

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 63-31055
Date Received: 8/13/1999
Receipt No: W025312
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

T-7 LLC Phone: (208) 338-5200
3823 N 36TH ST
BOISE ID USA 83703

2. Date of Priority: 01/01/1938

3. Source: STEWART 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	22	SW NE	ADA	
04N	02E	22	NW NW	ADA	
04N	02E	22	NE NW	ADA	

5. Description of diverting works:

THREE DIVERSIONS DAMS DIVERT WATER FOR STORAGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.04	
IRRIGATION STORAGE	1/01	12/31		1
STOCKWATER STORAGE	1/01	12/31		1
WILDLIFE STORAGE	1/01	12/31		1
AESTHETIC STORAGE	1/01	12/31		1

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 1 A.F.A.

SCANNED

OCT 05 2006

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	22	NE	NW	STOCKWATER STORAGE	
			NW	NW	STOCKWATER STORAGE	
			SE	NW	STOCKWATER STORAGE	
			NE	NW	AESTHETIC STORAGE	
			NW	NW	AESTHETIC STORAGE	
			SE	NW	AESTHETIC STORAGE	
			NW	SW	IRRIGATION	5
			NE	NW	WILDLIFE STORAGE	
					Section Acres	5
					Total Acres	5

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:

Ownership (name) change by DB 1/12/2004

Attorney name added per notification from Charlie Honsinger. DB 3/1/2004

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 63-31055
Date Received
Receipt Number

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

Please type or print clearly

1. Name of Claimant(s) T-7, LLC Phone (208) 338-5200
Mailing Address 3823 N. 36th Street, Boise, Idaho Zip 83703
2. Date of Priority only (1) per claim) January 1, 1938
3. Source of water supply (a) Stewart Creek
which is tributary to (b) Boise River
4. a. Location of existing point of diversion is: Township 4N Range 2E Section 22,
1/4 of NE 1/4 NW 1/4, Govt. Lot, B.M., County of Ada
Additional points of diversion if any: T04N R02NE Section 22 SWNE, NWNW
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 of
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 (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Ect).
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as constructed and
as enlarged and the depth of each well. Three diversion dams in Stewart Creek in Section
22, NWNW, NWNE and the NENW divert water to storage for irrigation, aesthetics, stockwater, and wildlife
purposes in each of these locations. These diversions and uses were established in or about January 1938.
6. Water is claimed for the following purposes:

Form No. 42-1409 (2) a 9/88 (Internet)

For Irrigation purposes from 3/15 to 11/15 amount 0.04 (cfs) or (acre feet)

For Irrigation storage purposes from 1/1 to 12/31 amount _____ or 1

For aesthetics purposes from 1/1 to 12/31 amount _____ or 1

For wildlife purposes from 1/1 to 12/31 amount _____ or 1

For stockwater purposes from 1/1 to 12/31 amount _____ or 1

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

8. Total consumptive use claimed is _____ acre fee per annum.

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater Type and number of livestock Ect.) 25 llamas

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	22					A, W, S	A, S		A, S		5							5

Total number of acres irrigated 5

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. Describe any other water rights used a the same place and for the same purposes as described above.
None () or

14. Remarks:

Last Name T-7, LLC Ident. Number 63-31055

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 _____

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 documents are true
and correct.

Signature or Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am The Manager
Title

of T-7 LLC Organization _____, that I have signed the foregoing

document in the space below as The Manager of T-7, LLC
Title organization

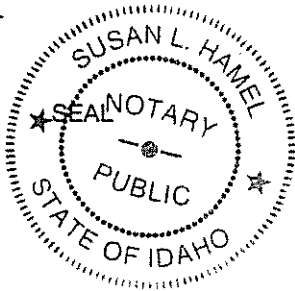
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent [Signature]

Title and Organization Manager, T-7 LLC 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 2005



Notary Public Susan L. Hamel

Residing at Kuna, ID- Ada County

My Commission Expires 03/27/2008

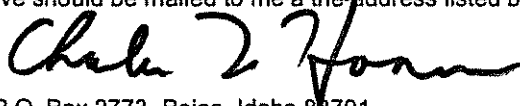
Last Name T-7, LLC Ident. Number 63-31055

Form No. 42-1409 (2) a 9/88 (Internet)

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



Address P.O. Box 2773, Boise, Idaho 83701

Date

10/14/05

Last Name T-7, LLC Ident. Number 63-31055

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 63-31055
Date Received: 8/13/1999
Receipt No: W025312
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

T-7 LLC
3823 N 36TH ST
BOISE ID USA 83703

Phone: (208) 338-5200

2. Date of Priority: 03/01/1948

3. Source: STEWART 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	22	~~SW~~ NE	ADA	
04N	02E	22	NW NW	ADA	
04N	02E	22	NE NW	ADA	

5. Description of diverting works:

THREE DIVERSIONS DAMS DIVERT WATER FOR STORAGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.04	
IRRIGATION STORAGE	1/01	12/31		1
STOCKWATER STORAGE	1/01	12/31		1
WILDLIFE STORAGE	1/01	12/31		1
AESTHETIC STORAGE	1/01	12/31		1

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	22	NE	NW	STOCKWATER STORAGE	
			NW	NW	STOCKWATER STORAGE	
			SE	NW	STOCKWATER STORAGE	
			NE	NW	AESTHETIC STORAGE	
			NW	NW	AESTHETIC STORAGE	
			SE	NW	AESTHETIC STORAGE	
			NW	SW	IRRIGATION	5
			NE	NW	WILDLIFE STORAGE	
					Section Acres	5
					Total Acres	5

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:

Ownership (name) change by DB 1/12/2004

15. Basis of Claim: Beneficial Use

RECEIVED
DEC - 2 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-308 <i>Claim</i>			~~63-22047~~ <i>Claim</i>		
63-27649 <i>Claim</i>			63-27671 <i>Claim</i>		
63-30006 <i>Claim</i>			63-30007 <i>Claim</i>		
63-31050 <i>Claim</i>			63-31052 <i>Claim</i>		
63-31053 <i>Claim</i>			63-31054 <i>Claim</i>		
63-31055 <i>Claim</i>			63-31056 <i>Claim</i>		

RECEIVED
DEC 03 2003
WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Terteling Trust NO 7
3823 N. 36th Street, Boise, ID 83703

4. New Owner/Claimant(s) T-7 LLC
Name Connector (Check one): [] and, [] or, [] and/or
3823 N. 36th Street
New Mailing Address
City, State and ZIP Code Boise, Idaho 83703
New Telephone Number () 208-338-5200

5. Date you acquired the property 2002



TOM E. TERTELING

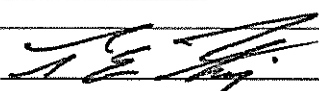
THE TERTELING COMPANY, INC.

3823 N. 36th Street • Boise, Idaho 83703
(208) 381-5213 • (208) 867-1166 • Fax (208) 381-5200
tom@tertco.com

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only DH Date 12-3-03 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 373-3744

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

RECEIVED

DEC 09 2003

WATER RESOURCES
WESTERN REGION

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED

The Trustees of the Terteling Trust No. 7

GRANTOR(s) does (do) hereby GRANT, BARGAIN, SELL and CONVEY unto

T-7, LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: 3823 N. 36th Street, Boise, Idaho 83703
the following described real property in Ada
more particularly described as follows, to wit;

County, State of Idaho,

See the attached Exhibit A for legal description, which by this reference is incorporated herein.

Tax Parcel S0622212500

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 30, 2002

The Terteling Trust No. 7

By: [Signature]

Trustee

STATE OF IDAHO, County of Ada, ss.

On this 30th day of October, in the year of 2002, before me
Janet L. Bloch, a notary public

personally appeared [Signature],
known or identified to me as the person whose name is subscribed to the within instrument as
Trustee and acknowledged to me that [Signature] executed the same as such

(trustee, sheriff, etc.)

(trustee, sheriff, etc.)

Notary Public: [Signature]

Residing at: Boise, Idaho

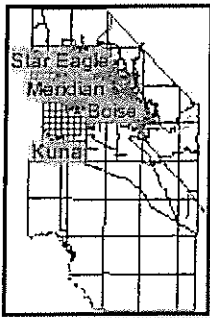
My Commission Expires: March 17, 2005

EXHIBIT A

The Northwest quarter of the Northwest quarter (NW1/4 NW1/4) and the Northeast
quarter of the Northwest quarter (NE1/4 NW1/4) and the Southwest quarter of the
Northwest quarter (SW1/4 NW1/4) and the Southeast quarter of the Northwest quarter
(SE1/4 NW1/4) and the Northwest quarter of the Southwest quarter (NW1/4 SW1/4) all
in Section Twenty-Two (22) Township Four (4) North, Range Two (2) East of the Boise
Meridian in Ada County, Idaho.

Together with all water and water rights, ditches and rights of way for ditches
used in connection therewith;

Subject to easements, restrictions, limitations, encumbrances, and reservations of
record.



5100 N CARTWRIGHT RD
S0622212500



Map created with ArcIMS - Copyright (C) 1996-2000 ESR! Inc.



Public Property Tax M01 - [Public Property Master (PTZSF)]

File Select Edit Tools Window Help

ADO COUNTY OF IDAHO

PARCEL INFORMATION

Year: 2003 ☒ Taxes Owed
Parcel #: 50622212500
Property Type: Real
Sub Property Type: Home
Status: Active
Primary Code Area: 206
Physical Inspection Date: 12/29/2000
Appraisers Initials: DRJ
Drop HOE ☐
Bankruptcy ☐
Circuit Breaker ☐
Urban Renewal ☐
Ownership Change ☐

PHYSICAL LOCATION

Property Address: 5100 N CANTWRIGHT RD
BOISE ID 83762-0000
Group Type: SECT Group #: 0622
Description: 4N 2E 22
Section/Township/Range: 22 4N 2E Zoning Code: RP

OWNER INFORMATION

Name: T-7 LLC
Mailing Address: 3823 N 36TH ST
BOISE ID 83703-0000

PARCEL VALUES

Active	Assessment Roll	Property Occupancy	State Category Code	Acres	Assessed Value	Valuation Method
Active	Primary	Non-Occupancy	10	99.000	102,500	INCOME
Active	Primary	Non-Occupancy	40	18.000	5,600	INCOME
Active	Primary	Non-Occupancy	50	70.000	2,400	INCOME

Total Parcel Values

Assessed Amt: 1,025,200
HO Value: (50,000)
Taxable Amt: 975,200

CHARACTERISTICS

Land: 1 Commercial: Personal: Residential: 3 Farm: 1 Agricultural:

Ready: 11/11/01 10:51:00 AM



Year: 2803 ☒ Taxes Owning

Parcel #: 50622212500

Property Type: Real

Sub Property Type: None

Status: Active

Primary Code Area: 206 District

Physical Inspection Date: 12/29/2000

Appraisers Initials: DRJ

☐ Drop HOE

☐ Bankruptcy

☐ Circuit Breaker

☐ Urban Renewal

☐ Ownership Change

Property Address: 5100 N CARTWRIGHT RD

BOISE ID 83702-0008

Group Type: SECT Group #: 0622

Description: 4N 2E 22

Section/Township/Range: 22 4N 2E Zoning Code: RP

Name: T-7 LLC

Mailing Address: 3823 N 36TH ST

BOISE ID 83703-0008

PARCEL VALUES

Active	Assessment Roll	Property Occupancy	State Category Code	Acres	Assessed Value	Valuation Method
Active	Primary	Non-Occupancy	10	93.000	102,500	INCOME
Active	Primary	Non-Occupancy	40	18.000	5,600	INCOME

Total Parcel Values

Assessed Amt: 1,026,200

HO Value: -50,000

Taxable Amt: 976,200



State Parcel #: 84N02E222500

Property Description: NW4 & NW4SW4

SEC 22 4N 2E

#120000-S 210000-C 221200-C

Total Acreage: 200.000

Ready

IP:1111 NOG5YICP: 11/11/01

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.
☐ Search for both active and inactive water right records.

Search Results

Type of Query

USAGE INSTRUCTION

☒ All SRBA & Water Rights

SRBA

☐ Claims
☐ Recommendations
☐ Both

Water Rights

☐ Applications
☐ Permits
☐ Decrees, Licenses and Statutory Claims
☐ Transfers
☐ All of the above

Basin

Who

What

When

Where

Clear

Search

Help

Query parameters:

basinFrom = 63

OrganizationName = terteling

Search for: active Records

Information for type: Claim

Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details General Provision	1	63	✓	308	CLAIM	Active	1899-07-23	1	STEWART CREEK	AESTHETIC STORAGE, GROUND WATER RECHARGE STORAGE, IRRIGATION, IRRIGATION STORAGE, STOCKWATER, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current); THE TERTELING CO INC (Current)

Details	2	63	3603 CLAIM				Active	1967-04-26	1.03	GROUND WATER	IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)
General Provision												
Details	3	63	7595 CLAIM				Active	1973-03-07	2	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)
General Provision												
Details	4	63	22047 CLAIM				Active	1957-06-01	0.04	GROUND WATER	STOCKWATER	TERTELING TRUST NO 8 (Current)
General Provision												
Details	5	63	27649 CLAIM				Active	1899-06-01	0.066	SPRINGS	AESTHETIC STORAGE, IRRIGATION, IRRIGATION STORAGE, RECREATION STORAGE, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	6	63	27671 CLAIM				Active	1925-12-31	0.045	GROUND WATER	FISH PROPAGATION, IRRIGATION	TERTELING TRUST NO 7 (Current)
General Provision												
Details	7	63	30006 CLAIM				Active	1925-12-31	0.04	GROUND WATER	AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	8	63	30007 CLAIM				Active	1899-12-31	0.022	SPRING	IRRIGATION	TERTELING TRUST NO 7 (Current)
General Provision												
Details	9	63	31050 CLAIM				Active	1948-04-24	0.02	GROUND WATER	AESTHETIC, FISH PROPAGATION, IRRIGATION, STOCKWATER, WILDLIFE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	10	63	31052 CLAIM				Active	1948-04-24	0.12	GROUND WATER	AESTHETIC, AESTHETIC STORAGE, FISH PROPAGATION, HEATING, IRRIGATION, RECREATION, WILDLIFE, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	11	63	31053 CLAIM				Active	1941-01-01	0.06	GROUND WATER	DOMESTIC, IRRIGATION	TERTELING TRUST NO 7 (Current)
General Provision												

Details	12	63	31054 CLAIM	✓			Active	1940-11-01	0.055	GROUND WATER	AESTHETIC, FIRE PROTECTION, IRRIGATION, RECREATION, STOCKWATER, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	13	63	31055 CLAIM	✓			Active	1948-03-01	0.04	STEWART CREEK	AESTHETIC STORAGE, IRRIGATION, IRRIGATION STORAGE, STOCKWATER STORAGE, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision												
Details	14	63	31056 CLAIM	✓			Active	1930-06-01	0.04	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	TERTELING TRUST NO 7 (Current)
General Provision												
Details	15	63	31057 CLAIM	✓			Active	1994-06-20	0.02	GROUND WATER	DOMESTIC	TERTELING TRUST NO 7 (Current)
General Provision												

Information for type: Statutory Claim, Decree and License

Details	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
General Provision	16	63	3603 CLAIM			License	Active	1967-04-26	1.03	GROUND WATER	IRRIGATION	TERTELING TRUST NO 7 (Current)
Details	17	63	7595 CLAIM			License	Active	1973-03-07	2	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	TERTELING TRUST NO 7 (Current)
General Provision												
Details	18	63	9029			License	Active Transferred	1977-09-09	4	GROUND WATER	MUNICIPAL	UNITED WATER IDAHO INC (Current)
General Provision												

Number of records = 18

claim + dec.
Still shows "Miron" in d-base.

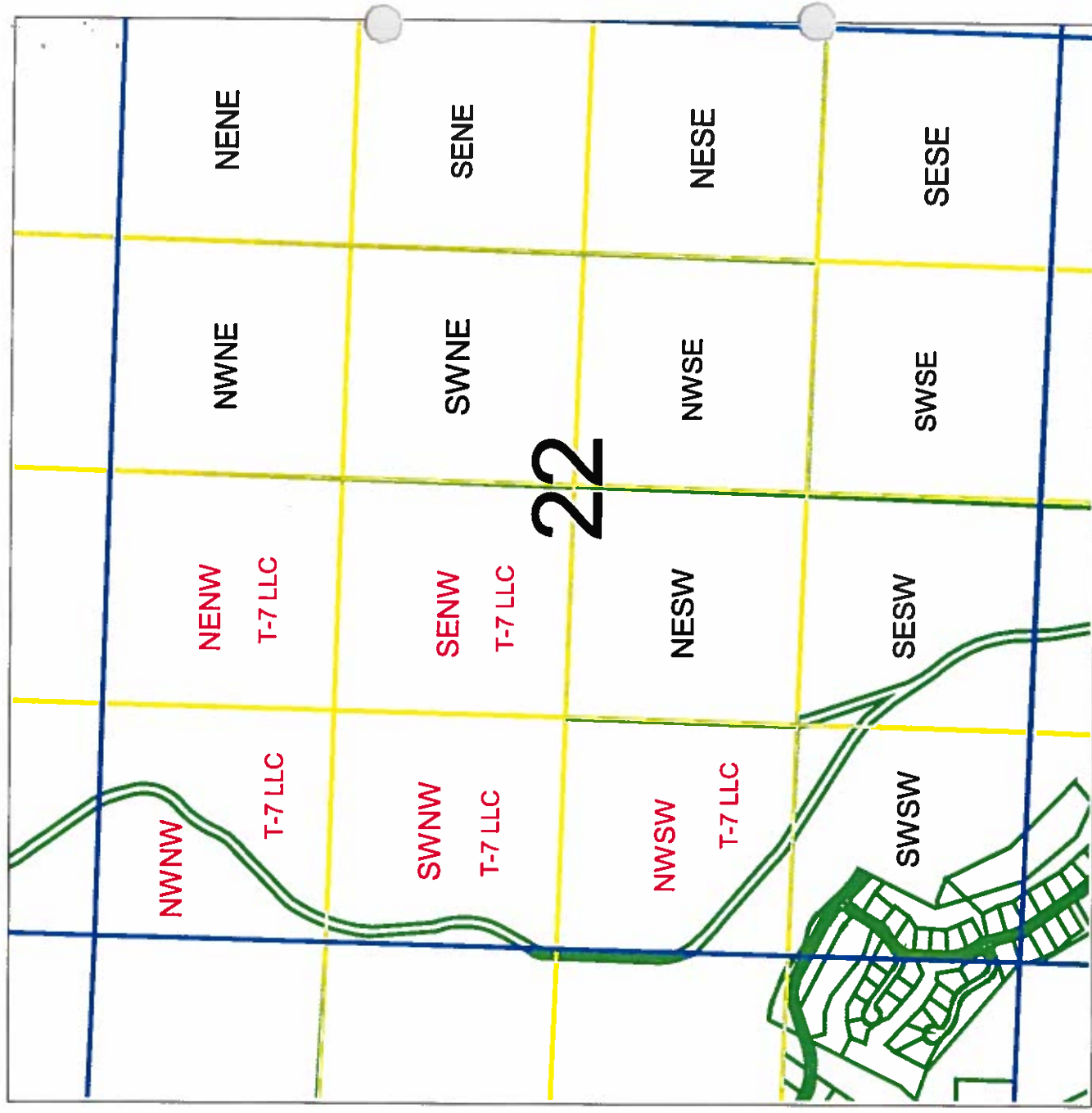
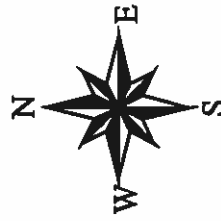
63-308, 63-27649, 63-27671,
63-30006, 63-30007, 63-31050,
63-31052, 63-31053, 63-31054,
63-31055, 63-31056, & 63-31057

Tax Lot Data

Section Line

QQ Line

T-7 Property



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: A63-31055
Date Received: 6/ 9/1999
Receipt No: W025312
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: TERTELING TRUST NO 7 208-338-5200
Address: 3823 N 36TH ST
BOISE ID 83703

2. Date of Priority: MAR 1, 1948

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	22		SW	NE		ADA
				NE	NW		ADA
				NW	NW		ADA

5. Description of diverting works:
THREE DIVERSIONS DAMS DIVERT WATER FOR STORAGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
IRRIGATION STORAGE	01/01	12/31			1.00
AESTHETIC STORAGE	01/01	12/31			1.00
WILDLIFE STORAGE	01/01	12/31			1.00
STOCKWATER STORAGE	01/01	12/31			1.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 25 LLAMAS

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02E	22	NE		NW		AES S	
			NE		NW		WILD S	
			NE		NW		STOC S	
			NW		NW		AES S	
			NW		NW		STOC S	
			SE		NW		AES S	
			SE		NW		STOC S	
			NW		SW		IRR	5.0
							Section Acres	5.0
							Total Acres	5.0

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:
63-07595 AND 63-03603

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 AL-3-31055
Receipt Number 4025312

**NOTICE OF CLAIM
TO A
WATER RIGHT**
ACQUIRED UNDER STATE LAW
(Stewart Creek Storage Reservoir)

RECEIVED
JUN 09 1999
WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant Terteling Trust No. 7 Phone (208) 338-5200
Mailing Address 3823 N. 36th Street, Boise, Idaho Zip 83703
2. Date of Priority (Only one (1) per claim) March 1, 1948
3. Source of water supply (a) Stewart Creek
which is tributary to (b) Boise River
4. a. Location of existing point of diversion is: Township 4N Range 2E Section 22,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of
Additional points of diversion if any: SW NE § 22 and NW NW § 22
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 of _____
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 (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the date of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Three diversion dams in Stewart Creek in the NW NW, the NW NE and the NE NW § 22 divert water to storage for irrigation, aesthetics, stockwater, and wildlife purposes in each of these locations. These diversions and uses were established in March 1948.
6. Water is claimed for the following purposes:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> amount <u>0.04</u> or _____			
For <u>irrigation storage</u> purposes from <u>1/1</u> to <u>12/31</u> amount _____ or <u>1</u>			
For <u>aesthetics</u> purposes from <u>1/1</u> to <u>12/31</u> amount _____ or <u>1</u>			
For <u>wildlife</u> purposes from <u>1/1</u> to <u>12/31</u> amount _____ or <u>1</u>			
For <u>stockwater</u> purposes from <u>1/1</u> to <u>12/31</u> amount _____ or <u>1</u>			
7. Total quantity claimed (a) .04 (cfs) and/or (b) 1 (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.

Last Name Terteling Ident No. _____

6/99 Revision

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

25 llamas

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.

T W P	R N G	S E C	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SE	SW	NE	NW	S	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	22		5			5	5											5
4N	2E	22					J,W												
4N	2E	22					J,S	J,S		J,S									

Total number of acres irrigated 5

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

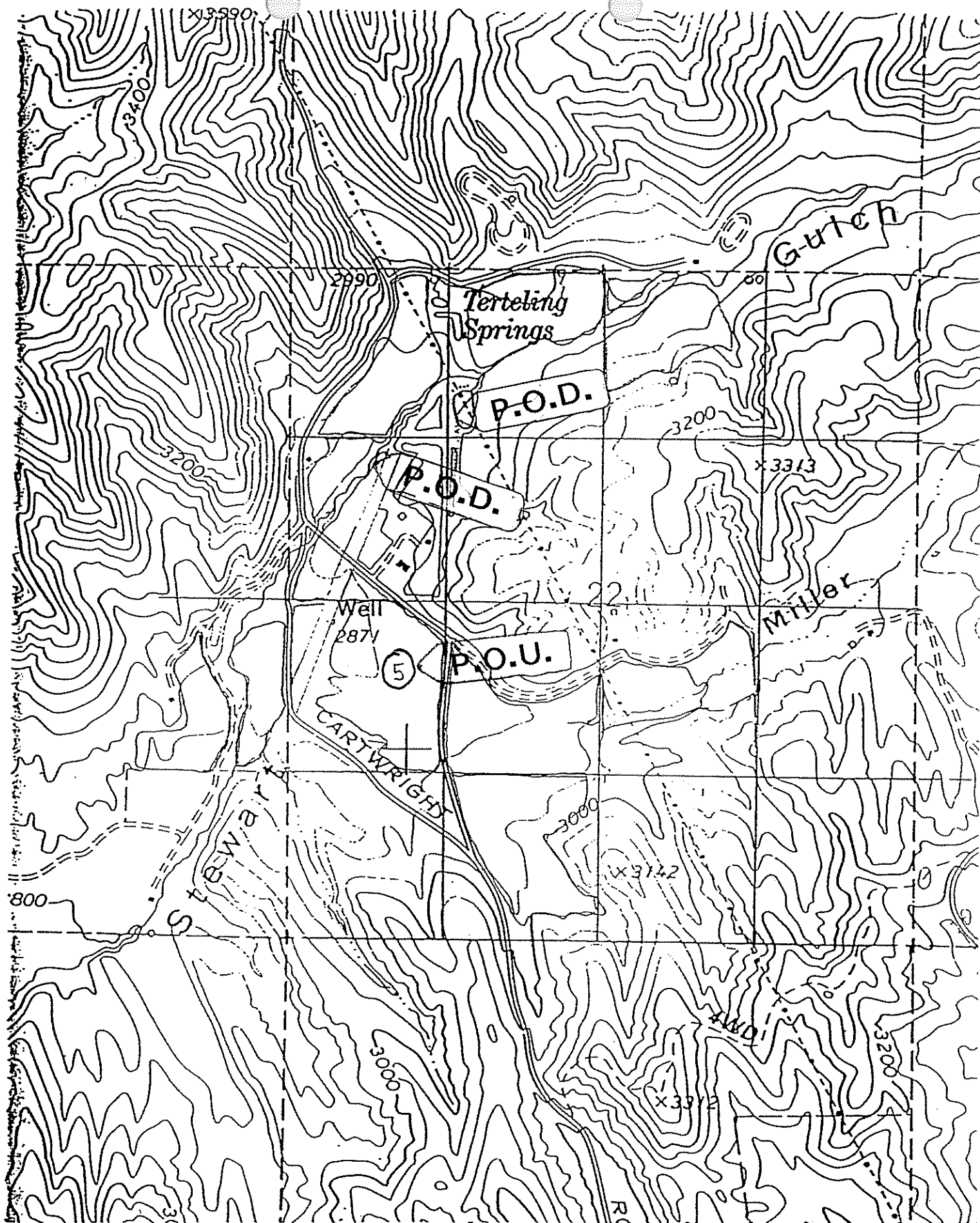
12. Do you own the property listed above as place of use? Yes X No

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.

63-7595 and 63-3603 or None ()

14. Remarks:



⑤ = Acres irrigated

15. Basis of 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 _____

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 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 _____

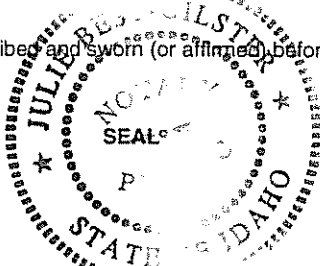
For Organizations: I do solemnly swear or affirm that I am J.L. Terteling, Trustee of _____
Title _____

Terteling Trust No. 7, that I have signed the foregoing document in the space
Organization _____
below as Trustee of Terteling Trust No. 7 and that the statements contained in the
Title Organization
foregoing document are true and correct.

Signature of Authorized Agent J.L. Terteling
Title and Organization Trustee of Terteling Trust No. 7 Date 6-7-99

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day of June, 1999.



Notary Public Julie B. [Signature]
Residing at Yampa, ID
My Commission Expires 4-21-2001

17. Notice of Appearance:

Notice is hereby given that I, Jeffrey C. Fereday 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 Jeffrey C. Fereday
Address Box 2720 Boise, ID 83701
Date 6/7/99

Last Name Terteling Ident No. _____

Receipt Details for ID W025312

Status	Adjustment Type	Version
	Water Right Receipt	3

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/13/1999 9:49:22 AM	8/13/1999	Western	\$550.00	Check
Payer		GIVENS PURSLEY LLP		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
24176			
Card Expiration Date	Credit Card Transaction #		

Comment 11 NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$550.00	11 NOTICE OF CLAIM TO A WATER RIGHT	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	31050		\$550.00	Claim
63	31050		\$550.00	Claim
63	31050		\$71.00	Claim
63	31051		\$68.00	Claim
63	31052		\$63.00	Claim
63	31053		\$51.00	Claim
63	31054		\$69.00	Claim
63	31055		\$56.00	Claim

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

A. Subcase 63-31055

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Edwards Family LLC
Address: 4106 Sand Creek Street
Boise, Idaho 83703
Daytime Phone: (208) 342-7548

Name & Address of Attorney, if any:
Dana L. Hofstetter, ISB # 3867
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: The Terteling Co. Inc.
Address: 3823 North 36th Street
Boise, Idaho 83703

SCANNED
OCT 05 2006

D. I am responding to the objections to the following elements. (Please check the appropriate box(es))

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss:

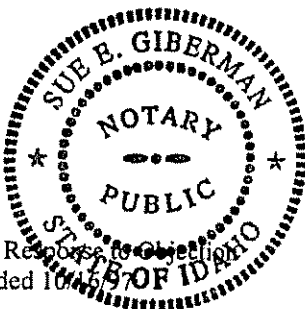
Dana L. Hofstetter duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

(Signature of person filing response)

Dana Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 23, 2006



Sue E. Giberman
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission Expires: 2-25-09

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on June 23, 2006, I caused to be hand delivered the original and caused to be mailed copies of this response, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: T-7 LLC
Address: 3823 North 36th Street
Boise, Idaho 83703

3. One copy to the party who filed the objection, at the following address:

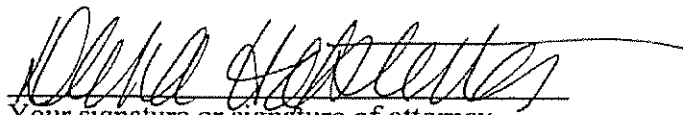
Name: Charles L. Honsinger
Address: Ringert Clark Chartered
P.O. Box 2773
Boise, Idaho 83701

4. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

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

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


Your signature or signature of attorney
mailing on your behalf

RECEIVED

APR 21 2006

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 No. 39576

)
)
)
)
)
)

A. Subcase 63-31055

(Insert water right no.)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: THE TERTELING CO INC.

Address: 3823 North 36th Street
Boise, Idaho 83703

Daytime Phone: 208 338-5200

Name & Address of Attorney, if any:
Charles L. Honsinger
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: THE TERTELING CO INC.

Address: 3823 North 36th Street
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: _____
3. ☒ **Quantity**
Should be: A total combined diversion rate of 0.206 CFS for the four identified water rights.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The combined total acreage should be deleted or listed as 181 acres rather than 171 acres.
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):** The combined use limitation should be 0.206 CFS, not the listed 0.12 CFS. There appears to be no valid reason for reducing the acreage from 181 acres to 171 acres.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

Charles L. Honsinger, duly sworn, upon oath, deposes and says:

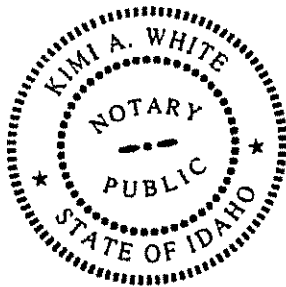
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Signature of person filing objection)


Charles L. Honsinger

Subscribed and sworn to before me on: April 19, 2012




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/20/12

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20, 2008, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the Claimant of the water right at the following address:

Name: THE TERTELING CO INC.

Address: 3823 North 36th Street
Boise, Idaho 83703

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 29, 2005

Water Right Number: 63-31055

T-7, LLC
3823 N. 36TH ST
BOISE, ID 83703
Telephone Number: (208)338-5200

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Combined Use Limitations

2. Describe the changes you wish to make in the proposed recommendation:

Combined diversion rate for right nos. 63-27649, 63-27671, 63-31054 and 63-31055 should be .206 cfs; Combined use limitation of 171 acres should be removed or, at a minimum, increased to 181 acres.

3. Give a brief explanation as to why you disagree with these portions:
The total diversion rates authorized under 27649, 27671, 31054 and 31055 is .206 cfs;
Not all of the water rights listed irrigate the same 171 acre place of use, and the combined use limitation, at a bare minimum, should be 181 acres.

_____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/02/05

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

RECEIVED
DEC 02 2005
WATER RESOURCES
WESTERN REGION

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)

December 2, 2005

* *Delivered by Hand* *

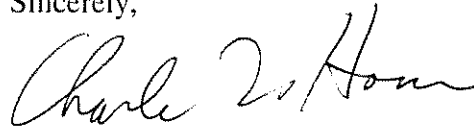
Vicki Music
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Notices of Error - 63-27649, 63-27671, 63-31050, 63-31052, 63-31053, 63-31054,
63-31055, 63-31056, 63-31058, 63-31062

Dear Ms. Music:

Enclosed please find Notices of Error for the above-referenced rights. Additionally, although we have received the preliminary recommendation for water right no. 63-31057, we have not received the preliminary recommendation for water right no. 63-31059 - a similar, related right. Could you please inform me as to the status of that preliminary recommendation. Also, please contact me with any questions regarding the Notices of Error. Thank you.

Sincerely,



Charles L. Honsinger

enclosures

cc: Tom Terteling
Ed Squires

11/21/2005

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

RIGHT NUMBER: 63-31055

NAME AND ADDRESS: T-7 LLC
3823 N 36TH ST
BOISE ID 83703

SOURCE: STEWART CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.040 CFS
1.000 AFY

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

The rights listed below are limited to a total combined diversion rate of 0.12 cfs. Combined Right Nos.: 63-27649, 63-27671, 63-31054, 63-31055.

PRIORITY DATE: 01/01/1938

POINT OF DIVERSION:

T04N R02E S22 NWNE Within ADA County

T04N R02E S22 NENW Within ADA County

T04N R02E S22 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	1.00 AFY
AESTHETIC STORAGE	01/01 12/31	1.00 AFY
IRRIGATION	03/01 11/15	0.040 CFS
IRRIGATION STORAGE	01/01 12/31	1.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S22 NWSW 5.0

STOCKWATER STORAGE Within ADA County

T04N R02E S22 NENW T04N R02E S22 NWNW

T04N R02E S22 SENW

AESTHETIC STORAGE Within ADA County

T04N R02E S22 NENW T04N R02E S22 NWNW

T04N R02E S22 SENW

5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 17 acres in a single irrigation season. Combined Right Nos.: 63-27649, 63-27671, 63-31054, 63-31055.

The rights listed below are limited to the irrigation of a combined total of 171 acres in a single irrigation season. Combined Right Nos.: 63-12, 63-13, 63-15, 63-308, 63-3603, 63-7595, 63-27649, 63-27671, 63-31053, 63-31054, 63-31055, 63-31054.

11/21/2005

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

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 for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 25 llamas.

**GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: November 2005**

Music, Vicky

From: Music, Vicky
Sent: Wednesday, November 23, 2005 9:54 AM
To: 'Charlie Honsinger'
Cc: 'Tom Terteling (E-mail)'; Shurte, Jan; Spencer, Nick
Subject: RE: Preliminary Recommendations/Notices of Error

Tracking:	Recipient	Delivery
	'Charlie Honsinger'	
	'Tom Terteling (E-mail)'	
	Shurte, Jan	Delivered: 11/23/2005 9:54 AM
	Spencer, Nick	Delivered: 11/23/2005 9:54 AM

Charlie and Tom -

I am very sorry about the short timeline, however, the sheer number of claims filed by your client, including late claims filed only a few weeks ago and the confusion regarding the licenses 63-3603 and 63-7595 that resulted in amended claims being submitted just 3 weeks ago, have caused these preliminary DRs to be sent with a short NOE period. My deadline for having recommendations done is Dec 2 and the Basin 63 Part 2 DR is due to be submitted around Dec 13. Submitting a notice of error will most likely not affect my recommendations because I really don't think there are errors in the preliminary DRs that can be corrected by the NOE process, such as typos or changes in ownership, but you may submit them when you can through December 9. We will have to let the objection procedure handle the substantive issues as is usual.

8 of the 12 preliminaries sent this week [63-31056 is listed twice in your email] are associated with 3 of the 4 residences on the property and I attempted to group those together so they could be reviewed together. They are small domestic and stock.

Lastly, I will be adding to the recommendations for 63-12, 63-13, 63-15 and 63-308 the combined use POU remark for 171 acres. For 63-12, 63-13, 63-15, 63-3603 and 63-7595, I will be adding the temperature of the water. I will not send out a new preliminary on these.

Hope this helps -

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

-----Original Message-----

From: Charlie Honsinger [mailto:clh@ringertclark.com]
Sent: Wednesday, November 23, 2005 8:29 AM
To: Music, Vicky
Cc: Tom Terteling
Subject: Preliminary Recommendations/Notices of Error

Vicky: Preliminary recommendations for the following water rights have been sent via e-mail to Tom Terteling and I over the past two days:

11/23/2005

63-27649, 63-27671, 63-31054, 63-31055, 63-31053, 63-31050, 63-31052, 63-31062, 63-31056, 63-31057, 63-31056, 63-31058, 63-31060.

I did not receive one of these e-mails until I came into the office this morning. The instructions attached to the Preliminary Recommendations provide that the Notices of Error are due on Tuesday, November 29 - six days from today. My client has been out of town for several days, and the Thanksgiving holiday is tomorrow - I plan on leaving my office this afternoon at 2:00 to travel out of town, and will not be back until Monday. I do not know my client's plans, but I know he has been extremely busy and was expecting to be so for some time.

Given all of these factors, together with the facts that I have many other pressing matters I must address over the next several business days and that I believe my client's situation to be similar to mine, it is simply unrealistic to expect the Terteling Company to respond to 14 Preliminary Recommendations within a six-day period with an intervening four-day holiday weekend. We will attempt to review and respond to the Preliminary Recommendations as soon as possible, but it is simply impossible for us to get to them as quickly as provided.

Please respond with an extended timeline. Thank you.

Charlie Honsinger

11/23/2005

Music, Vicky

From: Music, Vicky
Sent: Monday, November 21, 2005 1:19 PM
To: Charlie Honsinger (E-mail); Tom Terteling (E-mail)
Subject: PRELIM DR FOR 4 PPU CLAIMS

CHARLIE AND TOM -

Attached are the preliminary Director's Reports for 63-27649, 63-27671, 63-31054, 63-31055. I will need a decent schematic of the common collection/delivery system and the acres irrigated.



63-27649 PRLIM
DR.doc



63-27671 PRELIM
DR.doc



63-31054 PRELIM
DR.doc



63-31055 PRELIM
DR.doc



63-27649.jpg

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

Music, Vicky

From: Music, Vicky
Sent: Friday, November 18, 2005 2:49 PM
To: Charlie Honsinger (E-mail); Tom Terteling (E-mail)
Subject: ppu for 4 claims

Charlie and Tom -

re 63-31054, 31055, 27649, 27671

I do not have a good description of the system common to these claims for which you want a permissible place of use. Will you please use a map and draw the a simple diagram of the delivery system? you can fax it to me. 334-2348. thanks .

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

RECEIVED

OCT 17 2005

WATER RESOURCES
WESTERN REGION



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 14, 2005

Vicki Music
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: SRBA Notices of Claim

Dear Ms. Music:

Per the discussion between Jan Shurte, Tom Terteling, yourself, and myself last month, enclosed please find the Amended Notices of Claim to water right nos. 63-31053, 63-31055, and 63-31062. As you will recall, we agreed to amend the notices of claim to provide for an earlier priority date.

Additionally per our discussion, I am enclosing Notices of Claim to Instream Stockwater Rights that I file on behalf of T-7, LLC and The Terteling Company, Inc.

Please process all claims accordingly, and contact me with any questions or concerns.
Thank you.

Sincerely,

A handwritten signature in black ink that reads "Charles L. Honsinger".

Charles L. Honsinger

enclosures

cc: Tom Terteling

Music, Vicky

From: Music, Vicky
Sent: Friday, October 14, 2005 1:55 PM
To: Charlie Honsinger (E-mail); 'tom@tertco.com'
Cc: Shurte, Jan
Subject: B63 Pt 2 DR

Charlie and Tom -

The Director's Report for Basin 63 Part 2 will be submitted to the SRBA Court the week of December 12. Internal IDWR deadlines in preparation for the Director's Report require that I have all of the supporting documentation for claims to be recommended in this Director's report by October 31, 2005.

Please submit all supporting documentation for the Terteling claims, including the amended claims, by October 31, 2005. If I do not have the information by that time, I will recommend the claims based on the information I have.

Thanks,

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

Tracking:

Recipient

Charlie Honsinger (E-mail)
'tom@tertco.com'
Shurte, Jan

Delivery

Delivered: 10/14/2005 1:55 PM



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

August 8, 2005

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

RE: Beneficial Use Claim Nos. 63-22047, 63-27649, 63-27671, 63-30006, 63-30007, 63-31050, 63-31051, 63-31052, 63-31053, 63-31054, 63-31055, 63-31056, 63-31058, 63-31060, 63-31061, 63-31062 and 63-31086

Dear Charlie,

There are several beneficial use claims in Basin 63 filed by The Terteling Co., Inc., Terteling Trust No. 8 and the T-7 LLC, for which I need additional information to recommend. I have enclosed a table that lists the information needed.

For these beneficial use claims to be recommended in the Basin 63, Part 2 Director's Report, I must have the information by Tuesday, September 6, 2005, at the latest.

Please call me if you have questions regarding this matter.

Sincerely,

Vicky L. Music
Senior Water Resource Agent
Adjudication Bureau
IDWR/Western Region

cc: The Terteling Co., Inc., Terteling Trust No. 8, T-7 LLC (w/ enclosure)

Enclosure: Excel table

<u>Claim #</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate</u> (cfs)	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Information needed to make recommendation</u>
63-22047	Beneficial Use	6/1/1957	0.04	GROUND WATER	STOCKWATER	TERTELING TRUST NO 8 (Current)	Please provide map with place of use and point of diversion.
63-27649	Beneficial Use	1899-06-01	0.07	SPRINGS	AESTHETIC STORAGE, IRRIGATION, STORAGE, RECREATION STORAGE, WILDLIFE STORAGE	T-7 LLC (Current)	1 - need evidence of priority to support priority date. 2 - if wildlife is claimed as accomplished transfer, how and when did it take place?
63-27671	Beneficial Use	12/31/1925	0.05	GROUND WATER	FISH PROPAGATION, IRRIGATION	T-7 LLC (Current)	1 - need evidence of priority to support priority date 2 - Is fish propagation a commercial use?
63-30006	Beneficial Use	12/31/1925	0.04	GROUND WATER	AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE	T-7 LLC (Current)	1 -need evidence of priority to support priority date. 2 - if wildlife is claimed as accomplished transfer, how and when did it take place?
63-30007	Beneficial Use	1899-12-31	0.02	SPRING	IRRIGATION	T-7 LLC (Current)	1 -need evidence of priority to support priority date. 2 - when did change in pou occur? 3 - need better map of spring location

<u>Claim #</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate</u> (cfs)	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Information needed to make recommendation</u>
63-31050	Beneficial Use	4/24/1948	0.02	GROUND WATER	AESTHETIC, FISH PROPAGATION, IRRIGATION, STOCKWATER, WILDLIFE	T-7 LLC (Current)	1]- Need evidence of priority to support priority date. 2]- if wildlife is claimed as accomplished transfer, how and when did it take place? 3]- is fish propagation a commercial use? 4]- what is the aesthetic use?
63-31051	Beneficial Use	7/1/1921	0.12	GROUND WATER	AESTHETIC, COMMERCIAL	THE TERTELLING CO INC (Current)	1]- Need evidence of priority to support priority date. 2]- what is the aesthetic use? 3]- is this an accomplished transfer in place of use and if so, when did it take place? 4]- will have to reduce another right for the transferred acres. 5]- what wells in section 29 are claimed? Is this is an accomplished transfer in points of diversion, how and when did it take place?
63-31052	Beneficial Use	4/24/1948	0.12	GROUND WATER	AESTHETIC, AESTHETIC STORAGE, FISH PROPAGATION, HEATING, IRRIGATION, RECREATION, WILDLIFE, WILDLIFE STORAGE	T-7 LLC (Current)	1]- Need evidence of priority to support priority date. 2]- how is this a wildlife use? 3]- is fish propagation a commercial use? 4]- what is the aesthetic use?

<u>Claim #</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate</u> (cfs)	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Information needed to make recommendation</u>
63-31053	Beneficial Use	1/1/1941	0.06	GROUND WATER	DOMESTIC, IRRIGATION	T-7 LLC (Current)	1]- Need evidence of priority to support priority date.
63-31054	Beneficial Use	11/1/1940	0.06	GROUND WATER	AESTHETIC, FIRE PROTECTION, IRRIGATION, RECREATION, STOCKWATER, WILDLIFE STORAGE	T-7 LLC (Current)	1]- Need evidence of priority to support priority date. 2]- is this an accomplished transfer for wildlife and if so, how and when did it take place? 3]- how many head of stock? What is the point of diversion& diversion works for stock & wildlife? 4]- is recreation use for fish?
63-31055	Beneficial Use	3/1/1948	0.04	STEWART CREEK	AESTHETIC STORAGE, IRRIGATION, STORAGE, STOCKWATER STORAGE, WILDLIFE STORAGE	T-7 LLC (Current)	1]- need evidence of priority to support priority date. 2]- is this an accomplished transfer for wildlife and if so, how and when did it take place?
63-31056	Beneficial Use	6/1/1930	0.04	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	T-7 LLC (Current)	1]- need evidence of priority to support priority date. 2]- # & type of head of stock, location/ description of diversion works.
63-31058	Beneficial Use	1/1/1910	0.04	SPRING, STEWART CREEK	IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)	1]- need evidence of priority to support priority date 2]- describe #, type & diversion works for stock.

<u>Claim #</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate</u> (cfs)	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Information needed to make recommendation</u>
63-31060	Beneficial Use	1/1/1910	0.04	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)	1 - need evidence of priority to support priority date 2 - describe #, type & diversion works for stock.
63-31061	Beneficial Use	12/31/1920	0.06	SPRING	DOMESTIC, IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)	1 -need evidence of priority to support priority date. 2 - What is the domestic use?
63-31062	Beneficial Use	1/1/1942	0.06	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	THE TERTELING CO INC (Current)	1 -need evidence of priority to support priority date for irrigation use. 2 -What home is this?
63-31086	Beneficial Use	12/31/1920	0.06	GROUND WATER	IRRIGATION	THE TERTELING CO INC (Current)	1 -need evidence of priority to support priority date.

Music, Vicky

From: Charlie Honsinger [clh@ringertclark.com]
Sent: Thursday, September 15, 2005 4:34 PM
To: Music, Vicky
Cc: Tom Terteling
Subject: Terteling Company and TT-7, LLC SRBA claims

Dear Vicky:

Based upon the conversation between yourself, myself, Tom Terteling and Jan Shurte of earlier today, this e-mail will notify you that water right nos. 63-27649, 63-27671, 63-31054 and 63-31055 are all diverted into the same system and consequently irrigate the same place of use. Therefore, I hereby request that these water rights be recommended as irrigating the same permissible place of use.

thank you.

Sincerely,

Charlie Honsinger

11/18/2005

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED
FEB 23 2004
WATER RESOURCES
WESTERN REGION

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

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

February 20, 2004

Mr. John Westra
Western Regional Manager
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

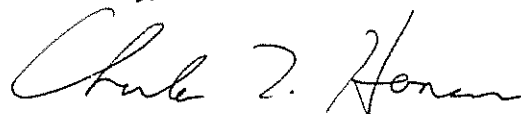
Re: Terteling Company and T-7, LLC water rights

Dear Mr. Westra:

This correspondence will notify you that my clients, the Terteling Company and T-7, LLC, have requested that I be designated as the attorney of record for all matters involving any water rights that they own. Such matters include SRBA claims filed by my clients, as well as any other water right proceedings in which they are currently involved. Please ensure that such changes are made to IDWR's records as are appropriate.

Thank you for your assistance, and please feel free to contact me with questions or concerns.

Sincerely,



Charles L. Honsinger

cc: Clients
Jeff Fereday
Ed Squires

* See attached spreadsheet
✓ done 3-1-04.

Basin Sequ Suf Basis Status Right ID Owner(s) Source Table

63	12		Decreed	Active	550157	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	13		Decreed	Active	550159	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	15		Decreed	Active	550160	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	308		Decreed	Active	190638	TERTEING TRUST NO 7 (Cu	wrAdjudicationClaim	✓
63	3603		License	Active	280386	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	7595		License	Active	280392	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31051		Beneficial Use	Active	550153	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31058		Beneficial Use	Active	423099	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31059		Beneficial Use	Active	423100	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31060		Beneficial Use	Active	422793	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31061		Beneficial Use	Active	422794	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
63	31062		Beneficial Use	Active	422968	THE TERTEING CO INC (Cu	wrAdjudicationClaim	✓
65	4040		Beneficial Use	Active	378448	THE TERTEING CO INC (Cu	wrAdjudicationClaim	Disallowed
65	7450		License	Active	279509	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	7451		License	Active	323108	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	7452		License	Active	278690	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	22031 A		Beneficial Use	Active	425066	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	22291		Beneficial Use	Active	544712	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	22293		Beneficial Use	Active	544722	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
65	22295		Beneficial Use	Active	544739	THE TERTEING CO INC (Cu	wrAdjudicationClaim	PD Issued
63	12		Decreed	Active	560186	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	✓
63	13		Decreed	Active	560187	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	✓
63	15		Decreed	Active	560188	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	✓
63	31051		Beneficial Use	Active	560185	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	✓
65	7450		License	Active	545342	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	7451		License	Active	545344	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	7452		License	Active	545343	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	22031 A		Beneficial Use	Active	545350	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	22291		Beneficial Use	Active	545351	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	22293		Beneficial Use	Active	545353	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued
65	22295		Beneficial Use	Active	545352	THE TERTEING CO INC (Cu	wrAdjudicationRecomm.	PD Issued

Basin Sequ Suf Basis Status Right ID Owner(s) Source Table

63	12540			Active	110399	THE TERTELING CO INC (Cu	wrWaterApplication	Western Hold Drawer
63	27670		Decreed	Active	119795	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
63	28364		Decreed	Active	126717	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
65	22013		Decreed	Active	545345	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
65	22016		Decreed	Active	545346	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
65	22018		Decreed	Active	545347	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
65	22019		Decreed	Active	545348	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued
65	22021		Decreed	Active	545349	THE TERTELING CO INC (Cu	wrWaterRight	PD Issued

Basin	Sequ	Suf	Basis	Status	Right ID	Owner(s)	Source Table	
63	27649		Beneficial Use	Active	190606	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	27671		Beneficial Use	Active	125220	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	30006		Beneficial Use	Active	338726	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	30007		Beneficial Use	Active	338727	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31050		Beneficial Use	Active	423091	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31052		Beneficial Use	Active	423093	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31053		Beneficial Use	Active	423094	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31054		Beneficial Use	Active	423095	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31055		Beneficial Use	Active	423096	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31056		Beneficial Use	Active	423097	T-7 LLC (Current)	wrAdjudicationClaim	✓
63	31057		Beneficial Use	Active	423098	T-7 LLC (Current)	wrAdjudicationClaim	✓



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

January 13, 2004

T-7 LLC
3823 N 36TH ST
BOISE ID 83703

Re: Notice of Claim to a Water Right No. 63-27649, 63-27671, 63-30006, 63-30007, 63-31050, 63-31052, 63-31053, 63-31054, 63-31055, 63-31056, & 63-31057

Dear Claimants:

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure



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

December 4, 2003

T-7 LLC
3823 N 36TH ST
BOISE ID 83703

RE: Notice of Change of Water Right Ownership No. 63-308, 63-22047, 63-27649, 63-27671, 63-30006, 63-30007, 63-31050, 63-31052, 63-31053, 63-31054, 63-31055, 63-31056, and 63-31057

Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change without additional legal documentation. In order to complete this change, we need a copy of the warranty deed(s) showing the transfer from Terteling Trust No. 7 to T-7 LLC; which includes the legal description of the property by $\frac{1}{4}$ Section, Township and Range.

Please note for your information that claim number 63-22047 is in the name of Terteling Trust No. 8, rather than Terteling Trust No. 7.

Please submit the requested information, and we will be able to complete the review of the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

DH: dh

Enclosures

Deed received 12/9/03

COPY

CHARLES L. HONSINGER (ISB #5240)
JON GOULD (ISB #6709)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657
Attorneys for Claimants The Terteling Company, Inc., and T-7, LLC

)
)
) AFFIDAVIT OF J.L. TERTELING IN SUPPORT OF
) SRBA CLAIM NOS. 63-27649, 63-27671, 63-30006, 63-
) 30007, 63-31050, 63-31051, 63-31052, 63-31053, 63-31054
) 63-31055, 63-31056, 63-31058, 63-31060, 63-31061, 63-
) 31062, 63-31086
)
)
)
_____)

STATE OF IDAHO)
) ss
COUNTY OF ADA)

J.L. 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 information requested by IDWR for claims to water rights located in the Stewart Gulch area near Boise, Idaho made in the Snake River Basin Adjudication by The Terteling Co. Inc. and T-7, LLC.
3. My family has owned the Terteling Ranch in Stewart Gulch (comprised of the lands to which the water rights referenced herein are appurtenant) since June 12, 1944 when my father purchased the property. Consequently, I have lived on the Terteling Ranch for most of my life. I have extensive knowledge regarding the use of all of the water rights referenced

herein because I have worked on, irrigated and developed the property throughout my life.

4. Specifically, my knowledge regarding the information requested by IDWR is as follows:

63-22047

This is not a right claimed by an entity with which I am involved. I have no information regarding this claim. Please contact Ann Terteling Sparks for information about this water right at 7962 Fairview, Boise, ID 83704 - (208)322-6300.

63-27649

This water right is diverted from the Terteling Springs that flow into ponds in the north 1/2 of the Northwest 1/4 of section 22. I recall the use of these ponds and water right for irrigation use since I have lived on the property. I have been told by prior owners that the ponds were in place and used for irrigation and for fish farming since the early 1900s. The ponds have been used for wildlife, boating, fishing and recreation since I have lived in Stewart Gulch.

63-27671

This right is diverted from the Terteling Springs flowing artesian well into ponds. I recall the use of water from this well for irrigation use, commercial fish farming, boating and recreation from my early days on the property. I own a commercial fish farmer's license and have, in the past, sold fish harvested from the ponds into which this water right flows.

63-30006

This water right is diverted from the Duck Pond flowing artesian well located in the SWNW of section 22. I recall the use of this flowing artesian well to provide water to the duck

ponds for storage for wildlife, irrigation, fish, recreation and aesthetic purposes at the time my father purchased the property.

63-30007

This water right is diverted from the Peaceful Cove Nursery Spring. I recall this water right being diverted for irrigation purposes at the time of our purchase of the Terteling Ranch. There has been no change in the place of use of the water right. Rather, the currently claimed place of use has always been the place of use of the water right, and the claim merely corrects earlier filings. A map of the spring location is attached hereto as Exhibit "A."

63-31050

This water right is diverted from a flowing artesian well known as the "Pool Well." My father completed the Pool Well on or about March 31, 1947 as indicated by the hand written notation referencing a check number and date on the second page of the well driller's log for that well attached hereto as Exhibit "B". My father used the Pool well for irrigation purposes immediately after its completion, and developed the ponds fed by the well at about the same time. The aesthetic use claimed are ponds and a flowing water feature. Wildlife has been a use for the water right throughout my residence on the ranch. The fish propagation use claimed is not a commercial use, but is, rather for hobby purposes.

63-31051

I believe that all questions asked by IDWR with respect to this water right can be answered by simply examining approved transfer no. 68559.

63-31052

This water right has been used for the claimed purposes since I have lived on the property. This well is also the "Pool Well" (referenced in the section on water right no. 63-31050 above) which consists of both a hot and cold water well within the same well casing. This water right is used for irrigation, and the wildlife use is a pond that is game and birds drink from and use as habitat. The fish propagation use is not a commercial use but is instead a hobby use - primarily for koi and goldfish. The aesthetic use is for ponds and a flowing water feature.

63-31053

Attached as Exhibit "C" are aerial photos from 193⁹ establishing the existence of a house and the irrigation claimed from the well that is the source for this water right. The well was the sole source of domestic water for the houses and other buildings when I first moved to the Terteling Ranch, and has sometimes been used for wildlife and livestock watering.

63-31054

This water right is diverted from a flowing artesian well located in the NWNW of Section 22 into a pond. This well was in existence at the time of the conveyance of the property to my father. This well and water right serves the same ponds as does water right no. 63-27649. As explained above, the ponds have been used for irrigation, stockwatering and wildlife since I have lived in Stewart Gulch. The recreation use is for fishing, wading, boating and other recreational uses. 300 cattle have historically used this water right for stockwater.

63-31055

This water right is diverted from Stewart Creek. The 1938/1939 aerial photos attached hereto as Exhibit "C" establish that the water right was used for irrigation as of that time. My family built the pond claimed as storage pursuant to this water right between 1948 and 1950 after we purchased the property. The wildlife use claimed under the water right began at that time - the pond was also used for aesthetic and boating purposes. As a sidenote, there is a typographical error in the computerized claim form for this water right: the point of diversion that is listed as Section 22 SWNE should be in Section 22 NWNE.

63-31056

This water right is from a well that is used at 5120 Cartwright Road as a domestic well. The stockwatering use is for approximately 300 head. This stockwater is diverted from the well and conveyed by pipe to stockwatering troughs. This water right has been used since I have lived upon the Terteling Ranch for domestic use in the house at 5120 Cartwright Road. It has been used for stockwater and for irrigation purposes around that house for the same period of time.

63-31058

This water right is diverted from Stewart Creek. The irrigation use has been in place since I have lived on the Terteling Ranch. The stockwater use for this water right was claimed in error.

63-31060

This water right is from a well that is used as the domestic well at 7000 Bogus Basin

Road. The stockwatering use is for approximately 300 head. This stockwater is diverted from the well and conveyed by pipe to stockwatering troughs. This water right has been used since I have lived upon the Terteling Ranch for domestic use in the house at 7000 Bogus Basin Road. It has been used for stockwater and for irrigation purposes around that house for the same period of time.

63-31061

This water right is diverted from springs that serve as a domestic water right for the house located at 5115 Cartwright Road. This water right has been used since I have lived upon the Terteling Ranch for domestic use at 5115 Cartwright Road. I specifically recall being fascinated as a young boy that the kitchen in that house had a constantly running faucet in the sink (due to the fact that the springs were diverted directly to the house) when my family was considering purchasing the property in 1943. It has been used for livestock and irrigation purposes around that house for the same period of time, and has probably been used for the same purposes since the turn of the century in 1900.

