

CHARLES L. HONSINGER (ISB #5240)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657
Attorneys for Claimant Steve Terteling

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

In Re SRBA

Case 38576

Water Right No. 63- 32875

AFFIDAVIT OF STEVE TERTELING IN SUPPORT
OF MOTION TO FILE LATE NOTICE OF CLAIM

COPY

STATE OF IDAHO

COUNTY OF ADA

) ss

STEVE TERTELING, being first duly sworn upon his oath, deposes and says that:

1. I make this affidavit based upon my own personal knowledge and belief of the facts contained herein.
2. The purpose of this affidavit is to provide a factual basis for the late claim to a domestic groundwater right for my home that I am filing concurrently herewith.
3. I own the home and property located at 3701 Tamarack Drive, Boise, Idaho 83703. I purchased this home on July 25, 2007. A true and accurate copy of my deed is attached hereto as

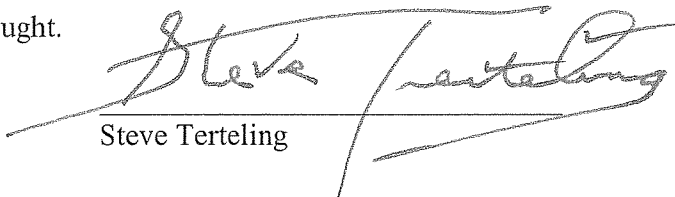
Exhibit "A".

4. A well on the property serves the home's domestic water needs, including culinary and irrigation needs.

5. It is my understanding from speaking with my neighbor Roy Watson and a former neighbor John Lundy, that the well has been in existence and serving the domestic and irrigation needs of my home since the house was built in 1948. True and accurate copies of Mr. Watson's and Mr. Lundy's statements are attached hereto as Exhibit "B".

6. As I did not purchase this property until July 25, 2007, I was unaware of the need to make a claim in the Snake River Basin Adjudication for the water right that is appurtenant to the property until I spoke with my family members regarding the same.

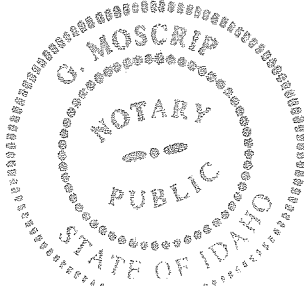
Further your affiant sayeth naught.

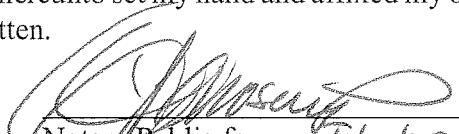

Steve Terteling

STATE OF IDAHO)
)ss.
County of Ada)

On this 2nd day of November, 2007, before me, the undersigned, a notary public in and for said state, personally appeared STEVE TERTELING, known to me to be the individual that executed the foregoing affidavit, and acknowledged to me that he 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 Ada, County
My Commission Expires: 11/7/2011

CERTIFICATE OF SERVICE

I certify that on this 6th day of November, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

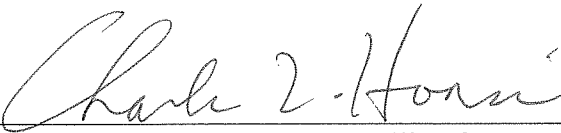
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing form

Exhibit A



8151 W. Rifleman Ave. / Boise
Idaho 83704 / (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 3.00 1
BOISE IDAHO 07/25/07 04:15 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Pioneer
107105303

284517 *swics*

WARRANTY DEED

For Value Received Robert Jahn and Stephanie Youngerman, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

[Signature] **Steve Terteling**
Steven I. Terteling, a married man as his sole and separate property

hereinafter referred to as Grantee, whose current address is ^{3619 3701} ~~3701~~ N. Tamarack Dr., Boise, ID 83703

the following described premises, to-wit:

Lot 33 of Sycamore Drive Subdivision No. 2, according to the Plat thereof, filed in Book 10 of
Plats at Page 530, records of Ada County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor
is the owner in fee simple of said premises; that said premises are free from all encumbrances except current
years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record,
and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims
whatsoever.

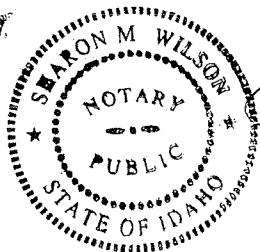
Dated: July 24, 2007

[Signature]
Robert Jahn

[Signature]
Stephanie Youngerman

STATE OF Idaho, County of Ada, ss.

On this 24th day of July, in the year of 2007, before me Sharon M. Wilson, notary public personally
appeared Robert Jahn and Stephanie Youngerman known or identified to me to be the person/persons
whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they
executed the same.



[Signature]
Notary Public of
Residing at
Commission expires:

Commission expires: 05-10-12
Residing in Boise, Idaho

Exhibit B

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

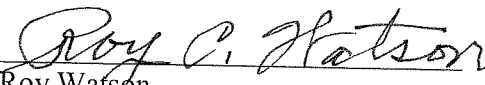
In Re SRBA

Case 38576

)
)
)
)
)
)
)

STATEMENT OF ROY WATSON

1. My name is Roy Watson. I live at 3610 Tamarack Drive, Boise, ID 83703 - across Tamarack Drive from Steve Terteling's home located at 3701 Tamarack Drive.
2. I have lived in my home since at least 1948 - the approximate date that the home at 3701 Tamarack Drive was built.
3. At the time that the home at 3701 Tamarack Drive was built, a well was drilled to serve the home's water needs, including culinary and irrigation uses.
4. I have observed the well's use for culinary and irrigation purposes at 3701 Tamarack Drive from 1948 (when the well was drilled) through the present.


Roy Watson

16 Oct 07

To whom it may concern:

From approximately 1949 through 1961 I resided at 3615 Tamarack Dr. During this time I often observed Mr or Mrs Jarvis of 3701 Tamarack Dr watering their food and flower gardens with well water.

If I can be of further assistance my telephone number is 853-6729

John Gundy