

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
Indent. Number 63-32895
Date Received _____
Receipt Number _____

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

2007 NOV 8 PM 10:12
FILED
TWIN FALLS CO., IDAHO
DISTRICT COURT - 5th JUDICIAL DISTRICT

Please type or print clearly

1. Name of Claimant(s) Steve Terteling Phone: (208) 342-7356
Mailing Address 3701 Tamarack Drive, Boise, ID Zip 83703
2. Date of Priority only (1) per claim) 04/15/1948
3. Source of water supply (a) Ground Water
which is tributary to (b) N/A
4. a. Location of existing point of diversion is: Township 04N Range 02E Section 29,
1/4 of NW 1/4 SE 1/4, Govt. Lot, _____ B.M., County of Ada
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of
_____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works. Well

Last Name Terteling Ident. Number _____

SCANNED

FEB 28 2008

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1/01 to 12/31 amount .04 cfs or

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses

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	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	29														D			

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X No _____

13. Other water rights used:

14. Remarks: _____

15. Basis or Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

Last Name Terteling Ident. Number _____

SCANNED

FEB 28 2008

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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

Signature of Claimant (s) [Signature] Date 10/30/07

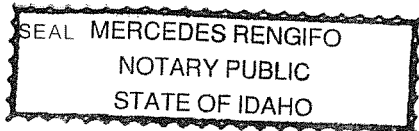
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____ Organization _____, that I have signed the foregoing
document in the space below as _____ of _____ organization
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 30th day of OCT 2007



Notary Public [Signature]
Residing at Ada ID
My Commission Expires 6/12/2012

16. Notice of Appearance:

Notice is hereby given that I, Charles L. Honsinger will be acting as attorney at law on behalf of the claimant signing above, and 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 [Signature]

Address Ringert Clark, Chartered, P.O. Box 2773, Boise, ID 83701

Date October 28, 2007

Last Name Terteling Ident. Number _____

SCANNED

FFR 7 8 2008

RECEIVED

FEB 27 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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 No. 39576

Subcase: 63-32895

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

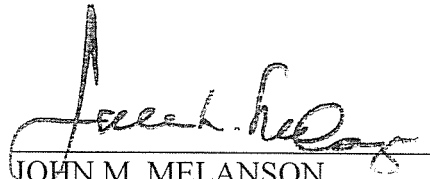
On November 8, 2007, Steve Terteling, by and through counsel, Charles L. Honsinger, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 19, 2008. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted, on the condition the appropriate filing fee is paid in full to the Idaho Department of Water Resources**. Said filing fee was not submitted to the SRBA District Court with the filing of the *Motion to File Late Notice of Claim*

The original Notice of Claim and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report*.

IT IS SO ORDERED.

Dated February 26, 2008.



JOHN M. MELANSON

Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 26,
2008, with sufficient first-class postage to the following:

STEVE TERTELING

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 2/26/08

FILE COPY FOR 02138 Deputy Clerk

SCANNED

2 2 2000

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

RIGHT NUMBER: 63-32895

NAME AND ADDRESS: STEVE TERTELING
3858 GARDEN CENTER WAY STE 300
BOISE ID 83703

ESTATE OF STEVE TERTELING
3701 TAMARACK DR
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION:

T04N R02E S29 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in ADA County

T04N R02E S29 NWSE

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

Parcel No. R8266010360.

Property is also known as Lot 33, Sycamore Subdivision No. 2.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32895 V1

WATER RIGHT NUMBER: 63-32895 V1

Owner Type Name and Address
Current Owner STEVE TERTELING
 3858 GARDEN CENTER WAY STE 300
 BOISE, ID 83703
 (208)338-5200
Attorney RINGERT CLARK CHARTERED
 CHARLES L HONSINGER
 PO BOX 2773
 BOISE, ID 83701-2773
 (208)342-4591
Current Owner ESTATE OF STEVE TERTELING
 3701 TAMARACK DR
 BOISE, ID 83703

Priority Date: 04/15/1948
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion
GROUND WATER NW1/4SE1/4 Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County

Place of Use
DOMESTIC Within ADA County
T04N R02E S29 NWSE

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Parcel No. R8266010360.
3. C18 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.
4. X01 Domestic use is for 1 home.
5. J01 Property is also known as Lot 33, Sycamore Subdivision No. 2.
6. This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

