

11/16/2005

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

RIGHT NUMBER: 63-32197

NAME AND ADDRESS: THE TERTELING CO INC
3823 N 36TH ST
BOISE ID 83703

SOURCE: STEWART GULCH CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 01/01/1946

POINT OF DIVERSION:

T04N R02E S14 NESE Begin of Stream Flow Within ADA County

T04N R02E S14 SESE Begin of Stream Flow Within ADA County

T04N R02E S21 NESE End of Stream Flow Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within ADA County

T04N R02E S14 SWSW

T04N R02E S14 SESW

T04N R02E S14 SWSE

T04N R02E S15 SESE

T04N R02E S21 SENE

T04N R02E S21 NESE

T04N R02E S22 NWNE

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 use is for 300 range cattle.

Music, Vicky

From: Music, Vicky
Sent: Wednesday, November 16, 2005 4:47 PM
To: Charlie Honsinger (E-mail)
Cc: Tom Terteling (E-mail)
Subject: NOEs for new instream stockwater claims 63-32197 and 63-32198

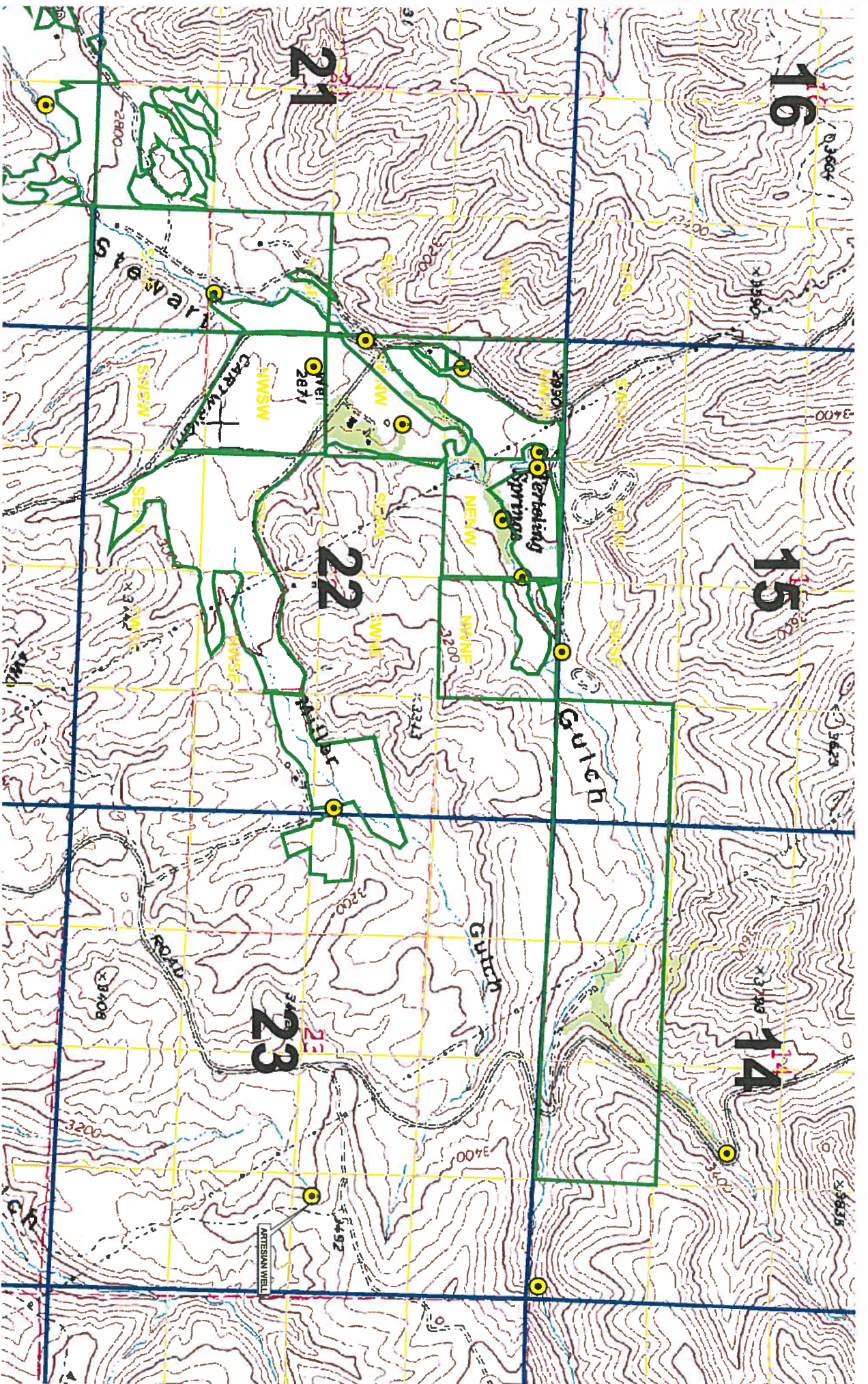
Charlie and Tom -

Attached are the NOEs for the instream stockwater claims referenced above. We customarily do not generate GIS layouts so none are attached. Additionally, did not attach the NOE mailing enclosures [Letter from IDWR Director, Karl Drehrer and SRBA Judge, John Melanson, instructions, explanation of terms] because you already have them.