63-31062

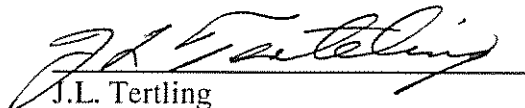
This water right is diverted from the Old Barn well for domestic, irrigation and stockwater uses. It has been diverted for those purposes since I have lived on the ranch. The 1949 aerial photo attached hereto as Exhibit "D" establishes the existence of the home as of at least that time.

63-31086

This is a water right from a well that is near 5115 Cartwright Road that is used for irrigation purposes. It has been used for those purposes since I have lived in Stewart

Gulch. The 1938/1939 photos attached hereto as Exhibit "D" establish the irrigation use claimed under this water right as of that date.

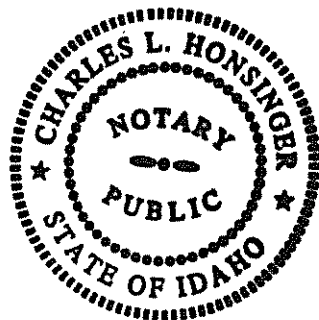
Further your affiant sayeth naught.


J.L. Tertling

STATE OF IDAHO)
)ss.
County of Ada)

On this 12th day of September, 2005, before me, the undersigned, a notary public in and for said state, personally appeared J.L. TERTLING, 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.



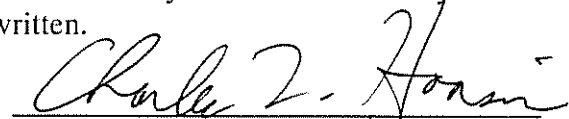

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 7/30/2010

Exhibit A

Exhibit B

Perkeling PEACEFUL COVE
SWIMMING POOL
BOISE, IDAHO

Log of well.

42 ft.	top soil sand	42 ft.
2 ft.	hard soap stone	44 "
16 ft.	blue shale	60 "
2 ft.	sand, little flow	62 "
23 ft.	blue shale	85 "
2 ft.	sand, more water	87 "
53 ft.	blue shale	140 "
5 ft.	sand, more water	145 "
19 ft.	sand stone	164 "
2 ft.	sand, little more water	66 ft.
9 ft.	blue shale	205 "
5 ft.	sand, little water	210 "
7 ft.	soap stone	287 "
3 ft.	sand	295 "
8 ft.	soap stone	398 "
1 ft.	hard rock	399 "
1 ft.	sticky soap stone	435 "
1 ft.	hard rock	436 "
1 ft.	sticky soap stone	454 "
1 ft.	hard soap stone	458 "
1 ft.	sticky soap stone	473 "
1 ft.	hard soap stone	478 "
1 ft.	sticky soap stone	498 "
1 ft.	hard rock, gravel	500 "
1 ft.	hard soap stone	
	with small layer	521 ft.
	and stone	

① This well consists of casing of 10", 8" and 6". Hot water flows through the 6" casing from well and at least 150'. From 150' the hot water is pumped @ 56.9 gpm to the surface. Between the 6" and 8" casings is air space. The 10" and 8" casings extend through the permeable zone allowing the cold artesian to flow to the surface through the space between the 10" and 8" casings @ 39.6 gpm from a depth of 150 ft.

② 6" artesian well @ 150'.

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

W
J. R. Treteling
Applicant
By J. R. Walt
Agent

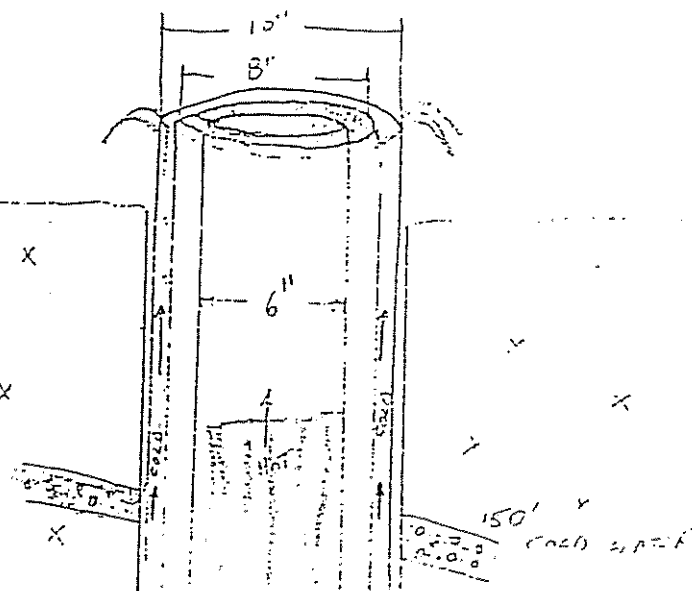


Exhibit C

BUJ-10-2





MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NO. 63-27649, 27671, 31054, 31055
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: BASIS FOR RECOMMENDATIONS RE PERMISSIBLE POU
DATE: 11/21/2005
CC:

Claimant and attorney requested that the above claims be treated as a permissible place of use because they all irrigate the same lands and share a common collection/delivery system. There are 3 sources: Stewart Cr, Terteling Springs, Terteling Springs well [a low T geothermal well – not part of WD 63S]

The claims do not provided a good description of the pou or the common system. Here is a summary of the claims:

#	source	uses	acres	Q
63-27649	springs	irr, stor	2	.066
63-27671	T springs well	irr, fish p	8	.045
63-31054	T springs well	irr, fire, aes/rec/sw	2	.055
63-31055	Stewart Cr	irr, sw/irr/aes stor	5	.04

Terteling Springs geothermal well was measured by CH2Mhill several years ago [1970s] and found to have a flow of .055 cfs so the 2 well claims will be limited to this quantity and will not be additive. The system has not been measured from what I gleaned from all of the files. I could not find info about the common system. So, I limited the Q to 0.12 cfs for the 3 sources. Re acres – though supposedly water the same acres, different acres are claimed. Recommended a maximum of 17 acres. Limited the combined acres to 171 with the many overlaps. This is the acres found to be irrigated minus the 10 in the SESE Sec 21 that has been sold.

VLM

[illegible]

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818

100

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

100

100

.....

Desktop Review / vlm

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-31055

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: Stewart Creek Tributary to _____

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION (3) – error corrected

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

666 claim

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES

delete wildlife

☒ No change

☒ Different Uses -

Use *RV* From *3 PH* To *12/31* Amount *1145.04* CFS *20.5* AFA *20.64*
 Use *SHOWER* From *1/1* To *12/3* Amount _____ CFS *1* AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount *04* CFS *20* AFA *NA*
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

(.04)(1145.04)(240) = 20.64 (5)(445) = 22.50

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

AND 1 pon different from orig claim.

☒ No Change

☐ Changes shown below:

surface water

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: PRU: 63-27649, 27671, 31054, 31055. PRU: 3003, 754.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

NO5 SW not a det of hist blu
 NO2 SW - 25 acres
 PRU: when comb w/ 63-27649, 27671, 31054, 31055
 would do 17 ac @ 1.16 CFS - E520
 E 520 turned to 171 acres when combined w/

- (1) POP is 133134 aerial, JOET affidavit
- (2) POP - JOET affidavit states POD claimed as SW NE 1/4 NE. Claim corrected in mtg w/ acty & TMT in 9/15/05 into NW 1/4 and CI filed OCT 05 still incorrect.
- (3) Delete wildlife - not an Orib intended use.
- (4) dams/ponds dev $\approx$ 1940.
- (5) Orib claim starts diff POD than latest and CI ^(10/10/05) - was only supposed to amend p-date. changed POB to those currently claimed. several discrepancies in claims.

AFTER EXAM THE FILE SHOULD CONTAIN:

- NA ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

(6) diagram of system requested.

DATE EXAM CONDUCTED

11-18-05

FIELD EXAMINER:

Wick UNCLC

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-31055

Date: 9-14-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	2E	22									5								5
GIS												15								15
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 8 2

Total Claimed Acres: 5

Overlapping POU Claim #'s:

Total GIS Acres: 15

63-03603, 63-07595

COMMENTS:

POD - source is Stuart Creek and it doesn't run in SWNE 522.
also claim map only shows 2 POD's

Idaho Department of Water Resources

Claim Number: 63-31055

Legal: T04N, R02E, S22

Reviewed By:

● Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines

1987 Napp Photo

