            |

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       | SW NE      |     | STOCKWATER |       |
|          |       |         | NW SE      |     | STOCKWATER |       |
| 06N      | 03E   | 31      | SE SE      |     | STOCKWATER |       |
| 06N      | 03E   | 32      | SW SW      |     | 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:

This claim is the result of a split for a portion of 65-22026.  
When combined with 65-22292, limited to .02 cfs.

15. Basis of Claim: Beneficial Use

Split Tree A65-22026 (claim only)

A65-22026 N/O Hoff

QR: .03 cfs

POB: 5N, 3E, S6, NWSE = E

6N, 3E, S32, SESE = B

POU: 5N, 3E, S6, NENE, NWNE, SWNE, SENE, NESE, NWSE

6N, 3E, S31, SESE

S32, SWSW, SESW, SWSE, SESE

-22026A N/O Hoff 65-22292

\* QR: .02 cfs

POB: 6N, 3E, S32, SESESE = B NESWSW = E

5N, 3E, S6, NW NENE L+1 = B SENWNE L+2 = E

POU: 5N, 3E, S6, NENE L+1, NWNE L+2

6N, 3E, S32, SESE, SWSE, SESW, CSW

-22026B N/O Tortelung 65-22293

\* QR: .02 cfs

POB: 6N, 3E, S32, NWSWSW = B

S31, SESESE = E

5N, 3E, S6, NESWNE = B

S6, NWSE = E

POU: 5N, 3E, S6, SWNE, NWSE

6N, 3E, S31, SESE

S32, SWSW

\* GEN. RMK: When combined with \_\_\_\_\_ limited to .02 cfs.

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 65-22026  
Date Received: 3/7/90  
Receipt No:  
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: 12/31/1870

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County |
|----------|-------|---------|-----------------------|--------|
| 05N      | 03E   | 6       | NW SE                 | BOISE  |
| 06N      | 03E   | 32      | SE 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 | 0.03   |            |

7. Total Quantity Appropriated is:  
0.03 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  | NE     |     | STOCKWATER |       |
|          |       |         | NW  | NE     |     | STOCKWATER |       |
|          |       |         | SW  | NE     |     | STOCKWATER |       |
|          |       |         | SE  | NE     |     | STOCKWATER |       |
|          |       |         | NE  | SE     |     | STOCKWATER |       |
|          |       |         | NW  | SE     |     | STOCKWATER |       |
| 06N      | 03E   | 31      | SE  | SE     |     | STOCKWATER |       |
| 06N      | 03E   | 32      | SW  | SW     |     | STOCKWATER |       |
|          |       |         | SE  | SW     |     | STOCKWATER |       |
|          |       |         | SW  | SE     |     | STOCKWATER |       |
|          |       |         | SE  | SE     |     | 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:

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

Ownership changed 10/23/00. LH

15. Basis of Claim: Beneficial Use

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

12/02/2000

RIGHT NUMBER: 65-22293

NAME AND ADDRESS: TERTELING COMPANY INC  
3823 N 36TH  
BOISE, ID 83703

SOURCE: THORN CREEK TRIBUTARY: BOGUS CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1870

|                     |               |        |                          |                     |
|---------------------|---------------|--------|--------------------------|---------------------|
| POINT OF DIVERSION: | T05N R03E S6  | NESWNE | Beginning of Stream Flow | Within BOISE County |
|                     | T05N R03E S6  | NWSE   | End of Stream Flow       | Within BOISE County |
|                     | T06N R03E S31 | SESESE | End of Stream Flow       | Within BOISE County |
|                     | T06N R03E S32 | NWSWSW | Beginning of Stream Flow | 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        |

INSTREAM STOCK

PLACE OF USE:

|                                       |      |               |      |
|---------------------------------------|------|---------------|------|
| <u>STOCKWATER Within BOISE County</u> |      |               |      |
| T05N R03E S6                          | SWNE | T05N R03E S6  | NWSE |
| T06N R03E S31                         | SESE | T06N R03E S32 | SWSW |

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 - Beneficial Use

STOCKWATER, 30 RANGE CATTLE

AJ5809NP  
No. A65-22026

TERTELING  
SPLIT

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00  
PAGE: 2

| OWNER<br>CODE    | NAME & ADDRESS                                                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | THE TERTELING COMPANY INC<br>877 WEST MAIN ST<br>SUITE 706<br>BOISE ID 83702<br>(208) 338-5200 | 12/31/1870       | STOCKWATER | 01-01 12-31           | 0.030 CFS         | .02                 |
| TOTAL DIVERSION: |                                                                                                |                  |            |                       | 0.030 CFS         | .02                 |

Water Source: THORN CREEK

Tributary to: BOGUS CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T06N R03E S32  
Point(s) of Ending Stream Reach: T05N R03E S06

SESE NWSWSW (B) / S31 SESE (E)  
NWSE (E)  
BOISE County  
BOISE County

Place of use Legal Description for: STOCKWATER

| NE  |     |    |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |
|-----|-----|----|----|------|------|------|------|------|------|------|------|------|------|------|------|
| T   | R   | S  |    | NESE | NWSE | SWSE | SESE | NESE | NWSE | SWSE | SESE | NESE | NWSE | SWSE | SESE |
| Lt  | Ac  | Lt | Ac | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |
| 05N | 03E | 6  | :  |      |      |      |      |      |      |      |      |      |      |      |      |
| 06N | 03E | 31 | :  |      |      |      |      |      |      |      |      |      |      |      |      |
| 06N | 03E | 32 | :  |      |      |      |      |      |      |      |      |      |      |      |      |