SEE COMMENTS THAT
SHOW NO RESPONSE TO
SHOW CAUSE ORDER SO

GEOTHERMAL
REMARK ADDED. ONE
PARTY SUB CASE. D.E.
COMPLETED. JH
5/10/11

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32895 V1

7. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:

Comments:

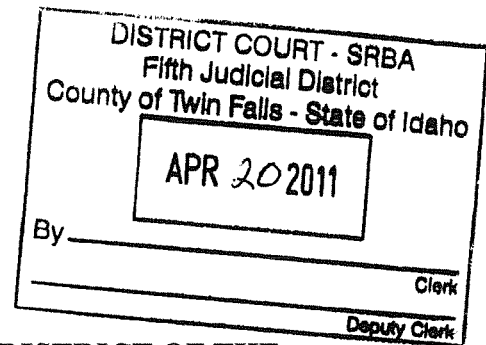
1. mvanbussum 3/18/2008 Domestic POU

Comment: There are a number of domestic rights where recommended POU is the QQ. I checked the conditions for these and no parcel numbers, addresses or lot/subdivision descriptions match the one claimed here. Recommended as claimed.

SubCase:

SubCase Number: 63-32895
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Monica Van Bussum
Basis of Claim: Beneficial Use
Date Filed: 7/2/2008 Objection Status: Active

Water Supply Bank:



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) Subcase 63-32895
)
Case No. 39576) ORDER TO SHOW CAUSE
)
_____)

An objection was filed to the *Director's Report* for this water right claim by the Edwards Family, LLC, asserting that the right should include a remark stating that diversion of low temperature or other geothermal resource is not authorized. The water right was claimed by Steve Terteling. However, it is the understanding of the Court, based upon a statement made by the Department on the record on September 27, 2010 (See minutes in subcase 63-00014) that the water right has been sold.

It is **hereby ordered** that the claimant or owner of water right claim 63-32895 shall appear before this Special Master on **Tuesday, May 10, 2011, at 10:00 AM** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, to show cause why the relief sought in the objection should not be granted. Parties may participate by telephone by dialing 215-446-0193 and when prompted entering the code 675342.

Participation in the show cause hearing is **not mandatory**. **However, failure to appear will result in the Claimant(S) being deemed to have consented to the water right being decreed with the elements as set forth in the attached Exhibit "A"**. If the Claimant participates in the hearing a trial date will be set. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(2)(B). Service of the **Order to Show Cause** shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

Dated April 20, 2011

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on April 20, 2011, with sufficient first-class postage to the following:

ESTATE OF STEVE TERTELING

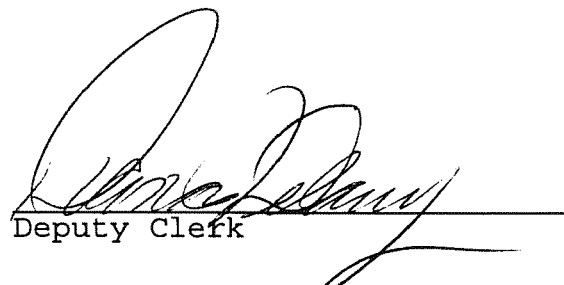
Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

EDWARDS FAMILY LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098



RECEIVED

DEC 03 2008

DEPARTMENT OF
WATER RESOURCES

2008 DEC 02 PM 03:17
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
		SUBCASE NO: 63-32895

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, JANUARY 06, 2009 at 01:30 PM (MT)

SRBA
253 - 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: DECEMBER 02, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 12/02/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on DECEMBER 02, 2008, with sufficient first-class postage to the following:

STEVE TERTELING

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

EDWARDS FAMILY LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

RECEIVED

OCT 02 2008

DEPARTMENT OF
WATER RESOURCES

2008 SEP 30 PM 04:11
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 63-32895

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, DECEMBER 02, 2008 at 03:00 PM (MT)

SRBA
253 - 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
.225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: SEPTEMBER 30, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 9/30/08

030017
CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on SEPTEMBER 30, 2008, with sufficient first-class postage to the following:

STEVE TERTELING

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

EDWARDS FAMILY LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

RECEIVED

SEP 12 2008
DEPARTMENT OF
WATER RESOURCES

2008 SEP 11 PM 05:44
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 63-32895

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, SEPTEMBER 30, 2008 at 04:00 PM (MT)