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau
IDWR/Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190



NOE 63-32197.doc NOE 63-32198.doc



Terteling



Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Allyn L. Sweeney

Samuel Kaufman (1921-1986)

October 20, 2005

Ms. Lori Harris
Western Regional Offices
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Fax: (208) 334-2348

RECEIVED

OCT 21 2005

WATER RESOURCES
WESTERN REGION

Re: Stockwater Claims filed by The Terteling Company and T-7, LLC

Dear Ms. Harris:

Per your recent e-mail message to me, please find enclosed a check payable to the Idaho Department of Water Resources in the amount of \$50.00 to cover statutory fees for the above-referenced SRBA claims.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles L. Honsinger".

Charles L. Honsinger

enclosure

cc: Tom Terteling (w/o enclosure)
Ed Squires (w/o enclosure)

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 63-32197
Date Received: 10/17/2005
Receipt No: W033530
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE TERTELING CO INC Phone: (208)338-5200
3823 N 36TH ST
BOISE ID USA 83703

2. Date of Priority: 01/01/1946

3. Source: STEWART GULCH CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	14	NE SE	ADA	Beginning Point
04N	02E	14	SE SE	ADA	Beginning Point
04N	02E	21	SE NE SE	ADA	Ending Point

5. Description of diverting works:

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:
Number of other uses: 300 Range Cattle

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	02E	14	SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			SW	SE		STOCKWATER	
04N	02E	15	SE	SE		STOCKWATER	
04N	02E	21	SE	NE		STOCKWATER	
			NE	SE		STOCKWATER	
04N	02E	22	NW	NE		STOCKWATER	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

RECEIVED

OCT 17 2005

WATER RESOURCES
WESTERN REGION

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 A63-32197

Date Received 10-17-05

Receipt Number 2033530

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

Please type or print clearly

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

Mailing Address 3823 N. 36th St., Boise, ID Zip 83703

2. Date of Priority only (1) per claim) 1/01/1946

3. Source of water supply (a) Stewart Gulch

which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township ___ Range ___ Section ___,

___ $\frac{1}{4}$ of ___ $\frac{1}{4}$ ___ $\frac{1}{4}$, Govt. Lot, ___ B.M., County of

Additional points of diversion if any:

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

Township 4N Range 2E Section 14, ___ $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$,
Township 4N Range 2E Section 14, ___ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$

Govt. Lot ___ B.M., County Ada

ending point is: Township 4N Range 2E Section 21, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$,

Govt. Lot ___ B.M., County of Ada

5. Description of existing diversion works. N/A

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)
For Stockwater purposes from 1/01 to 12/31 amount 0.02 cfs or

For _____ purposes from _____ to _____ amount _____ or

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is deminimus.

9. Non-Irrigation uses. 300 Cattle

Last Name The Terteling Company, Inc. Ident. Number

- [illegible]

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

- Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.
- SCALE: 2 inches equal 1 mile. Draw plan in ink.

[illegible]

Last Name The Terteling Company, Inc. Ident. Number _____

See attached map showing Stewart Gulch.

15. Basis or 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 One

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

Signature or Claimant (s) _____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

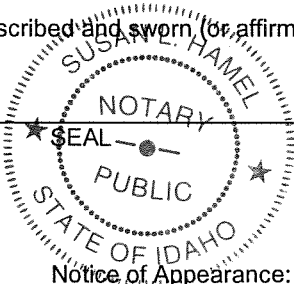
_____ Title _____
of The Terteling Company, Inc., that I have signed the foregoing
Organization
document in the space below as Vice President of The Terteling Company, Inc.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent [Signature]

Title and Organization Vice President, The Terteling Company Inc. Date 10.11.05

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

Subscribed and sworn (or affirmed) before me this 11th day of October 20 05



Notary Public

Susan L. Hamel

Residing at

Kuna, ID - Ada County

My Commission Expires

03/27/2008

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

Charles L. Honsinger

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

Last Name The Terteling Company, Inc. Ident. Number _____

Date 10/14/05

Last Name The Terteling Company, Inc. Ident. Number