POU County: BOISE

Non-Irrigation Uses: STOCKWATER, 60 HEAD, 30 RANGE CATTLE

Other Rights: NONE DELETED

Gen Rmk: when Comb. with SPLIT limit to 0.02 CFS

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

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

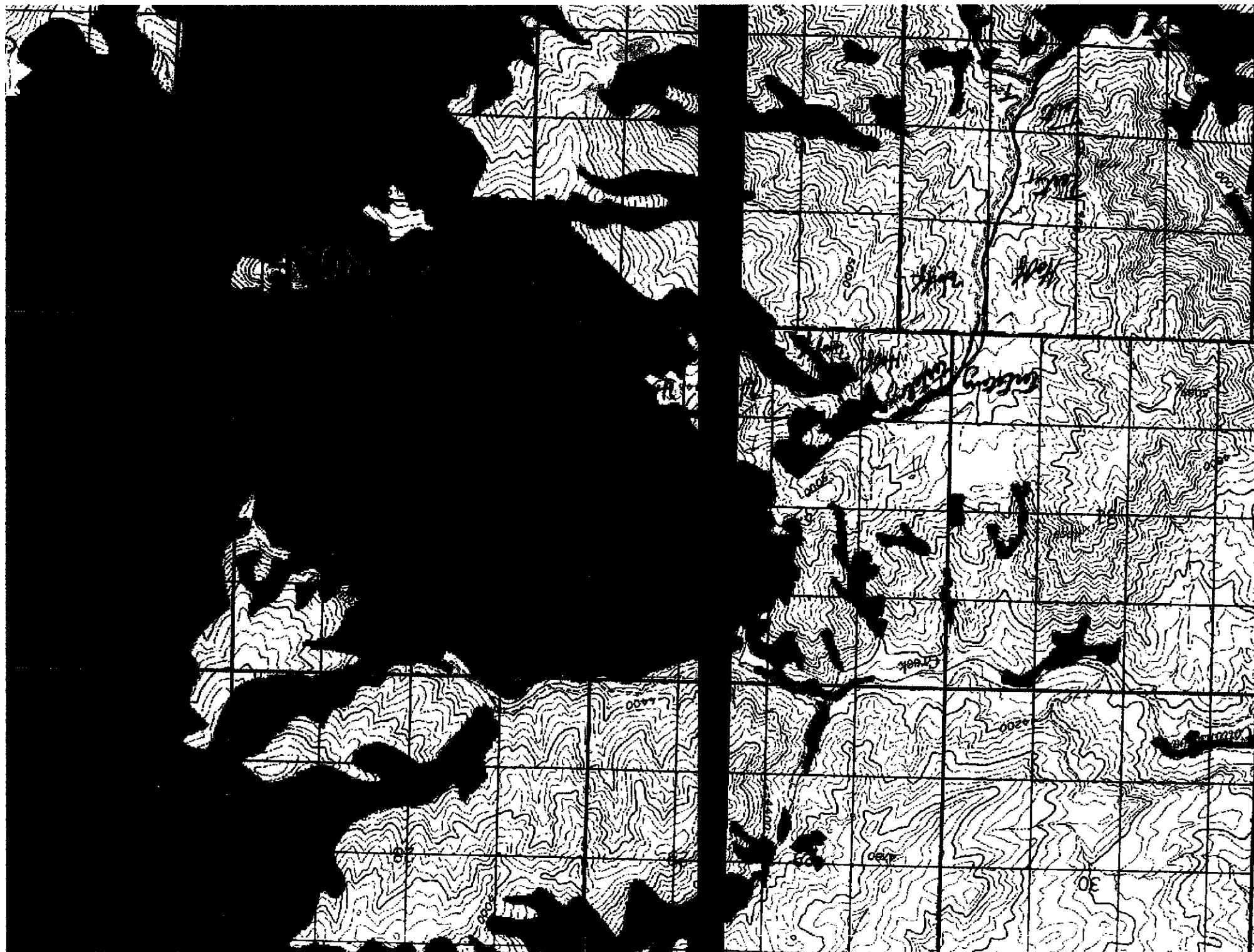
Presumption Flag:

PURPOSE  
USE

DIVERSION DESCRIPTION:  
→ IN STREAM STOCK

SPLIT INTO  
A65-22292 MEL  
A65-22293 RAN







**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

October 30, 2000

TERTELING COMPANY INC  
877 WEST MAIN ST  
SUITE 706  
BOISE ID 83702

Re: Original Notice of Claim to a Water Right No. A65-22026

Renumbered Notice of Claim to a Water Right No. 65-22293

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

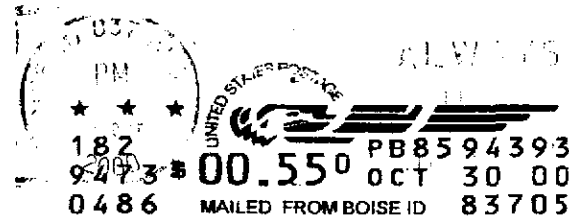
A handwritten signature in cursive script that reads 'Denise Buffington'.

Denise Buffington  
Office Specialist I  
Adjudication Section  
Western Region

DB:db

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 Airport Way  
Boise, Idaho 83705-5082



63-22293

TERTELING COMPANY INC  
877 WEST MAIN ST  
SUITE 706  
BOISE ID 83702

RECEIVED

NOV 06 2000

WATER RESOURCES  
WESTERN REGION

83702/5082



Sent again 11-6-00

3823 N. 36<sup>th</sup>

Boise, Id 83703