

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 63-31053
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: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

113' WELL, 4" CASING, 1 1/2 HP PUMP.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	3/15 11/15	0.06	
DOMESTIC	1/01 12/31	0.06	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

OCT 05 2006

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	22	SW	NW	DOMESTIC	
			SW	NW	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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

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

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 36-31053
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) ground water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 2E Section 22,
_____ 1/4 of SW 1/4 NW 1/4, Govt. Lot, _____ B.M., County of Ada
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County 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. _____
113-foot-deep well, 1 1/2 HP pump, 4" diameter casing

6. Water is claimed for the following purposes:

For domestic purposes from 1/1 to 12/31 amount 0.06 (cfs) or 0.06 (acre feet)
 For irrigation purposes from 3/15 to 11/15 amount 0.06 or 0.06
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 (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.) Cold water domestic and related uses for one residence, chicken coop, barn, other outbuildings, caretaker house, pool, shop, milk house and 3 acres of gardens with lawn.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	22							1 D										1

Total number of acres irrigated 1

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. Geothermal well in same area is used for heating, aesthetics, wildlife, fish and irrigation. A water right for this is being claimed separately. or None ()

14. Remarks:

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

If applicable provide IDWR Water Right Number

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant

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.

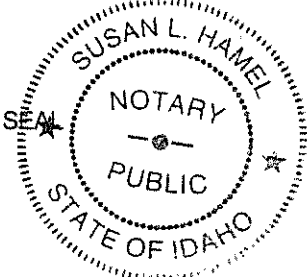
Signed of Authorized Agent [Signature]

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

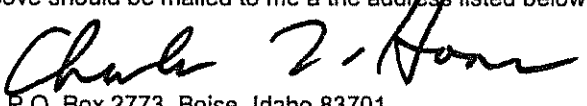
Last Name T-7, LLC Ident. Number 63-31053

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

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 63-31053
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: 01/01/1941

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

113' WELL, 4" CASING, 1 1/2 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To
IRRIGATION	3/15	11
DOMESTIC	1/01	12

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

AKA Joe Terleburg 4"
Residence well
per Ed Squire
11/1/04
y

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	22	SW	NW	DOMESTIC	
			SW	NW	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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

63-31057 *Claim*

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
Boise, Idaho 83703
City, State and ZIP Code
New Telephone Number () 208-338-5200
Date you acquired the property 2002



TOM E. TERTELING

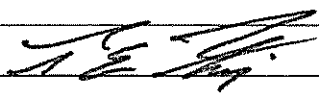
THE TERTELING COMPANY, INC.

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. _____
 Received by _____ Date _____
 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
more particularly described as follows, to wit;

Ada

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 to be the person whose name is subscribed to the within instrument as
Trustee of T-7, LLC and acknowledged to me that [Signature] executed the same as such

(trustee, sheriff, etc.)
NOTARY PUBLIC
STATE OF IDAHO

Notary Public: [Signature]

Residing at: Boise, Idaho

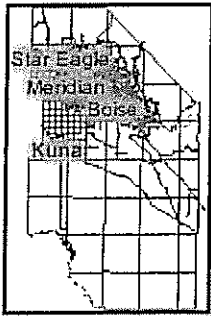
My Commission Expires: March 17, 2005

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 ESRI Inc.



PARCEL INFORMATION

Year: 2003 ☒ Taxes Owed

Property Type: [Real] Status: [Active]

Physical Inspection Date: 12/29/2000

Parcel #: 50622212500

Sub Property Type: [None] Primary Code Area: 205

Appraiser's Initials: [DRJ] [PCHW]

☐ Drop HOE ☐ Bankruptcy ☐ Circuit Breaker ☐ Urban Renewal ☐ Ownership Change

PHYSICAL LOCATION

Property Address: 5100 N CARTWRIGHT RD
BOISE ID 83702-0000

Group Type: [SECT] Group #: [D622]

Description: 4N 2E 22

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

OWNER INFORMATION

Name: T-7 LLC

Mailing Address: 3023 N 36TH ST
BOISE ID 83703-0000

PARCEL VALUES

Active	Assessment Roll	Property Occupancy	State Category Code	Acres	Assessed Value	Valuation Method	Total Parcel Values
Active	Primary	Non-Occupancy	10	99.000	102,500	INCOME	Assessed Amt 1,025,200
Active	Primary	Non-Occupancy	40	18.000	5,600	INCOME	HO Value 150,000
Active	Primary	Non-Occupancy	50	70.000	2,400	INCOME	Taxable Amt 975,200

CHARACTERISTICS

1 1 1 3 1 1



PARCEL INFORMATION

Year: 2003 ☒ Taxes Owning
Parcel #: 58622212500

Property Type: Real
Sub Property Type: None

Status: Active
Primary Code Area: 206

Physical Inspection Date: 12/29/2000
Appraiser's Initials: DRJ

☐ Drop HOE
☐ Bankruptcy
☐ Circuit Breaker
☐ Urban Renewal
☐ Ownership Change

PHYSICAL LOCATION

Property Address: 5100 N CARTWRIGHT RD
BOISE ID 83702-0006

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 83703-0006

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	48	18.000	5,600	INCOME
Active						

Total Parcel Values

Assessed Amt: 1,028,200
HO Value: -150,000
Taxable Amt: 978,200

Public Property Description - Display (P1221P)

Property Description: NW4 & NW4SW4
SEC 22 4N 2E
#120000-5 210000-C 221200-C

State Parcel #: 04N02E222500

Total Acres: 200.000

Ready

Public YDBSYTOP 2001

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
--	---

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

Details	12	63	31054 ✓ CLAIM		Beneficial Use	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		Beneficial Use	Active	1948-03-01	0.04	STEWART CREEK	AESTHETIC STORAGE, IRRIGATION, STOCKWATER STORAGE, WILDLIFE STORAGE	TERTELING TRUST NO 7 (Current)
General Provision											
Details	14	63	31056 ✓ CLAIM		Beneficial Use	Active	1930-06-01	0.04	GROUND WATER	DOMESTIC, IRRIGATION, STOCKWATER	TERTELING TRUST NO 7 (Current)
General Provision											
Details	15	63	31057 ✓ CLAIM		Beneficial Use	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	16	63	3603 ✓ CLAIM		License	Active	1967-04-26	1.03	GROUND WATER	IRRIGATION	TERTELING TRUST NO 7 (Current)
General Provision											
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 ✓ CLAIM		License	Active Transferred	1977-09-09	4	GROUND WATER	MUNICIPAL ?	UNITED WATER IDAHO INC (Current)
General Provision											

Number of records = 18

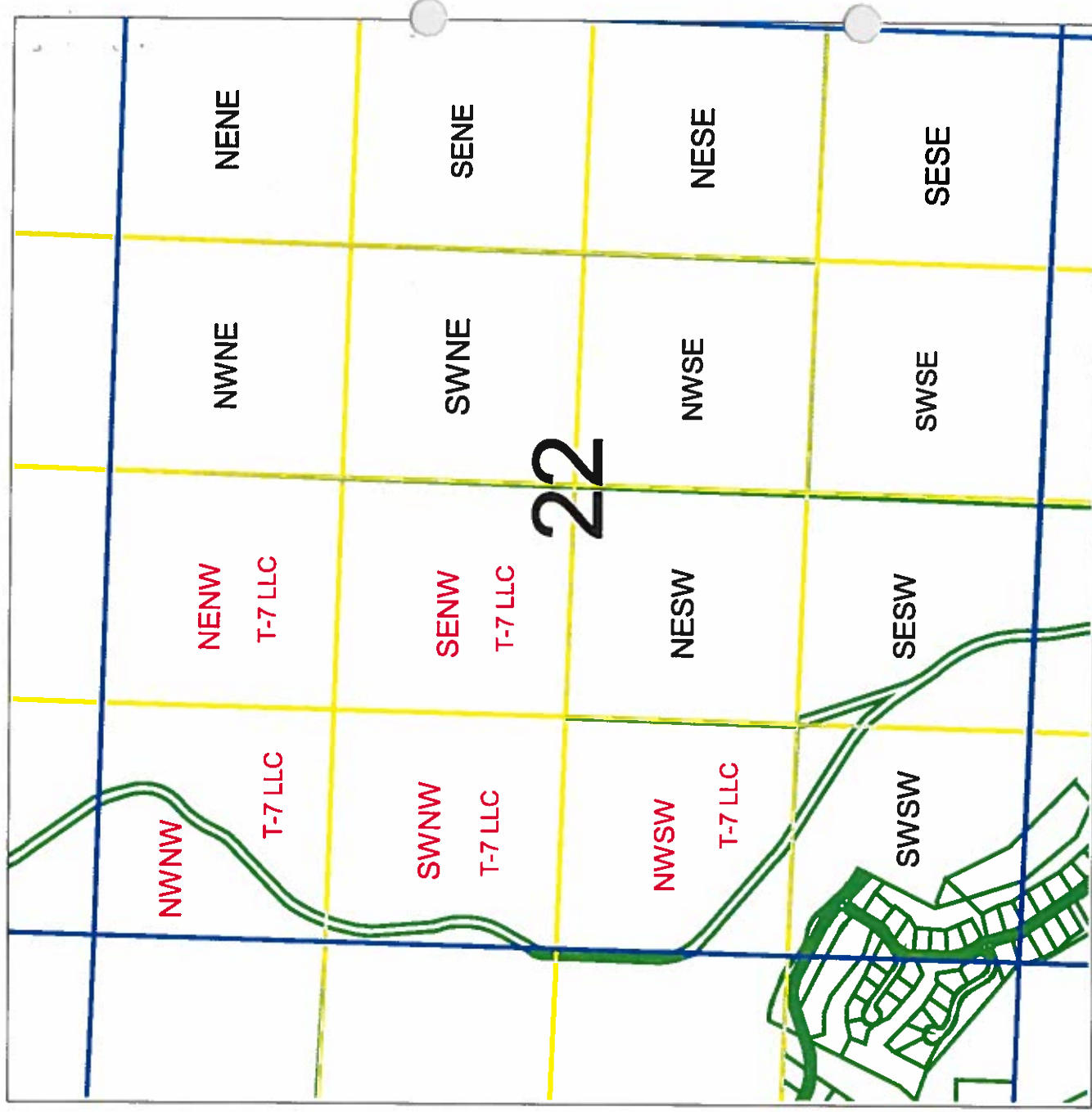
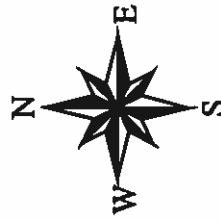
claim + acc.
Still shows "Miron" in d-base.

T-7 LLC

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

4N 2E

-  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: A63-31053
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: JAN 1, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
113' WELL, 4" CASING, 1 1/2 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME AND OUTBUILDINGS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	22	SW	NW		DOMEST	
			SW	NW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

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:

GEOTHERMAL WELL FOR HEATING AND OTHER USES, CLAIMED SEPARATELY.

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 463-31053
Receipt Number 1025312

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW
(J.L. Terteling residence domestic)

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) January 1, 1941
3. Source of water supply (a) ground water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 2E Section 22,
_____ 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Ada (5100 Cartwright Rd, Boise, ID)
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____
B.M., County 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.
113-foot-deep well, 1 1/2 HP pump, 4" diameter casing
6. Water is claimed for the following purposes:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>domestic</u> purposes from <u>1/1</u> to <u>12/31</u> amount <u>0.06</u> or _____			
For <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> amount <u>0.06</u> or <u>3</u>			
For _____ purposes from _____ to _____ amount _____ or _____			
For _____ purposes from _____ to _____ amount _____ or _____			
7. Total quantity claimed (a) 0.06 (cfs) and/or (b) 3 (acre feet)
8. Total consumptive use claimed is 3 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.)

Cold water domestic and related uses for one residence, chicken coop, barn, other outbuildings, caretaker house, pool, shop, milk house and 3 acres of gardens and lawn.

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	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	22							D										
									1										1

Total number of acres irrigated 1

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

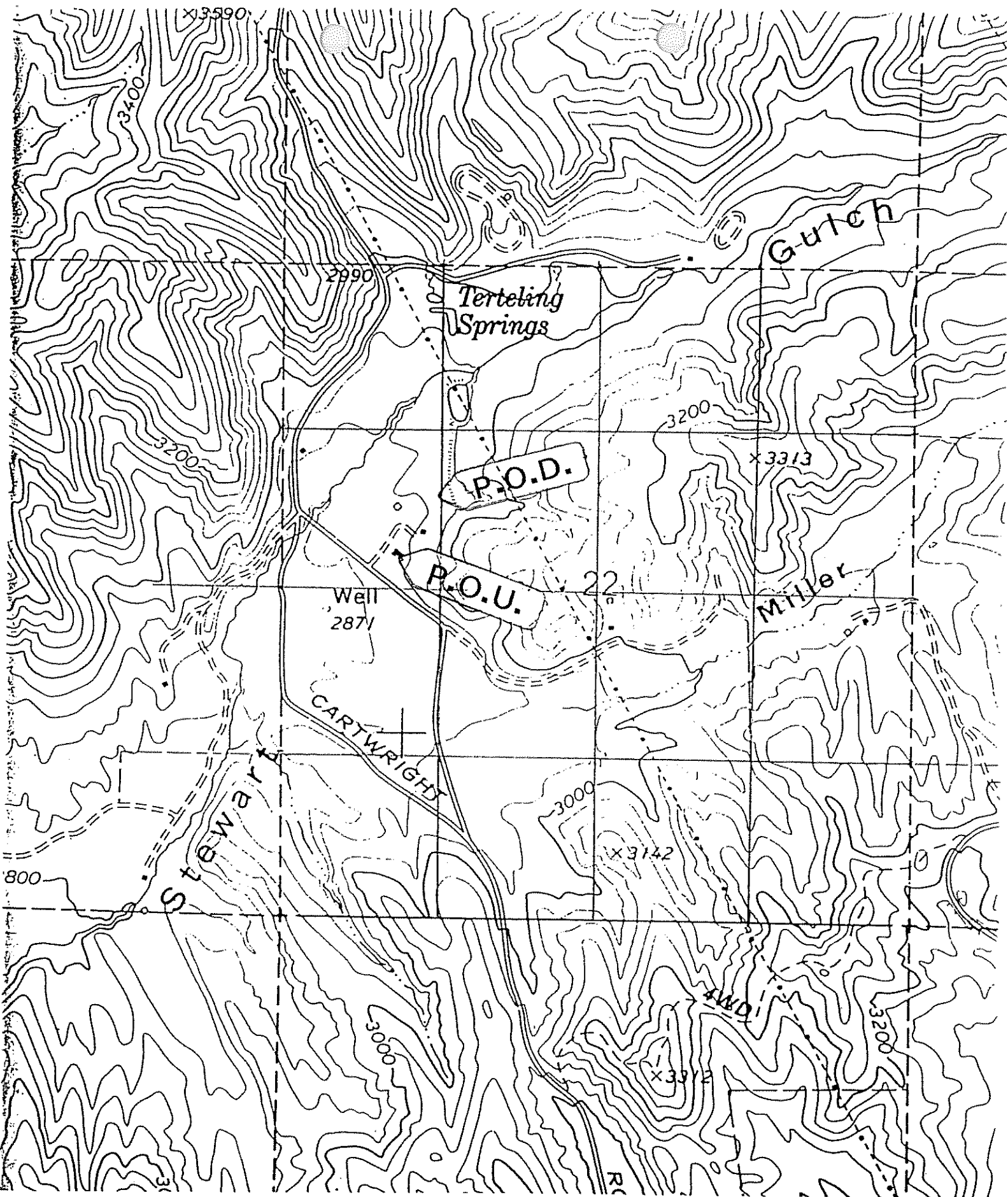
12. Do you own the property listed above as place of use? Yes X No

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.

Geothermal well in same area is used for heating, aesthetics, wildlife, fish and irrigation. A water right for this is being claimed separately. or None ()

14. Remarks:



Last Name Terteling Ident No. _____

4 N 2 E Sec. 21 SWNW

15. Basis of 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 _____

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
Title _____

of Terteling Trust No. 7, that I have signed the foregoing
Organization _____

document in the space below as Trustee of Terteling Trust No. 7
Title _____ Organization _____

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

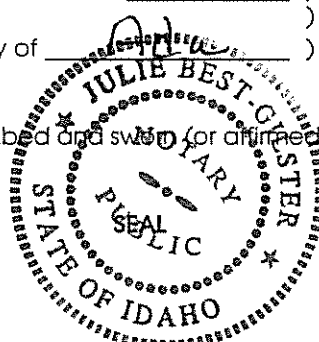
Signature of Authorized Agent J.L. Terteling
Title and Organization Trustee of Terteling Trust No. 7 Date 6-7-99

State of Idaho/or _____)

County of Ada) SS.

County of _____)

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



Notary Public Julie Best-Gilster

Residing at Idaho, 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 277 North 6th Street, Suite 200, Boise, ID 83701

Date June 4, 1999

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 63-31053

(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)
) ss:
County of Ada)

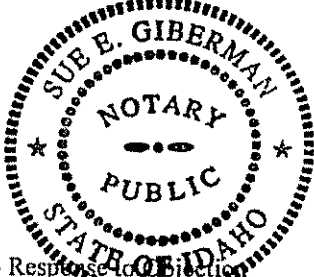
Dana L. Hofstetter duly sworn, upon oath, deposes and says:
(Name of person filing response)

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)

[Handwritten Signature]
(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:

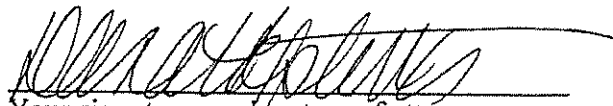
Name: Charles L. Honsinger
Address: Ringert Clark Chartered
P.O. Box 2773
Boise, Idaho 83701

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 63-31053

(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

COPY

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: General Provision should state that the source of this water right is separate from any other source in Basin 63.
3. ☒ **Quantity**
Should be: Volumetric limit of 4.50 AFY should be clarified that it only applies to irrigation use.
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. Water right no. 63-61054 should not be listed twice as a combined water right.
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):** There appears to be no valid reason for reducing the acreage or the quantity of the water right as claimed by the claimant. Furthermore, not all of the water rights listed as combined irrigate the same 171 acre place of use.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

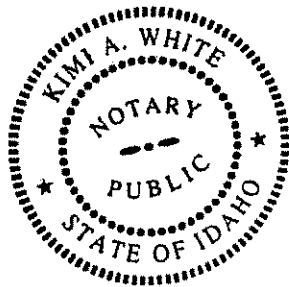
Charles L. Honsinger, duly sworn, upon oath, deposes and says:

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.

Charles L. Honsinger

Charles L. Honsinger

Subscribed and sworn to before me on: April 19, 2006



Kimi A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 2/5/10

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, 2006, 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.

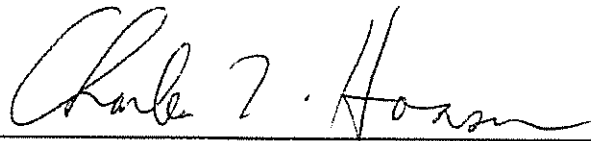
Address: 3823 North 36th Street
Boise, Idaho 83703

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

Music, Vicky

From: Music, Vicky
Sent: Monday, November 21, 2005 4:00 PM
To: Charlie Honsinger (E-mail); Tom Terteling (E-mail)
Subject: preliminary DRs for claim nos. 63-31050, 31052, 31053

Charlie and Tom -

The 3 preliminary DRs attached here are for the pool well and various uses are the main house at 5100 N Cartwright.

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



63-31053.jpg



63-31050 PRELIM
DR.doc



63-31052 PRELIM
DR.doc



63-31053 PRELIM
DR.doc

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

In Re SRBA

Case 39576

A. Subcase 63-31053

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC

Address: 4106 Sand Creek Street

Boise, Idaho 83703

Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

208-424-7800

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

Name: T-7 LLC

Address: 3823 N. 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: See Section E
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The duplicate 63-31054 should be corrected
10. **I object because:**
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. In the alternative, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right. Also, the local name for the cold water well should be described as Pool Well – Cold and the Explanatory Material suggesting that the well is from a geothermal source should be deleted or corrected.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

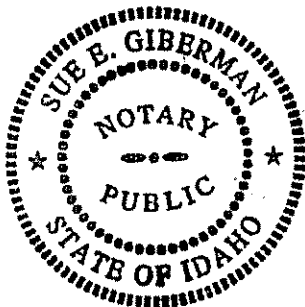
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 20, 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 objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 21, 2006, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

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

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

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

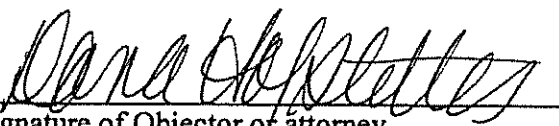
Charles L. Honsinger
Ringert Clark Chartered
P. O. Box 2773
Boise, Idaho 83701-2773

3. Copies to:

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

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

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



Signature of Objector of 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: 63-31053

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):

Quantity, Volume, Combined Use Limitations

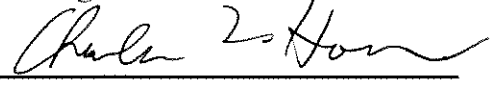
2. Describe the changes you wish to make in the proposed recommendation:

Quantity should be .06 cfs; Should be made clear that volumetric limitation of 4.5 AF applies only to irrigation use; 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:
.04 cfs was claimed and is diverted for domestic use; 4.5 AF limitation appears to apply to all uses; 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: 

Please print your name: Charles L. Honsinger

RECEIVED
DEC 02 2005
WATER RESOURCES
WESTERN REGION

Laura E. Burr
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
Ailyn L. Sweeney
Samuel Kaufman (1921-1986)

December 2, 2005

** Delivered by Hand**

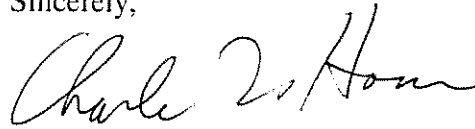
Vicki Music
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

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: 63-31053

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
4.500 AFY

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

PRIORITY DATE: 01/01/1938

POINT OF DIVERSION:

T04N R02E S22 SWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.020 CFS 4.50 AFY

Domestic use is for internal use in 1/ home.

*2 homes, milkhouse **

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S22 SWNW 1.0

DOMESTIC Within ADA County

T04N R02E S22 SWNW

1 ACRES TOTAL

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, 63-61054.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use 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

Property is also known as 5100 N Cartwright Rd., Boise, Idaho.

Right No. 63-31050 is also diverted through point of diversion described above. Right Nos. 63-3603, 63-7595 and 63-31052 are also diverted through the point of diversion described above but the source for these rights is a geothermal aquifer.

Water Right 63-31053

*known as the
waterworks well*

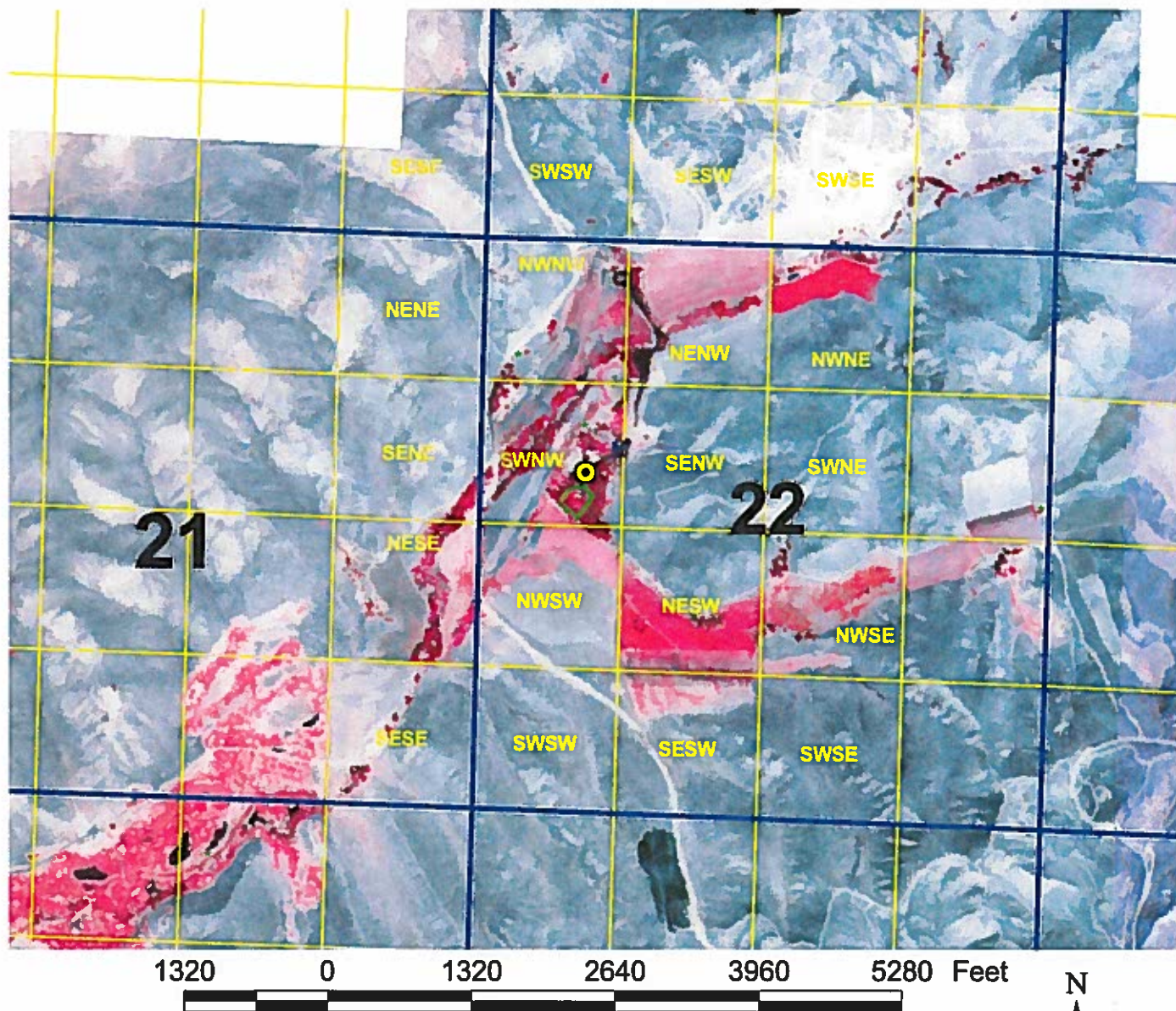
1



State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 22

Water Right (s): 63-31050, 63-31052, 63-31053



TOTAL IRRIGATED ACRES = 1

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31053 V1

WATER RIGHT NUMBER: 63-31053 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	TERTELING TRUST NO 7 3823 N 36TH ST BOISE, ID 83703 (208)338-5200
Current Owner	T-7 LLC 3823 N 36TH ST BOISE, ID 83703 (208) 338-5200
Attorney	CHARLES L HONSINGER RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701-2773 (208)342-4591

Priority Date: 01/01/1938

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.020 CFS	4.50 AF
	<u>Total Diversion:</u>	0.040 CFS	4.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 22, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

DOMESTIC Within ADA County

T04N R02E S22 SWNW

IRRIGATION Within ADA County

T04N R02E S22 SWNW 1.0

Total Acres: 1

Conditions of Approval:

1. J01 Property is also known as 5100 N Cartwright Rd., Boise, Idaho.
2. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31053 V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E56 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, 63-61054.
5. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. F05 Right No. 63-31050 is also diverted through point of diversion described above. Right Nos. 63-3603, 63-7595 and 63-31052 are also diverted through the point of diversion described above but the source for these rights is a geothermal aquifer.
7. X01 Domestic use is for internal use in 1 home.

Remarks:

Comments:

1. vmusic 11/21/2005 POD

Comment: POOL WELL. COLD WATER ZONE = 63-31050 ALSO DIVERTED FROM THIS WELL. HOT WATER ZONE - 63-3603, 7595, 31052.

2. vmusic 11/21/2005 POU

Comment: 5100 N CARTWRIGHT . MAIN HOUSE [JOE T] AND OUTBUILDINGS.

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/21/2005 3:17:48 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	11/21/2005 3:18:47 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31053 V1

General	11/21/2005 3:18:24 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - JOE TO AFFIDAVIT, AERIALS
Quantity	11/21/2005 3:25:14 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - NOT REQUIRED FOR DE MINIMUS DOMESTIC USE. IRR BELOW Q THRESHHOLD FOR WHICH MEAS IS REQUIRED. Description for Question 10 - $1 \text{ AC} \times 4.5 = 4.5$
Summary	11/21/2005 3:32:55 PM	vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	11/21/2005 3:20:27 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - NUMEROUS FIELD EXAMS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31053 V1

POU	11/21/2005 3:20:47 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	11/21/2005 3:21:23 PM	vmusic	Updated shape for Active POU
Use	11/21/2005 3:22:21 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - AERIALS, JOE T AFFIDAVIT
Season	11/21/2005 3:23:21 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	11/21/2005 3:19:57 PM	vmusic	Updated shape

Water Supply Bank:

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: 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	Delivery
	Charlie Honsinger (E-mail)	
	'tom@tertco.com'	
	Shurte, Jan	Delivered: 10/14/2005 1:55 PM



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". The signature is stylized with a large "C" and "H".

Charles L. Honsinger

enclosures

cc: Tom Terteling

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

COPY

)
)
) 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

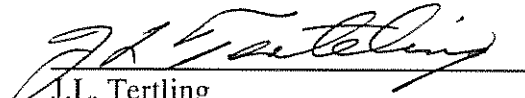
This water right is diverted from the Old Barn well for domestic, irrigation and stockwater uses. It has been diverted for those purposes since I have lived on the ranch. The 1949 aerial photo attached hereto as Exhibit "D" establishes the existence of the home as of at least that time.

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.

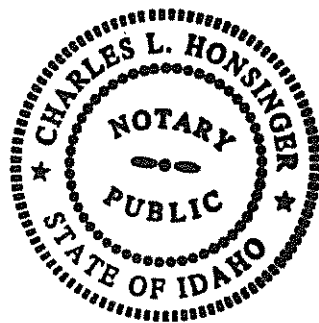
Further your affiant sayeth naught.


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.



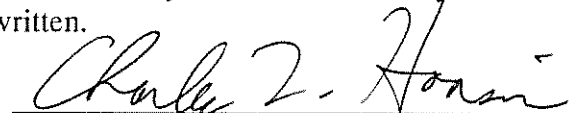

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 7/30/2010

Exhibit A

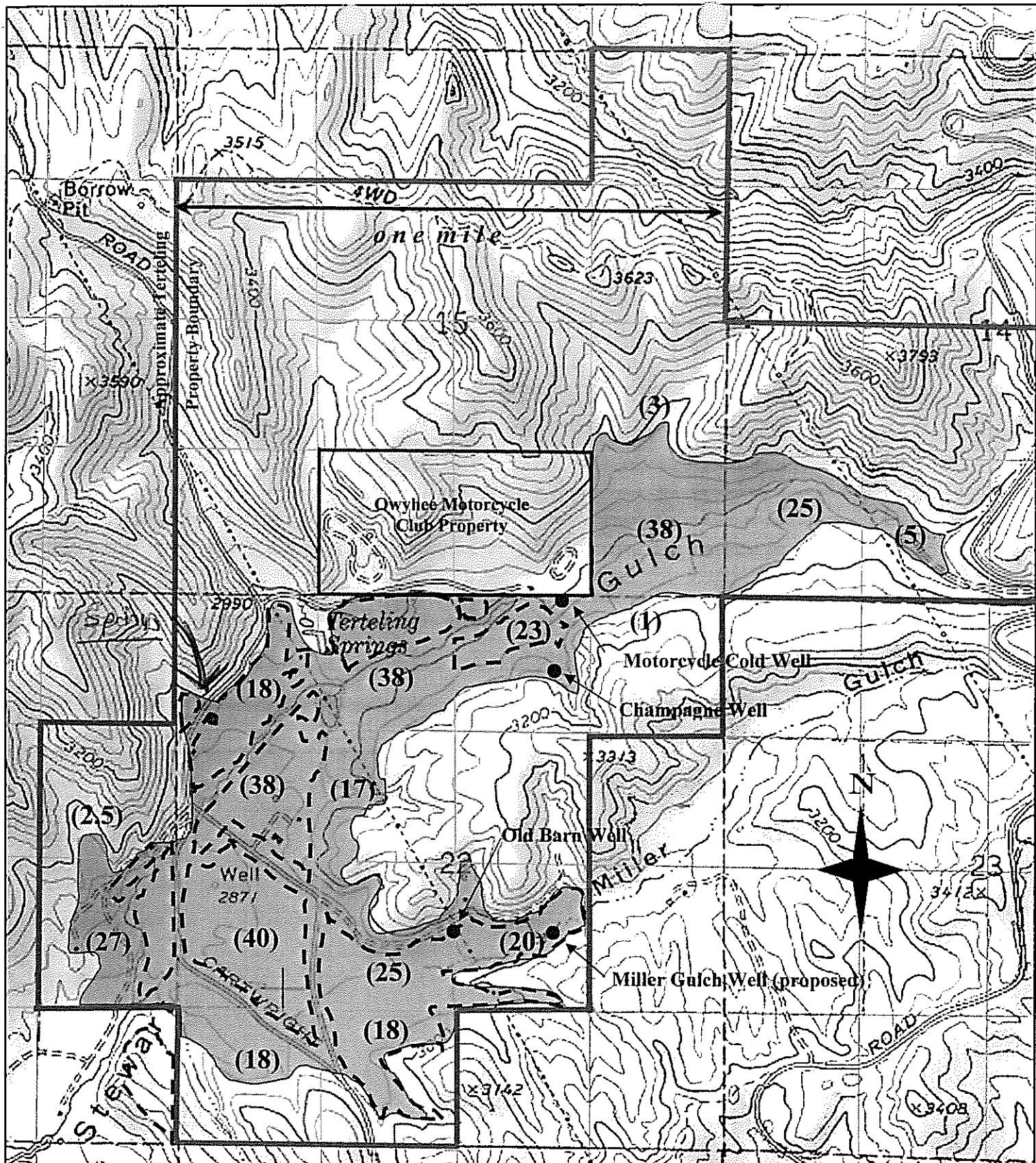


Figure 1. Map of The Terteling Company, Inc.'s proposed "Permissible Place of Use" acreage in Township 4 North, Range 2 East associated with Water Right Nos. 63-07595 and 63-03603. The irrigable acreage is marked in transparent orange. The outlined areas (dashed) is the current place of use for which the water rights are licensed. The black numbers in parentheses shown for each tract (1/4 - 1/4 section) represent the total number of irrigable acres within that 1/4 section. The points of diversion (wells) for the water rights proposed as points of diversion for the permissible place of use are denoted by solid black circles.

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, <u>little</u> water	210 "
7 ft.	soap stone	287 "
3 ft.	sand	295 "
18 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, granite	500 "
1 ft.	hard soap stone	
	with small layers	521 ft.
	same stone	

① Remarks: This well consists of casing of 6", 8" and 10". Hot water flows through the 6" casing from well and to the depth of 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. Hult Agent

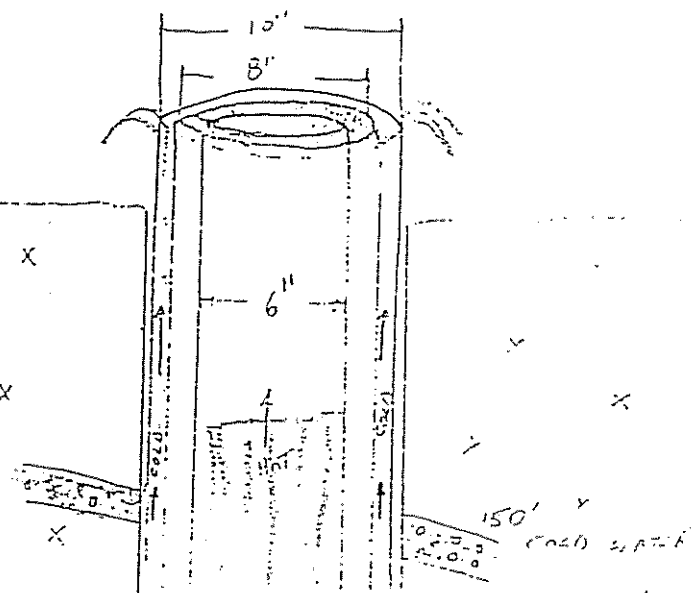


Exhibit C



Exhibit D





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)

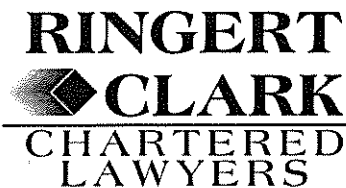
Enclosure: Excel table

<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	TERTELLING 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, 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 TERTELING 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, 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 TERTELLING 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.



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. Sencson
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 **Seq#** **Suf** **Basis** **Status** **Right ID** **Owner(s)** **Source Table**

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

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 ¼¼, 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.



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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

Desktop review 1/1/11

**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) 63-31053

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: GW Tributary to _____

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

POINT OF DIVERSION

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

pool well - cold water aquifer

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:

See claim and hinges 63-3603, 7545

OVERLAP REVIEW

Other water rights with the same point of diversion:

not: 63-3603, 7545, 31052 old: 31050

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

yes

WATER USES

☒ No change

☐ Different Uses

Use DOW From 1/1 To 12/31 Amount .02 CFS 4.5 AFA inflow

Use WV From 3/1 To 11/15 Amount .02 CFS 4.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

.04 CFS

TOTAL VOLUME – Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS 4.5 AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

main intake 5100 N Cartwright Rd - JPT

☒ No Change

☐ Changes shown below:

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: yes

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

limited to 171 acres with approx 11 other rts.

Delivery System Narrative: see claims & filings.

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

for Dam use if for home, internal use only
 for other rts diverted from POD: 63-31050, wft: 2603
 aka 5100 N Cartwright Rd, Boise, ID 7545, 3106
 ESO limited to 171 acres w/ ...
 no Q for dam not a det of hrs bly
 no Q " " wft to 13k bbl.

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

DATE EXAM CONDUCTED: 11-21-05

FIELD EXAMINER: Wick VMLC

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-31053 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							/										/
GIS										/										/
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 1

Overlapping POU Claim #'s:

Total GIS Acres: 1

COMMENTS:

per claim map

Idaho Department of Water Resources

Claim Number: 63-31053
Legal: T04N, R02E, S22
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