SRBA
253 - 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: SEPTEMBER 11, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 9/10/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on SEPTEMBER 11, 2008, with sufficient first-class postage to the following:

STEVE TERTELING

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

EDWARDS FAMILY LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

RECEIVED

JUL 07 2008

DEPARTMENT OF
WATER RESOURCES

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 39576

A. Subcase 63-32895

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC

Address: 4106 Sand Creek Street

Boise, Idaho 83703

Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

208-424-7800

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Steve Terteling

Address: 3701 Tamarack Drive

Boise, Idaho 83703

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)):

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See Section E
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. Otherwise, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

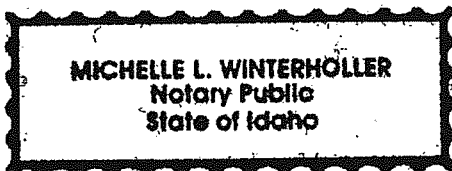
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana L. Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: July 2, 2008



Notary Public for the State of Idaho
Residing at: Luna, ID
My Commission expires: 3-5-13

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on July 2, 2008, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to the claimant of the water right at the following addresses:

Name: Steve Terteling
Address: 3701 Tamarack Drive
Boise, Idaho 83703

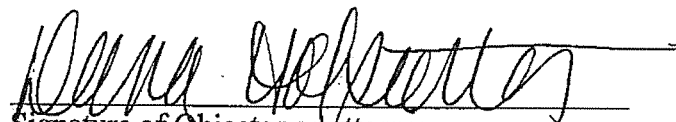
Charles L. Honsinger
Ringert Clark Chartered
P. O. Box 2773
Boise, Idaho 83701-2773

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

03/18/2008

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

RIGHT NUMBER: 63-32895

NAME AND ADDRESS: STEVE TERTELING
3701 TAMARACK DR
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION:

T04N R02E S29 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in ADA County

T04N R02E S29 NWSE

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

Parcel No. R8266010360.

Property is also known as Lot 33, Sycamore Subdivision No. 2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32895 V1

WATER RIGHT NUMBER: 63-32895 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE TERTELING 3701 TAMARACK DR BOISE, ID 83703 (208)342-7356
Attorney	RINGERT CLARK CHARLES L HONSINGER PO BOX 2773 BOISE, ID 83701-2773 (208)342-4591

Priority Date: 04/15/1948

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	02E	29														X			

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Parcel No. R8266010360.
3. C18 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.
4. X01 Domestic use is for 1 home.
5. J01 Property is also known as Lot 33, Sycamore Subdivision No. 2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32895 V1

6. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:

1. mvanbussum 3/18/2008 Domestic POU

Comment: There are a number of domestic rights where recommended POU is the QQ. I checked the conditions for these and no parcel numbers, addresses or lot/subdivision descriptions match the one claimed here. Recommended as claimed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/18/2008 11:16:26 AM	mvanbussum			Active
Priority Date	3/18/2008 11:17:14 AM	mvanbussum			Active
POD	3/18/2008 11:17:34 AM	mvanbussum			Active
Source	3/18/2008 11:33:00 AM	mvanbussum			Active
POU	3/18/2008 11:33:21 AM	mvanbussum			Active
Use	3/18/2008 11:35:37 AM	mvanbussum			Active
Season	3/18/2008 11:36:10 AM	mvanbussum			Active
Quantity	3/18/2008 11:36:37 AM	mvanbussum			Active
Summary			03/18/2008	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	3/18/2008 11:16:26 AM	mvanbussum	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop review.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32895 V1

General	3/18/2008 11:17:15 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as de minimus domestic with usual n codes.
POD	3/18/2008 11:17:34 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Use	3/18/2008 11:35:37 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Source	3/18/2008 11:33:00 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	3/18/2008 11:33:22 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Taxlots verify POU.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32895 V1

Summary	3/18/2008 12:46:15 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Season	3/18/2008 11:36:10 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended as claimed.
Quantity	3/18/2008 11:36:38 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Recommended as de minimus domestic with usual n conditions.
POD	3/18/2008 11:32:24 AM	mvanbussum	Updated Shape
POU	3/18/2008 11:35:10 AM	mvanbussum	Updated Shape

Water Supply Bank: