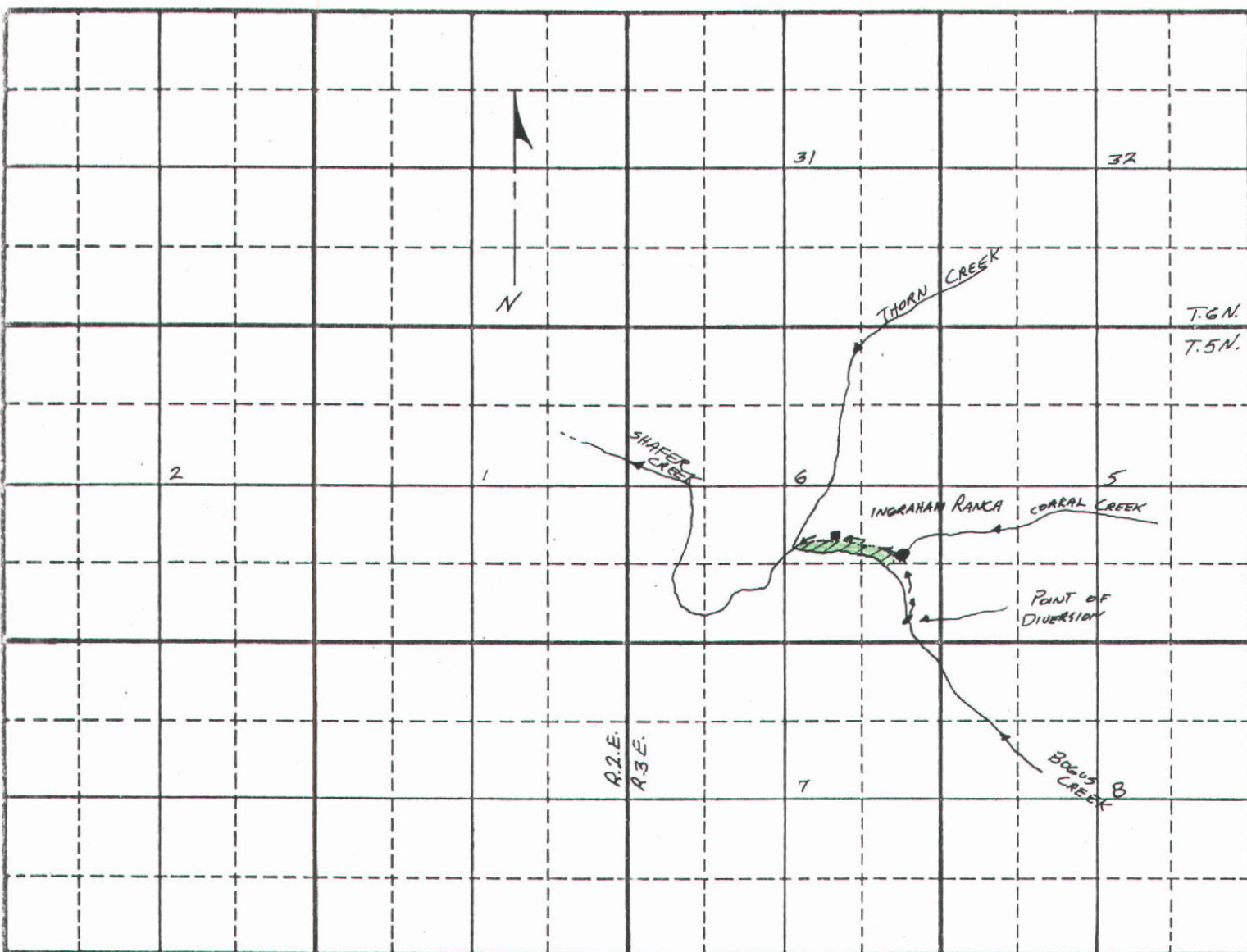


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at BOISE, IDAHO, this 8TH day of SEPTEMBER, 19 78.

J. L. Terteling
(signature)
J. L. Terteling, Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, _____ of the Department of Water Resources
hereby APPROVE this Application for Amendment submitted on Permit No. 65-7452.

Witness my hand this 10th day of January, 19 79.

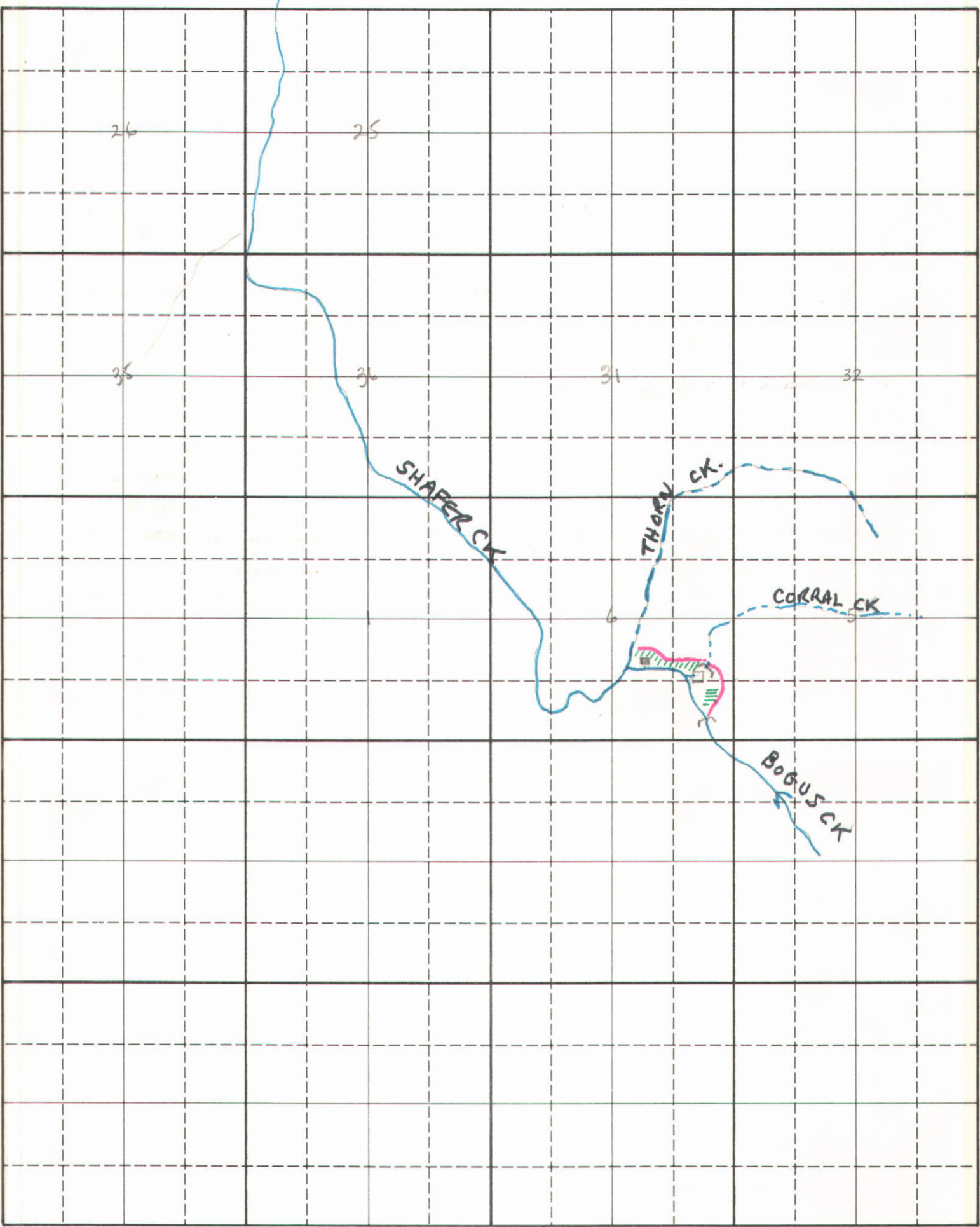
A. Glen Saxton
Chief, Operations Bureau

GEOLOGIST 7/10
9-7-78

MICROFILMED

D135

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

See also larger scale drawing w/ APPLICATION NO.

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.

J. A. TERTELING & SONS, INC.

(Applicant)

R. C. Harper
agent.

RECEIVED
MAR 2

Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for Two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Jan. 17, 1974
and ending with the issue of

Jan. 24, 1974
T. R. Adams

Subscribed and sworn to before
me this 24th day of Mar

1974
Robert J. Taffield
Clerk District Court

Deputy

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
J. A. TERTELING & SONS,
INC., P.O. Box 1428, Boise, Ida-
ho has on January 3, 1974 sub-
mitted Application No. 65-7452

for a permit to appropriate 0.19
cubic feet per second of water
from Bogus Creek, tributary to
Shafer Creek by means of
dam, headgate and ditches with-
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N.,
R. 3E., B.M. Boise County to
be used from April 15 to Octob-
er 30 for stockwater and April
15 to July 31 for irrigation of
3.5 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 6, T. 5N., R. 3E., B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse, Bo-
ise, Idaho, 83707, on or before
February 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Idaho World-
Idaho City, Idaho on January
17, 1974 and January 24, 1974

3-21-74

65 7452

RECEIVED

MAR 27 1974
Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, } S.S.
COUNTY OF BOISE }

T. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for Three con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Feb. 21, 1974
and ending with the issue of

Feb. 28
T. R. Adams, 1974

Subscribed and sworn to before
me this 20th day of Mar

1974
Robert J. Tuffield
Clerk District Court

Deputy

NOTICE OF CORRECTION

Notice is hereby given that
Notice of Application No. 65-
7452 in the name of J. A. TER-
TELING & SONS, Inc. was pub-
lished in error on January 17,
1974 and January 24, 1974.

The point of diversion was
advertised as being within the
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E.,
B.M. Boise County. WHEREAS
the actual point of diversion is
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6,
T. 5N., R. 3E., B.M.

Any protest against approval
of this application must be filed
with the Idaho Department of
Water Administration, State-
house, Annex 2, Boise, Idaho,
83720, on or before March 11,
1974.

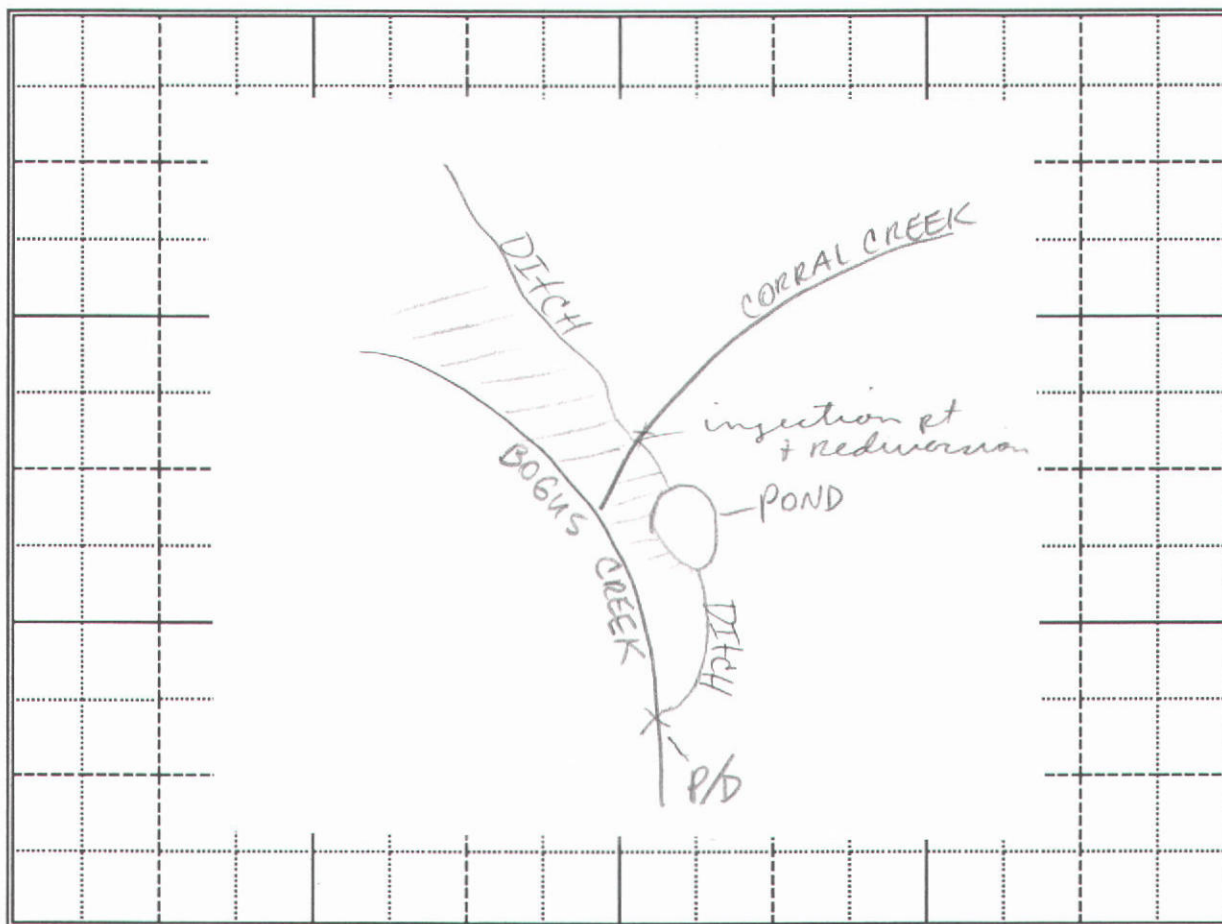
R. KEITH HIGGINSON
Director

Published in the Idaho World
Idaho City, Idaho on Feb. 21,
1974 and on February 28, 1974.

OK'd
3-21-74

65 7452

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

MICROFILMED
AUG 10 1999

MICROFILMED
AUG 10 1999

Inject +
rediv. pt.

POND

P/D

BOGUS CR.

65-07452

N M

July 19, 1998

STATEMENT BY BENJAMIN F. DOBSON

On January 3, 1974, J. A. Terteling and Sons, Inc., submitted applications Nos. 65-7450 and 65-7452 for water from Bogus Creek and its tributaries which, in turn, are tributaries of Shafer Creek.

At that time I protested these for the following reasons:

I have resided on our cattle ranch located on Shafer Creek, Boise County, south of Horseshoe Bend, Idaho, since my father purchased this land in 1926. This gives me personal knowledge of weather and water patterns in this area.

Water has always been of great concern and importance because of our need for ~~livestock~~ livestock operation and for irrigation.

We have permits for 100 inches of water from Shafer Creek dating from 1882 and these are seldom filled after July due to diminished flows in late summer.

Shafer Creek has gone completely dry on our land several times since 1926. In 1994 there was no water for a period of over 6 weeks above our home which is located at the northern end of our land. In following Shafer Creek upstream it disclosed that the on the only source of running water was from Bogus Creek.

J. A. Terteling and I signed an agreement March 18, 1974, acknowledging our prior water rights and a copy of the original is attached. This is on file with the Department of Water Resources.

Permits Nos 65-7452 and 65-7450 were never used consistently nor put to much beneficial use. Unnamed stream Terteling calls "Thorn Creek" which is a direct tributary of Bogus Creek; and unnamed stream which Terteling calls "Corral Creek" is diverted into a ditch; hence a tributary of Shafer Creek. A ditch from Bogus Creek runs water into a holding pond which was built in 1997 for irrigating with sprinklers. This is the situation at present.

Again, in dry years Bogus Creek is the only supplier of water for Shafer Creek and our only source of stock water and irrigation.

Ben Dobson

MICROFILMED
AUG 10 1999

65-07452

65-07452
 (water can also
 be diverted
 into outlet on
 left bank to
 creek)
 12" culvert
 to P/U
 AUG 10 1999
 MICROFILMED



Rock Diversion



Bogus Creek

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
J. A. TERTELING & SONS,

INC., P.O. Box 1428, Boise, Idaho
has on January 3, 1974 submitted
Application No. 65-7452
for a permit to appropriate 0.19
cubic feet per second of water
from Bogus Creek, tributary to
Shafer Creek by means of
dams, headgate and ditch within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N.,
R. 3E., B.M. Boise County to
be used from April 15 to October
30 for stockwater and April
15 to July 31 for irrigation of
3.5 acres within the N $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 6, T. 5N., R. 3E., B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse, Bo-
ise, Idaho, 83707, on or before
February 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Idaho World
Idaho City, Idaho on January
24, 1974 and January 31, 1974

5 7452

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-07452

Priority: August 12, 1974

Maximum Diversion Rate:
Maximum Diversion Volume:

0.12 CFS
8.9 AF

This is to certify, that J A TERTELING & SONS INC
877 W MAIN ST STE 706
BOISE ID 83702

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 3, 1974; and
has submitted Proof of Beneficial Use on May 17, 1978. An examination indicates
that the works have a diversion capacity of 0.120 cfs of water from:

BOGUS CREEK

tributary to SHAFER CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	8.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
	Totals	0.12 CFS	8.9 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection
Rediversion

SESE , Sec. 6, Township 05N, Range 03E
NESE , Sec. 6, Township 05N, Range 03E
NESE , Sec. 6, Township 05N, Range 03E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	03E	6	NESE 1	NWSE 1.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right 65-07450 is also diverted through the point of rediversion described above.

MICROFILMED

APR 1 1980

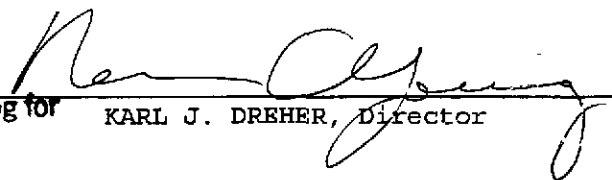
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-07452

CONDITIONS OF APPROVAL AND REMARKS

5. The 2 acre portion of the place of use west of Corral Creek is also irrigated under right no. 65-07450.
6. Water diverted from Bogus Creek is injected into an unnamed stream then rediverted from the unnamed stream to the place of use. The amount of water rediverted from the unnamed stream under this right shall not exceed the amount of water injected in to the unnamed stream. The unnamed stream is locally known as Corral Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of JUNE, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
JUN 10 1999

10/93

RECEIVED
JUN 1 1999
Department of Water ResourcesRECEIVED
JUN 09 1999
WATER RESOURCES
WESTERN REGIONIdent. Number 65-07452
Received by 11W
Date 6/9/99RECEIVED
JUN 08 1999State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT OF A PERMIT Department of Water ResourcesApplicant The Terteling Company, Inc. Phone (208) 338-5200Address 3823 N. 36Th Street, Boise, Idaho 83703I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No 65-07452, and request that the permit and permit map be amended and/or changed as follows.Purpose of Amendment: Change point of diversion Add point of diversion
Change place of use Change nature of use Change period of use X Other to
correct error in name of applicant: should be as noted, and not J.A. Terteling & Sons.)1 Point of diversion SE 1/4 of SE 1/4 of 1/4 Sec 6 Township 5N Range 3E
B.M., County of Boise; injection. NE 1/4 of SE 1/4 of 1/4 Sec 6 Township
5N Range 3E B.M., County of Boise rediversion NE 1/4 of SE 1/4 of
1/4 Sec 6 Township 5N Range 3E B.M., County of Boise

(Bogus Creek) Other points of diversion _____

2. Period and nature of use (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.10 cfs for irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum) (water use) (being month) (end month)Amount 0.02 cfs for stockwater purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) (water use) (being month) (end month)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (water use) (being month) (end month)

3 Place of use or land to be irrigated:

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	
5N	3E	6													1	1.5			2.5
6N	3E	31																	

Total number of acres to be irrigated 2.5

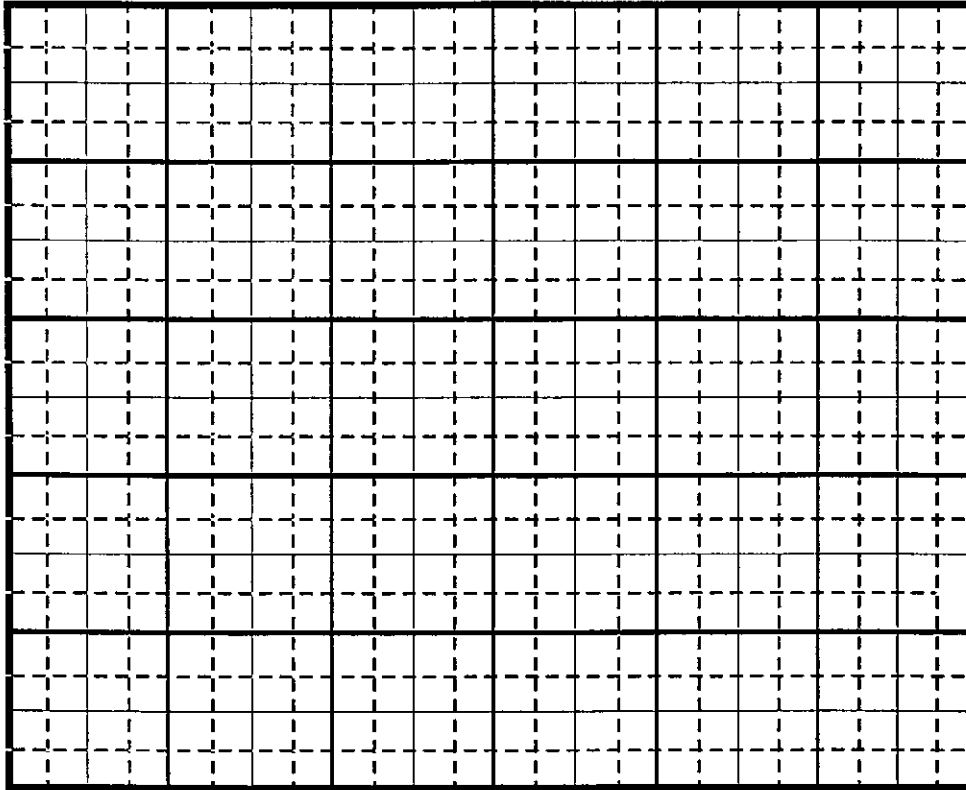
- 4 a Who owns the property at the point of diversion? The Terteling Company, Inc.
 b Who owns the land to be irrigated at the place of use? The Terteling Company, Inc.
 c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

MICROFILMED

JUN 10 1999

Last Name Terteling Ident No 65-07452* Removed per telecon w/ Don Terteling 6/18/99
SCurtis

Complete the following map by showing land and point of diversion as proposed by this amendment
Show 1/4 1/4, Section, township, range and ditches (The smallest subdivision represents 40 acres)



MAID ON FILE

Scale. 2 inches equals 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk

Signed this 4TH day of JUNE 1997

[Signature]
(Permit Holder) PRESIDENT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

\$50⁰⁰ C045685

Preliminary check by SC Publication prepared by NA Date 6/9/99

Published in NA Publication dates NA

I, KARL J. DREHER, of the Department of Water Resources hereby APPROVE
the above application for amendment of permit 65-07452.

Witness my hand this 30TH day of JUNE 1999

[Signature]
Acting for (Signature) KARL J. DREHER, Director

Last Name Terteling Ident No 65-07452

MICROFILMED
AUG 10 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-07452)
IN THE NAME OF J.A. TERTELING & SONS)
INC.)
_____)

**ORDER ADVANCING
DATE OF PRIORITY**

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 65-07452 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On April 1, 1974, the Department approved Application for Permit No. 65-07452 to appropriate water with a date of priority of January 3, 1974.
2. On July 14, 1986, the department sent the original permit holder an Examination Fee Notice and informed him that he had sixty (60) days to submit the required examination fee.
3. On April 20, 1987, the permit holder submitted the examination fee. The fee was submitted 222 days late, however, the department did not issue an order advancing the date of priority.

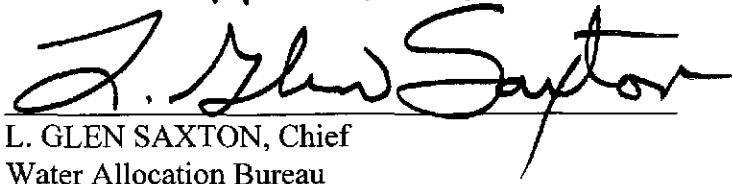
CONCLUSIONS OF LAW

1. The Department should issue an order showing that the priority has been advanced 222 days.

ORDER

IT IS THEREFORE HEREBY ORDERED that the date of priority of Permit No. 65-07452 is advanced to August 12, 1974.

Dated this 24th day of May, 1999.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
3/16 11 1999

5

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at BOISE, IDAHO, this 8TH day of SEPTEMBER, 19 78.

J. L. Terteling
(signature)
J. L. Terteling, Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, _____ of the Department of Water ~~ADMINISTRATION~~ ^{Resources},
hereby APPROVE this Application for Amendment submitted on Permit No. 65-7452.

GEOLOGIST [Signature]
4-7-78

Witness my hand this 10th day of January, 19 79.

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of BOISE)

Permit No. 65-7452

J. A. Terteling & Sons, Inc. of Box 1428, Boise, ID 83701
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 65-7452.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before April 1, 19 76.

That he has heretofore performed the following work described under said permit:
Built small rock dam, installed ditch, and culvert and water has been run.

Costing \$ 250.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: High water in spring of 1975

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to April 1, 1981.

[Signature]
(signature) * Authorized Agent

Subscribed and sworn before me this 25 day of March, 19 76.

seal

Lela L. Lower
Notary Public residing at

Boise, Idaho

My commission expires 5-20-79

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use under Permit No. 65-7452
be extended to April 1, 1981.

Witness my hand this 29 day of March, 19 76.

[Signature]
R. KEITH HIGGINSON, Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. _____

Application No. 65-7452

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant J. A. Terteling & Sons, Inc.
post office address Box 1428, Boise, Idaho 83701
- 2 Source of water supply Bogus Creek which is a tributary of Shafer Creek
- 3 a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6 Township 2/11/74
6N 5 N
Range 3E B.M. Boise County; additional points of diversion if any. _____
- b If water is not consumed, it will be discharged into Bogus Creek via at a point in NW $\frac{1}{4}$
Thorn Creek
of SE $\frac{1}{4}$ of Section 6 Township 5N Range 3E B M _____
- 4 Water will be used for the following purposes:
Amount .05 for stock water purpose from 15 April to 30 Oct. (both dates inclusive)
(cfs or acre-feet per annum)
Amount .14 for irrigation purpose from 15 April to 31 July (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated
a. .19 cubic feet per second and/or
b. _____ acre feet per annum.
- 6 Proposed diverting works.
a. Description of ditches, flumes, pumps, headgates, etc Simple rock dam in Bogus Creek
will raise water which will be retarded by 14" cement headgate in
already existing ditch when not in use. Rocks will be removed to
allow free flow during high water. Ditch needs rebuilding.
Corral Creek Diversion will be headgate with dropboards.
b Height of storage dam 1.0 feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo. Day) (Mo. Day)
c Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years
b Estimated construction cost is \$ 400.00
- 8 Description of proposed uses:
a If water is **not** for irrigation N $\frac{1}{2}$
(1) Give the place of use of water SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6 Township 2/11/74
6N 5N
Range 3E B M
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered 2 to 6 head of horses,
Up to 100 head of cattle.
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	3E	6													.5	3.0			3.5

Total number of acres to be irrigated 3.5

c. Describe any other water rights used for the same purposes as described above _____

9 a. Who owns the property at the point of diversion J. A. Terteling & Sons

b. Who owns the land to be irrigated or place of use J. A. Terteling & Sons

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks This diversion represents reinstatement of a former diversion from Bogus Creek by the Ingrahams who homesteaded the ranch, and subsequent use by other owners. Because Corral Creek goes dry during the latter part of the summer, stock water was diverted from Bogus Creek, a short distance to Corral Creek. the water then passing through the Corral system prior to re-entry into Bogus Creek.

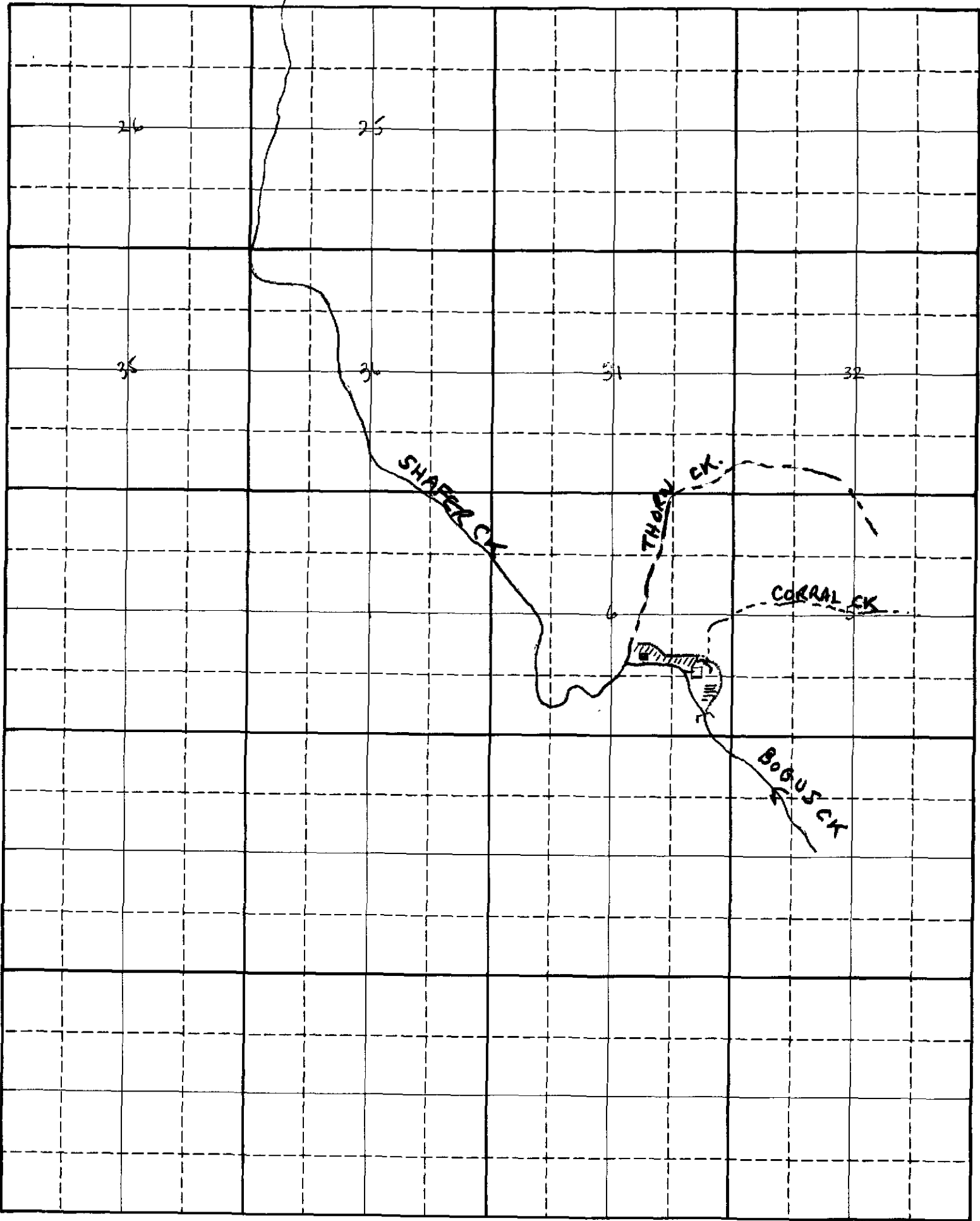
Corral Creek was, in turn, dammed high enough to divert the water passed into its channel from Bogus Creek, for irrigation of a small pasture, orchard, and around the Ingraham Cabin which lies NW of the diversion point.

Diversion of stock water would represent minimal use, and would represent negligible effect on downstream users.

Diversion of Bogus Creek water to Corral Creek, and diverted to use for a small amount of irrigation would be confined to the time before August 1, at which time all water except stock water actually consumed by livestock would pass by free to the downstream user.

Amount of water in excess of 3.5 miners inches requested is to allow transportation of water from point of diversion by ditch through granitic soils.

11. Map of proposed project. show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

See also larger scale drawing w/ APPLICATION NO.

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.

J. A. TERTELING & SONS, INC.

(Applicant) *R. C. Harper*
agent.

65 1974

Proposed Priority 1-3-1974

Received by df Date 1-3-74 Time 3:30 PM
Preliminary check by CS Fee \$ 10.00
Received by y Date 1-3-74 Post # 13514
Publication prepared by df Date 2-24-74
Published in Idaho World
Publication dates 2-21 + 2-28-74
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: Benjamin Freeman Dobson, Box 125,
Horseshoe Bend, ID

Copies of protests forwarded by df
Hearing held by _____ Date _____
Recommended for (approval) denial by BOF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

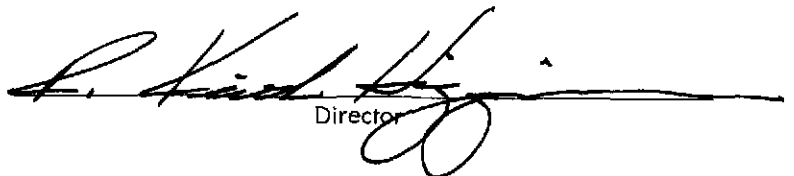
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7452, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 76.
- c. Other _____

2. Denial of said application is for the following reasons _____

Witness my hand this 1 day of April 19 74.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>4EB</u>	<u>1/4/73</u>	Application No. <u>65-7452</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use <u>X</u> ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated <u>X</u> ☒ Map ☒ Signature <u>S</u> ☒ Fee — <u>How Much?</u> <u>10</u> receipt for \$45 ⁰⁰ <u>\$10 + 10 + 25</u>
(3)	<u>4EB</u>	<u>4/4/73</u>	In form to receipt
	<u>4EB</u>	<u>1/4/73</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>4EB</u>	<u>1/4/73</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>4EB</u>	<u>1/4/73</u>	In form for advertising
(6)		<u>NA</u>	Located within Water District No. _____
(7)		<u>NA</u>	Critical groundwater area: yes _____ no _____
(8)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)		<u>NA</u>	Comments: _____
(10)	<u>R.W.H.</u>	<u>3-25-74</u>	Affidavit of Publication received (date) _____
(11)	<u>R.W.H.</u>	<u>3-25-74</u>	Final date for protests <u>3-11-74</u> Protests received: yes ☒ no ☒
(12)	<u>3-25-74</u>	<u>R.W.H.</u>	Date and Place of hearing <u>3-22-74 Conf. Room</u> Decision reached at hearing <u>Protest withdrawn subject to agreement</u>
(13)		<u>NA</u>	All requested information received from agencies or applicant yes _____ no _____
(14)	<u>R.W.H.</u>	<u>3-25-74</u>	Action recommended: ☒ Approve Priority <u>1-3-1974</u> ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Western</u>	By <u>Robert Hamilton</u>	Date <u>RECEIVED</u>

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Jan. 17, 1974
and ending with the issue of

Jan. 24, 1974
T. R. Adams

Subscribed and sworn to before
me this 24th day of Mar

1974
Robert J. Taffield
Clerk District Court

Deputy

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
J. A. TERTELING & SONS,
INC., P.O. Box 1428, Boise, Idaho,
has on January 3, 1974 sub-
mitted Application No. 65-7455

for a permit to appropriate 0.19
cubic feet per second of water
from Bogus Creek, tributary to
Shafer Creek, in streams of
dam, headgate and ditches with-
in the SE 1/4, Sec. 6, T. 3N.,
R. 3E., B.M. Boise County to
be used from April 15 to Octo-
ber 30 for stockwater and April
15 to July 31 for irrigation of
3.5 acres within the N 1/4, Sec.
6, T. 3N., R. 3E., B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse, Bo-
ise, Idaho, 83707, on or before
February 11, 1974.

R. KEITH HIGGINS
Director

Published in the Idaho World
Idaho City, Idaho on January
17, 1974 and January 24, 1974

111 af
3-21-74

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for three con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Feb. 21, 1974
and ending with the issue of
Feb. 24
T. R. Adams, 1974

Subscribed and sworn to before
me this 20th day of Mar

1974
Robert J. Tappin
Clerk District Court

Deputy

NOTICE OF CORRECTION

Notice is hereby given that
Notice of Application No. 66-
7432 in the name of J. A. TER-
RELING & SONS, Inc. was pub-
lished in error on January 17,
1974 and January 24, 1974.

The point of diversion was
advertised as being within the
SE 1/4 Sec. 6, T. 5N., R. 3E.,
B.M. Boise County. WHEREAS
the actual point of diversion is
within the SE 1/4 Sec. 6,
T. 5N., R. 3E., B.M.

Any protest against approval
of this application must be filed
with the Idaho Department of
Water Administration, State
house, Annex 3, Boise, Idaho,
83726, on or before March 11,
1974.

R. KEITH HIGGINS
Director

Published in the Idaho World
Idaho City, Idaho on Feb. 21,
1974 and on February 22, 1974.

off file
3-21-74

27 1974
Department of Water Administration

65 1200



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

J A TERTELING & SONS INC
877 W MAIN ST STE 706
BOISE ID 83702

RE: WATER RIGHT NO. 65-07452

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

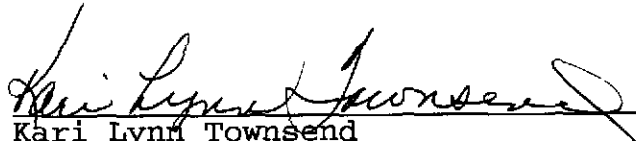
JUL 10 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-07452

J A TERTELING & SONS INC
877 W MAIN ST STE 706
BOISE ID 83702


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 10 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

MAR 10 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
AUG 10 1997

MEMORANDUM

To: Files 65-07450 thru 65-07452

FROM: Sharla Curtis

DATE: June 18, 1999

RE: Telecon

On this date I spoke with Tom Terteling concerning the three amendment applications received for the above referenced permits. Rather than returning the licensing amendment applications we had forwarded to them, they prepared new amendment applications to make some minor changes (specifically, changing the name under all three rights and changing the rate of diversion under 65-07450).

When I spoke with Mr. Terteling I explained that either an assignment would have to be filed for each permit in order to issue the licenses in the name of The Terteling Co., Inc. or a Notice of Change of Water Right Ownership form could be filed after the licenses were issued. He decided to file the notice of change and a form has been sent to him.

I also explained why the rate of diversion for 65-07450 was reduced to 0.15 cfs and he accepted the change.

The new amendments also contained some typographical errors and I went over these with Mr. Terteling as well. He gave me permission to make the necessary corrections and these have been identified on the amendments with an asterisk and an explanation.

MICROFILMED

JUN 18 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

J A TERTELING & SONS INC
877 W MAIN STE 706
BOISE ID 83702

RE: WATER RIGHT NO. 65-07451

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 18 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

J A TERTELING & SONS INC
877 W MAIN ST STE 706
BOISE ID 83702

RE: WATER RIGHTS 65-07451/65-07452

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permits referenced above prior to issuing water right licenses. By issuing licenses, the Department confirms that water rights have been established in compliance with the terms of the permits. The examiner who verified your water use reported that the point(s) of diversion developed are in locations other than what was described on your permits. Therefore, before licenses can be issued, your permits must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment forms depict the point(s) of diversion and other information as it will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented please sign the forms and return them with the \$50.00 each) filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

Included in this mailing is an Order Advancing Date of Priority for each of the permits referenced above.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

APR 10 1999

B/U FIELD EXAM REVIEW

by Cindy RonPermit #: 65-07452 Name: Terteling Date: 4/29/99 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?	<u>877 W Main Ste 706, Boise 83702</u>
SOURCE		✓	Clarify source	
			Prelim. Order to Void - Source change	
P/D	✓		Amendment Needed?	<u>Addn'l 1/4? ✓ Legal NESE (I&RD) P39</u> <u>Same 1/4? -W32- P45</u>
			Overlap(s)	<u>none</u>
P/U		✓	Amendment Needed?	<u>reduce to NESE (1.0) NWSE (1.5) 2.5 total acres P41</u> <u>Overlap(s) 2 acres also served by 65-07450</u> <u>(Gov't use special ITs) *P/D & P/U Amend? P37</u>
RATE			Permit/proof fee limits	<u>0.19 / 0.19</u>
			Measured Quantity =	<u>not measured cfs</u>
			Theoretical Quantity =	<u>cfs</u>
				<u>3' x 1' ditch @ 0.04 0.10</u>
				<u>in = 2.5 ac x 0.03 cfs/ac = 0.075 cfs</u>
				<u>stock = 0.02 cfs</u>
			Recommended capacity	<u>0.10 0.12 cfs</u>
			Recommended rate	<u>0.10 0.12 cfs</u>
VOLUME			Season: (<u>B / 12/31</u>)	<u>4/15 - 10/15 = 184 days</u>
			Calculations. in =	<u>2.5 x 3.5 = 8.75 ≈ 8.8 AF</u>
			+ stock =	<u>(10 RC x 12 gpd x 365 dpy) ÷ 325850 = 0.1 AF</u>
				<u>8.9 AF</u>
			Flow limit:	<u>0.10 cfs x 184 days/yr. x 1.9835 = 36.5 AF</u>
			Recommended volume	<u>8.9 AF</u>
USES		✓	Same Nature of Use?	<u>P46</u>
			Amendment Needed?	
REMARKS			Multiple p/d's in same 1/4? Use W32	
			✓	<u>D Am red from str cannot exceed apt inj into str.</u>
CONDITIONS			<u>R02</u> Measuring Device (R43) or Lockable Controlling Works (R02)	
			<u>R04</u> Watermaster Control (R04) - WD # <u>65</u>	
			<u>Rmk</u> Irrigation rate/annual volume overlap	
			<u>+</u> GW irrigation replaces surface water (050)	
			<u>+</u> GW irrigation supplements surface water (065)	
			<u>+</u> Water Quality	
			<u>099</u> Other	
PRIORITY	App Rcd	<u>1/3/74</u>	Exam fees	<u>7/14/86</u>
	Receipt#	<u>42367</u>	Due	<u>4/1/74 4/1/81</u>
	Order to Reinstate Needed?	<u>Yes</u>	Fee OK?	<u>Yes No \$ 50</u>
	Priority	<u>8/12/74</u>	Advanced to:	<u>8/12/74</u>
			Examined	<u>6/26/98</u>

COMMENTS: add pt of inj & pt of rediv / Allow 0.04 cfs/ac to include conveyance loss.

USE	CFS	VOLUME
<u>In</u>	<u>0.08</u>	<u>8.8</u>
<u>Stock</u>	<u>0.02</u>	<u>0.1</u>
<u>+</u>	<u>+</u>	<u>+</u>
<u>TOTAL</u>	<u>0.10</u>	<u>8.9</u>
	<u>0.12</u>	

SRBA Overlap A65-07452
 Adjustment Memo
 LICENSE
 #1 AMEND: P39 /P38
 #2 AMEND: (R) P42 / (P39)

MEMORANDUM

DATE April 29, 1999

TO: File No. 65-07452

FROM: Cindy Lou Zimmerman

SUBJECT: Review of Beneficial Use Field Report

This right diverts water from Bogus Creek to a pond. Water is pumped from the pond to irrigate less than one-half acre east of the unnamed stream. Water from the pond flows into the unnamed stream and is rediverted through the lower ditch to irrigate 2 acres west of the unnamed stream between the lower ditch and Bogus Creek. That 2 acre parcel is also irrigated under 65-07450. The examiner did not include the irrigated ground around the ponds when calculating irrigated acres. Per telecon today with Lori Graves, the place of use should total 2.5 acres

The following adjustments¹ were made on the field report

2. Place of use

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03E	6													<u>1.0</u>	1.5			<u>2.5</u>

F. Flow Calculations.

a. Irrigation.

$$F_{IR} = \text{acres} \times \text{cfs/acre} = 2.5 \times 0.03 = \underline{\mathbf{0.08}} \text{ cfs.}$$

G. Volume Calculations.

a. Irrigation.

$$V_{IR} = \text{acres} \times \text{AF/acre} = 2.5 \times 3.5 = \underline{\mathbf{8.8}} \text{ AF.}$$

$$V_{DR} = \text{rate} \times \text{days} \times 1.9835 = 0.08 \times 184 \times 1.9835 = 29.2 \text{ AF}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\mathbf{8.8}} \text{ AF}$$

H. Recommendations.

1 Recommended amounts

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	4/15-10/15	<u>0.08</u> cfs	<u>8.8</u> AF
Stockwater	1/1-12/31	0.02 cfs	0.1 AF
	Totals:	<u>0.10</u> cfs	<u>8.9</u> AF

Examiner: Lori Graves
Examined: June 26, 1998

MICROFILMED

JUN 10 1999

¹ Adjustments are **bolded and underlined**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 24 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-07452

1. Owner: J.A. Terkeling + Sons Inc Phone No. 338-5200

Current Address: 877 W Main Ste 706 Boise 83702

2. Accompanied by: Joe Terkeling + Mark Sandmeyer EXAM DATE: 6/26/98

Address: _____ Phone No. _____

Relationship to Permit Holder: applicant + Developer

3. Source: Boyer Creek tributary to Shafter Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-07450

2. Other water rights with the same point of diversion: "

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	6	5N	3E	Boise	Topo + CFS.A images
			NE	SE	6	5N	3E	Boise	Injection + Re-diversion pt

*** 2. Place(s) of Use:**

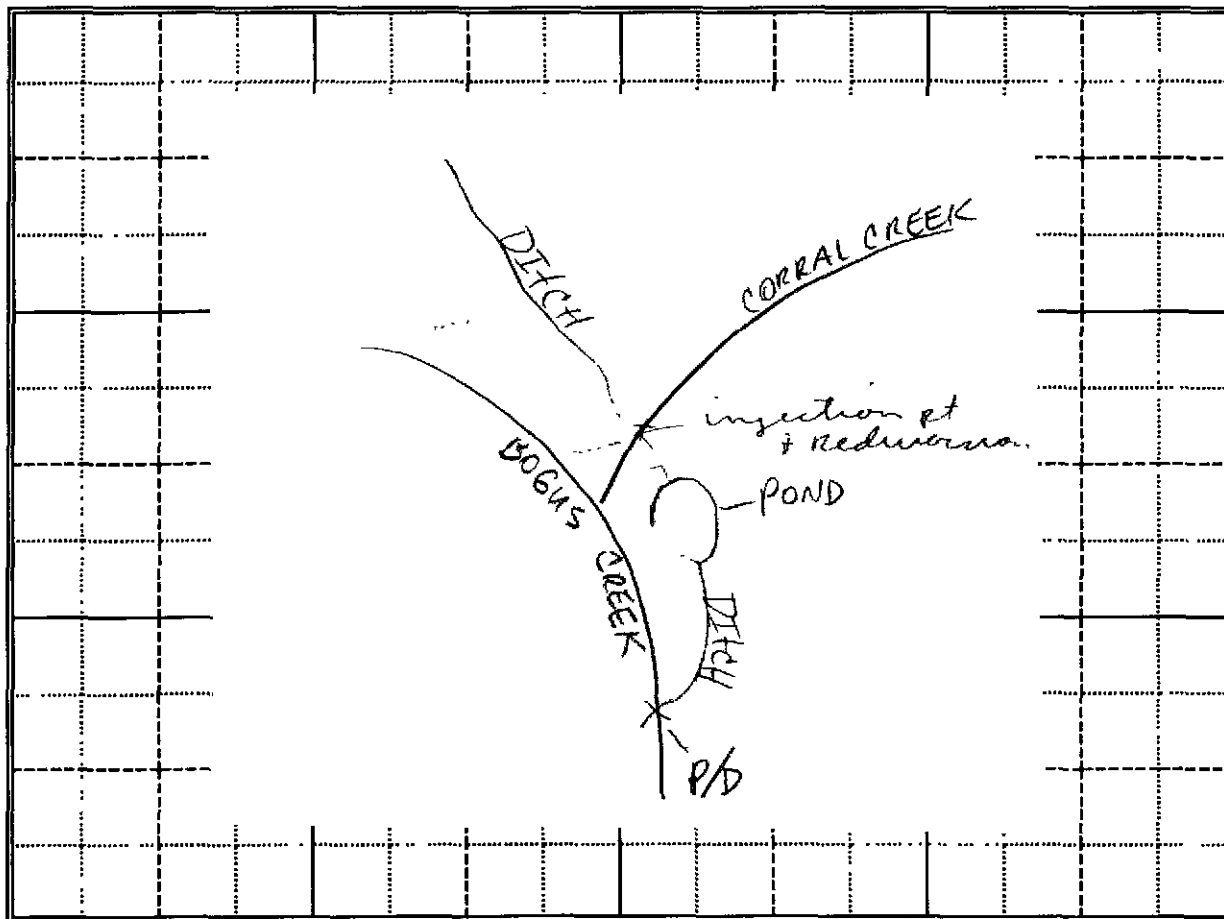
Indicate Method of Determination Maps + Pacing

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3E	6																	

MICROFILMED

7/10/98

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

MICROFILMED

7-12-83

E. NARRATIVE/REMARKS/COMMENTS

Water is diverted from Bogus Creek with a Rock dam into a 3' x 1' ditch, then into a 12" culvert, which then delivers water to another ditch leading to a 1.4 of pond (~.13 ac surface area). The overflow from the pond can be diverted back into Bogus Creek or into an unnamed stream locally known as Corral Creek. From this juncture, Corral Creek +/or Bogus Creek water can be diverted into a lower ditch used to irrigate land NW of Corral Creek. Owner also uses a portable 4 HP pump in the pond to irrigate land directly surrounding the pond (banks etc < 1/2 ac). The pond is also used for stockwater.

A measurement was not made due to the obvious capacity of the system to deliver 4" of water to the PM. The ditch system eventually runs under a road through a culvert into an unnamed stream (Thorn Creek) tributary to Bogus Creek.

This right when combined with 65-07450 (Corral Creek) should be limited to 1.5 acres.

NOTE: attached are Mr + Mrs Dolson's comments regarding applicant's development. They have earlier priority to Shaber Creek which Bogus Creek is tributary to.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
AUG 14 1990

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

1' x 1' ditch - obvious capacity to deliver
4" of water. Measurement was not made.
see photos

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3.5 = 7$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \times 184 \times 1.9835 = 21.9$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 7$$

2. Volume Calculations for Other Uses.

$$\text{stockwater: } 10 \text{ bgs} \times .0134 = 1 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	.06 *	7 *
stockwater	1/1	12/31	.02	1
Totals:			.08 *	7.1 *

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL

MICROFILMED

1981 10 10

MICROFILMED

10 10 1993

Insect +
reliv. pt.

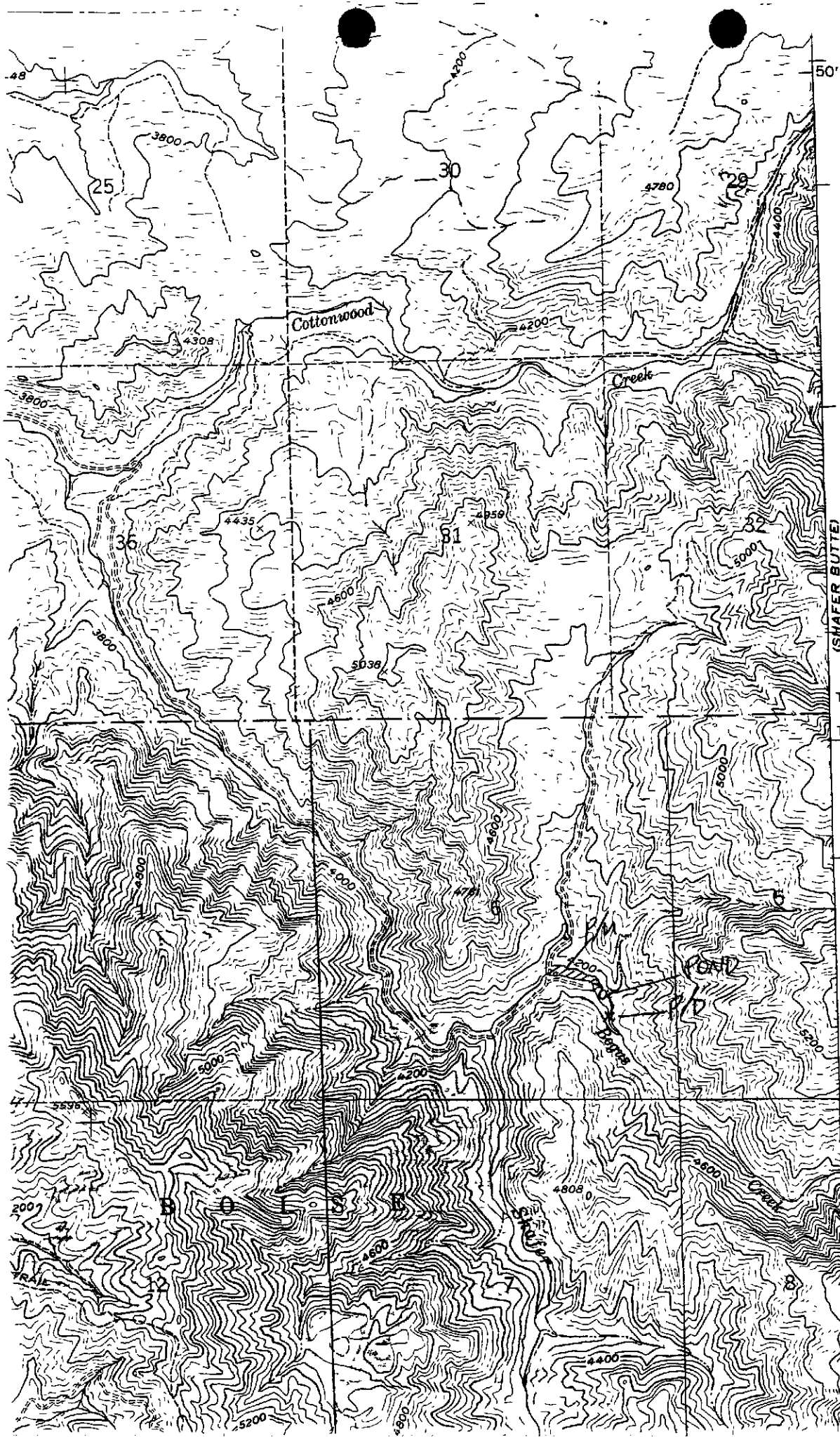
POND

p/d

BODAS CR.

65-07452

AIM



TSN
R3E
Sec 6

P/D = SESE
P/u = NESE
NWSE

MICROFILMED
AUG 10 1993

65-07452

July 19, 1998

STATEMENT BY BENJAMIN F. DOBSON

On January 3, 1974, J. A. Terteling and Sons, Inc., submitted applications Nos. 65-7450 and 65-7452 for water from Bogus Creek and its tributaries which, in turn, are tributaries of Shafer Creek.

At that time I protested these for the following reasons:

I have resided on our cattle ranch located on Shafer Creek, Boise County, south of Horseshoe Bend, Idaho, since my father purchased this land in 1926. This gives me personal knowledge of weather and water patterns in this area.

Water has always been of great concern and importance because of our need for ~~livestock~~ livestock operation and for irrigation.

We have permits for 100 inches of water from Shafer Creek dating from 1882 and these are seldom filled after July due to diminished flows in late summer.

Shafer Creek has gone completely dry on our land several times since 1926. In 1994 there was no water for a period of over 6 weeks above our home which is located at the northern end of our land. In following Shafer Creek upstream it disclosed that the only source of running water was from Bogus Creek.

J. A. Terteling and I signed an agreement March 18, 1974, acknowledging our prior water rights and a copy of the original is attached. This is on file with the Department of Water Resources.

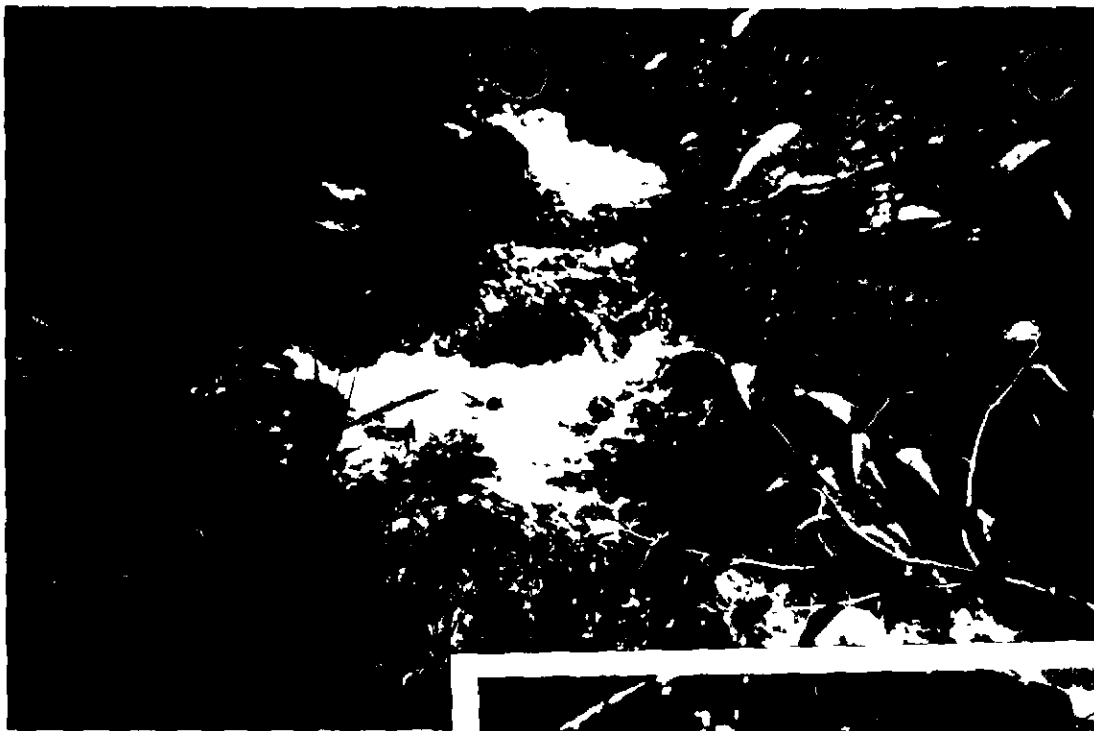
Permits Nos 65-7452 and 65-7450 were never used consistently nor put to much beneficial use. Unnamed stream Terteling calls "Thorn Creek" which is a direct tributary of Bogus Creek; and unnamed stream which Terteling calls "Corral Creek" is diverted into a ditch; hence a tributary of Shafer Creek. A ditch from Bogus Creek runs water into a holding pond which was built in 1997 for irrigating with sprinklers. This is the situation at present.

Again, in dry years Bogus Creek is the only supplier of water for Shafer Creek and our only source of stock water and irrigation.

Ben Dobson

MICROFILMED
JUL 19 1998

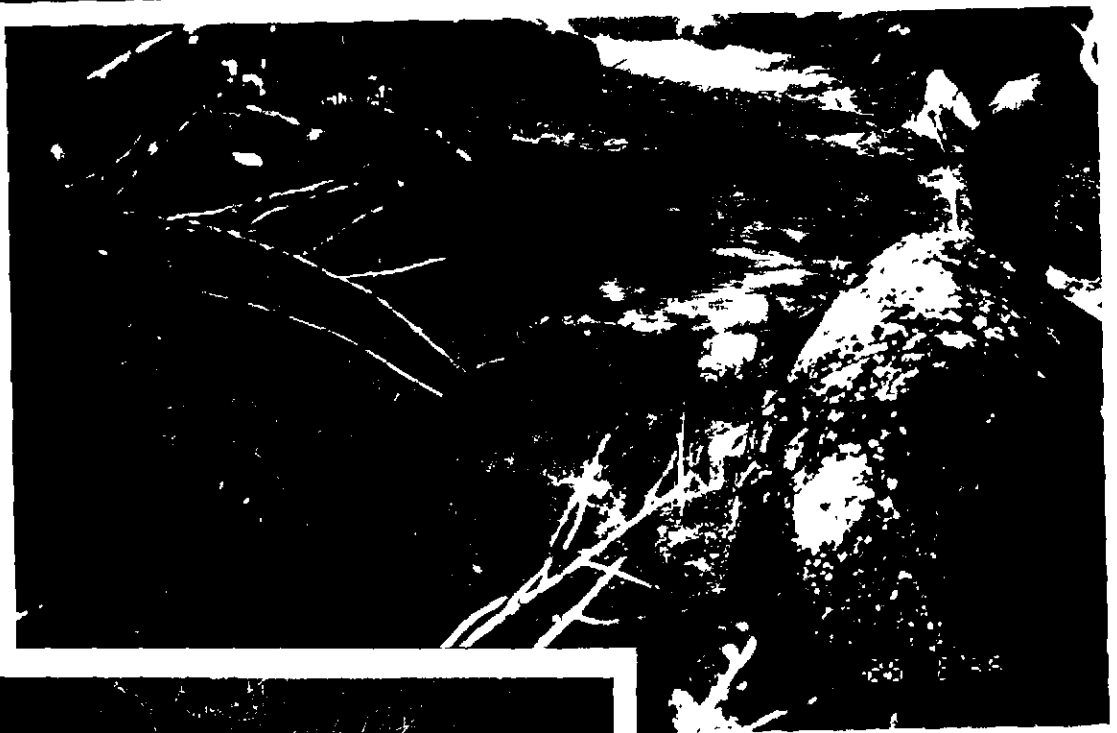
65-07452



Bogus Creek



Rock Diversion



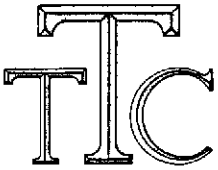
MICROFILMED

Aug 10 1969

12" culvert
to P/U

(Water can also
be diverted
into outlet on
left back to
Creek)

(5-07452



September 14, 1988

Mr. Darren Knudsen
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Water Permit Numbers 65-7450, 65-7451 and 65-7452

Dear Mr. Knudsen:

In response to your inquiry last Thursday regarding measuring the flows of Corral, Thorn and Bogus Creek in order to show proof of beneficial use, both Corral and Thorn Creek are completely dry. Bogus Creek is flowing, but at a low flow.

Given the fact that we are experiencing a very dry year and that use requested by these permits is from April to August, it would seem most appropriate to reschedule measurement to next spring when all three creeks could be measured at that time. Please let me know when a field examination will be conducted, so that we can put it on our schedule.

Very truly yours,

THE TERTELING COMPANY, INC.

Flinda Inouye
Flinda Inouye
Administrative Assistant

FAI/sf

MICROFILMED

SEP 14 1988

4/86

RECEIVED
APR 20 1987

RECEIVED
APR 22 1987

KEYDUPED

Department of Water Resources
STATE OF IDAHO Western Regional Office

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$ 50
Date 4-27-87
Receipt # 42267
Receipt by LL
Sent to S.O. LL

Department of Water Resources

EXAMINATION FEE INFORMATION

1. Permit No. 65-7452

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: The Terteling Company, Inc.

3. Post Office Address: P.O. Box 4127, Boise, ID 83704

Telephone No. 208-376-6700

4. Source of Water: Bogus Creek

5. Extent of Use:

Domestic _____ (No. of households) up to 100 head of cattle
Stockwater .05 CFS (No. and type of stock)

Irrigation 3.5 (acres) Other/Remark April 15 - July 31

6. Total rate &/or volume for which proof is submitted .19 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1-3-74

8. Person to contact to accompany the department representative during the field examination:

J. L. Terteling

(Name)

P.O. Box 4127, Boise, ID 83704

(Address)

376-6700

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner MDRO I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

The Terteling Company, Inc.

4-17-87

Date

Finnda Shoney
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

05-7152
J. A. TERRILLING & SONS, INC.
C/O T. H. HILL
P.O. BOX 4127
BOISE, ID 83704

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

October 9, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill, Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

MICROFILMED

NOV 10 1986

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

July 14, 1986

T.H. Hood
The Terteling Company, Inc. 65-7450
P.O. Box 4127 65-7451
Boise, ID 83704 65-7452✓

138928
CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified

MICROFILMED
JUL 10 1999

water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices:

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

AUG 10 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Storehouse
Boise, Idaho 83720

65-7452
J. A. TERTELING & SONS, INC.
P.O. BOX 1428
BOISE, ID 83701

138485

June 5, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

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100 10 1999

of certified water right examiners will be available from this department when examiners have been certified.

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Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

200 10 1983



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

May 2, 1979

T. H. Hood
THE TERTELING COMPANY, INC.
P. O. Box 4127
Boise, ID 83704

Re: 65-7450, 65-7451, 65-7452

Dear Mr. Hood:

You are quite correct in pointing out that the amendments made at the end of last year did correct the descriptions for the above referenced permits. However, our proposed findings reflected the condition of the water rights as of December 1, 1978. The subsequent approval of those amendments did not occur until December 15, 1978 and January 10, 1979, and as a consequence were not shown in the proposed findings.

The changes that occurred to permits as well as any other recommended water rights after December 1, 1978 will in no way affect those water rights as they are recommended. The process of amending permits and transferring water rights can continue. As a result, we will not ask the court to make any changes to these permits as you have requested.

Thank you for your careful review of our findings; I hope it has not caused you a great deal of inconvenience.

Sincerely,

DONALD V. SHAFF
Adjudication Section Supervisor

DVS:aje

MICROFILMED

AUG 10 1999

January 12, 1979

J. A. Terteling & Sons, Inc.
P. O. Box 1428
Boise, ID 83701

Dear Sirs:

Re: Permit No. 65-7452

Enclosed is a copy of the approved application for amendment submitted on the above referenced permit.

Also enclosed is Receipt #12427 in the amount of \$20.00 for the filing fee on the amendment.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 2.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 5, 1978

J. A. Terteling & Sons, Inc.
P. O. Box 1428
Boise, ID 83701

Gentlemen:

Re: Permit No. 65-7452

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise.

Sincerely,

RITA FLECK
Water Rights

Identification No. _____

Permit No. 65-7452

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 17 1978

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. A. Terteling & Sons, Inc.
b) Post Office Address P. O. Box 1428, Boise, Idaho 83701
2. Permit Number 65-7452
3. Date of Priority that you are prepared to establish April 1, 1974
4. a) Source from which water was appropriated Bogus Creek
b) Location of the point of diversion: SE ¼ SE ¼, Section 6
Township 5N, Range 3E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .05 CFS for Stock Water purposes from April 15 to October 30 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .14 CFS for Irrigation purposes from April 15 to July 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.19 CFS cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Cliff Greene, T.H. Hood estimated flows.
(B. McAllister will examine on 5/23/78.)
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Simple Rock Dam in Bogus Creek Raising Water,
Retarded by 14" Cement Headgate in Ditch When Not In Use. Ditch Rebuilt.
Flood Water Diverted Back To Main Channel. Rocks Removed to Allow Free Flow.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
None Installed. Flow Less Than .3 CFS.
c) Give well driller's name and address and the date the well was completed: N/A
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____
0.05 CFS - Stock Water - General Vicinity of Irrigation.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

0.5 Acres in NE 1/4, SE 1/4, Sec. 6, T.5N., R.3E., B.M.

3.0 Acres in NW 1/4, SE 1/4, Sec. 6, T.5N., R.3E., B.M.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	3E	6													.5	3.0			3.5

Total number of acres irrigated 3.5

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

(Signature)

R. C. Harper, Authorized Agent

State of _____)

) ss.

County of _____)

On this 16th day of May, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at

My commission expires

4/28/82

April 1, 1976

Re: Permit No. 65-7452

J.A. Terteling & Sons, Inc.
Box 1428
Boise, Idaho 83701

Gentlemen:

Enclosed herewith is a copy of the approved application for extension of time in connection with the above referenced permit. The time within which to submit proof of beneficial use of water has been extended to April 1, 1981.

Please be advised that there is no fee required for an extension of time, therefore, we are returning your check for \$10.00.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Copy of extension
Check No. 92-6

LOVE, IDAHO 5100

- **SENDER** - Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse

1. The following service is requested (check one)

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2 ARTICLE ADDRESSED TO:

3 ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

138317

(Always obtain signature of addressee or agent)

I have received the article described above

SIGNATURE

☐ Addressee

☒ Authorized agent

4.

DATE OF DELIVERY

POSTMARK

FEB 2 - 1976

5 ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

January 30, 1976

CERTIFIED MAIL

138317

Re: Permit No. 65-7452

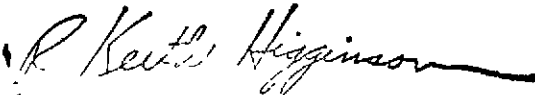
J. A. Terteling & Sons, Inc.
Box 1428
Boise, Idaho 83701

Gentlemen:

One of the conditions of approval of your water Permit No. 65-7452 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

April 5, 1974

Re: Permit No. 65-7452

J. A. Terteling & Sons, Inc.
Box 1428
Boise, Idaho 83701

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7452 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

65 7452

AGREEMENT FOR WATER USAGE

THIS AGREEMENT made and entered into this 18TH day of AUGUST, 1974, by and between Benjamin Freeman Dobson and Maryjane Dobson, husband and wife, hereinafter referred to as "Dobson" and J. A. Terteling and Sons, Incorporated, hereinafter referred to as "Terteling":

WITNESSETH:

WHEREAS, Dobson has filed with the Department a claim to a water right, No. 65-4015, claiming 2.0 cubic feet per second of the waters of Shafer Creek, with priority date of July 7, 1882, which Dobson and his predecessors claim to have diverted and applied to beneficial use on portions of Sections 24 and 25, Township 6 North, Range 2 East, Boise Meridian, as more particularly described in said claim, and it is expected that the quantity and priority of Dobson's water rights in Shafer Creek shall be determined in the adjudication suit presently pending with respect to the Payette River and its tributaries; and

WHEREAS, J. A. Terteling & Sons, Inc., has on January 3, 1974 submitted Application No. 65-7452 for a permit to appropriate 0.19 cubic feet per second of water from Bogus Creek, tributary to Shafer Creek Sec 6, T 6N., R. 3E, B. M. Boise County for beneficial use, as more particularly described in said application; and

WHEREAS, J. A. Terteling & Sons, Inc., has on January 3, 1974 submitted Application No 65-7450 for a permit to appropriate 0.2 cubic feet per second of water from Corral Creek, tributary to Bogus Creek within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 6, T. 6N., R. 3E. B.M., Boise County for beneficial use, as more particularly described in said application; and

WHEREAS, Dobson filed a protest with the Department against the issuance of permit applications No. 65-7450 and No. 65-7452 on February 6, 1974;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS HEREINAFTER SET FORTH, THE PARTIES AGREE AS FOLLOWS:

1. that Dobson has an established and superior right to 100 miners inches for use throughout the entire irrigation season;
2. that Dobson has prior and superior flood water rights but the quantity of water to which he is entitled under these flood rights has not been determined;
3. this agreement would take into consideration and be subject to the afore-mentioned determination;

BCD 4. The terminal date for use of 7 inches of Bogus Creek water by the applicant, for irrigation purposes will be limited by the end of flood waters. Flood waters shall be defined as follows: "Flood water is that water over and above the amount required to fulfill the existing water rights." ~~There existing water rights may include the diversion of some flood water.~~ PFD

5. Prior to the time that the Payette River drainage has been adjudicated, the applicant, ~~will shut off his Bogus Creek water used for irrigation when notified by Dobson or his rightful representative, heirs or assigns that his prior full-time right to 100 miners inches of the waters of Bogus Creek and its tributaries is no longer being filled.~~ PFD

6. This agreement will be also binding upon Terteling and its assignees.

7. Dobson agrees to withdraw his protest against the issuance of permit applications No. 65-7450 and No. 65-7452 upon execution of this agreement and with the explicit condition that the appropriation of water under these permits be subject to the prior and existing water rights of Dobson, his heirs, assigns, or his rightful representative.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

3-22-74
Date

Maryjane Dobson
Signature Maryjane Dobson

State of Idaho
County of Ada ss.

On this 22nd day of March, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires June 15, 1977

George Holt
Notary Public residing at Boise, Idaho

Date

State of Idaho
County of Ada ss.

Benjamin F. Dobson
Signature Benjamin Freeman Dobson
J. L. Terteling
Signature J. L. Terteling, Executive V.P.
Secretary: 48 P. C. T. Sec.

On this 18 day of March, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledge to me that he (she) (they) executed the same.

-3- E. L. E. Lauer
Notary Public residing at Boise, Idaho

My commission expires 10-1-75

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of Applications for Permit Nos. 65-7450 &)
65-7452 in the name of J. A. TERTELING &)
SONS, INC.)

NOTICE OF CONFERENCE
AND/OR HEARING

On January 3, 1974, J. A. Terteling & Sons, Inc. filed with the Department of Water Administration applications to appropriate the public waters of the State of Idaho. On February 6, 1974, the Department received a protest against approval of said applications from Benjamin Freeman Dobson.

The Department has set the matter of protest for conference and/or hearing for Friday, March 22, 1974, at 1:00 p.m., in the Conference Room of the Department of Water Administration, 614 West State Street, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 1st day of March, 1974.

Kenneth H. Fott

KENNETH H. FOTT, P. E.
Western District Engineer

65 7450

NOTICE OF CORRECTION

Notice is hereby given that Notice of Application No. 65-7452 in the name of J. A. TER-TELLING & SONS, Inc. was published in error on January 17, 1974 and January 24, 1974.

The point of diversion was advertised as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E., B.M. Boise County. WHEREAS the actual point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 5N., R. 3E., B.M.

Any protest against approval of this application must be filed with the Idaho Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83720, on or before March 11, 1974.

R. KEITH HIGGINSON

Director

Published in the Idaho World Idaho City, Idaho on Feb. 21, 1974 and on February 28, 1974.

571 24
2-13-74

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

February 15, 1974

The Idaho World
Box 144
Idaho City, ID 83631

Re: Notice of Correction No. 65-7450 - J. A. Terteling & Sons, Inc.
" " " " 65-7452 - J. A. Terteling & Sons, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

65 7452

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 65-7452 in the name of J. A. TERTELING & SONS, INC. was published in error on January 17, 1974 and January 24, 1974.

C The point of diversion was advertised as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 6, T. 6 N., R. 3 E., B.M., Boise County. WHEREAS, the actual point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 6, T. 5 N., R. 3 E., B.M.

Q Any protest against approval of this application must be filed with the Idaho Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83720, on or before March 11, 1974.

P R. KEITH HIGGINSON

Director

Y Published in the Idaho World, Idaho City, Idaho on Feb. 21, 1974 and Feb. 28, 1974.

65 7452

February 11, 1974

J. A. Terteling & Sons, Inc.
Box 1428
Boise, Idaho 83701

Re: Application for Permit
Nos. 65-7450 & 65-7452

Gentlemen:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application Nos. 65-7450 & 65-7452. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:df

Enclosure

65 7452

February 11, 1974

Kenneth Freeman Dobson
Box 725
Harcourt Road, ID 83629

Re: Application for Permit #65-7450
& 65-7452 - J.A. Texteling & S
Sons, Inc.

Dear Mr. Dobson:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:df

65-7452

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 11, 1974

The Idaho World
Box 144
Idaho City, ID 83631

Re: Application for Permit No. 63-7909 - Wm. D. Huckstep
65-7450 - J. A. Terteling & Sons, Inc.
65-7451 - J. A. Terteling & Sons, Inc.
65-7452 - J. A. Terteling & Sons, Inc.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with each of the above referenced items. The legal notice for 63-7909 was to have been published in your paper on January 17 and January 24, 1974 and for 65-7450, 65-7451 and 65-7452 on January 24 and January 31, 1974.

Your cooperation in this matter is greatly appreciated.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

65 7452

RECEIVED

Department of Water Administration

February 6, 1974

I wish to protest against the issuance of permit applications nos. 65-7450 and 65-7452 in the name of J. A. Terteling & Sons, Inc.

I have prior water rights, nos. 65-4015 & 65-7369, on these streams and the Terteling applications show detrimental use to my rights.

Benjamin Freeman Dobson

Benjamin Freeman Dobson
Box 125
Horseshoe Bend, Idaho

65 7452

J. A. TERTELING & SONS

PLEASE ADDRESS
ALL COMMUNICATIONS
TO THE FIRM

P.O. Box 1428

HOME OFFICE: BOISE, IDAHO

January 4, 1974

Department of Water Administration
State of Idaho
614 West State Street
Boise, Idaho 83702

Attn.: Kenneth Foit

Gentlemen:

This is to notify you that Mr. R. C. Harper
is authorized to sign for J. A. Terteling & Sons on all
Applications for Water Permits.

Very truly yours,

J. A. TERTELING & SONS

J. L. Terteling

JLT/bf

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Hyginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384 2215
Western District Office



Water Rights Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Permits
Waste Disposal Wells
Stream Channel Protection

January 4, 1974

The Idaho World
P. O. Box 144
Idaho City, ID 83631

Re: Application for Permit No. 65-7450 - J. A. Terteling & Sons, Inc.
65-7451 - J. A. Terteling & Sons, Inc.
65-7452 - J. A. Terteling & Sons, Inc.

Gentlemen

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid "

(signature of claimant)

Sincerely,


85-17412

**NOTICE OF APPLICANT
FOR WATER PERMIT**

Notice is hereby given that
A. A. TERTER, Applicant,
has filed with the State Engineer, Boise, Idaho, a
statement of his intention to apply for a permit to appropriate 0.15
cubic feet per second of water
from Bogus Creek, tributary to
Shafer Creek by means of
can, headgate and ditch within
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N.,
R. 3E., B.M. Boise County to
be used from April 15 to October
30 for stockwater and April
15 to July 31 for irrigation of
3.5 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 6, T. 6N., R. 3E., B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of



ROBINSON
Director

Published in the Idaho World

Boise, Idaho, August 15, 1904
No. 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 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2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968,

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. A. TERTELING & SONS, INC., Box 1428,
Boise, ID
has on Jan. 3, 1974 submitted Application No. 65-7452
for a permit to appropriate 0.19 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from Bogus Creek, trib. to Shafer Creek
by means of dam, headgate & ditches
within the SE~~SE~~, S.6, T. 6 N., R. 3 E., B.M., Boise County

to be used from April 15 to Oct. 30 for stockwater & April 15 to July 31
for irrigation of 3.5 acres

within the N~~NE~~, S. 6, T. 6 N., R. 3 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Feb. 11, 1974.

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on Jan. 24, 1974 and Jan. 31, 1974 65

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

MAP NO.

TO A

WATER RIGHT

Notice is hereby given that.

(Name of Claimant)

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

Department of Water Resources

~~ed) - Western Regional Office~~

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) _____ Regional Office _____

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) 205 - 1001

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)

Use Domestic, irrigation, stock, etc. Period of Use From Apr 1 To Oct 1
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use For Irrigation Period of Use From April 15 To July 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: _____ Cubic Feet Per Second, or _____ Acre Feet Per Annum,
and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. 1/4 Sec. 50 1/4,
Sec. , Twp. , Rge. , B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc)
Give sizes and capacities; be as specific as possible. 1000 ft. by 1000 ft. by 1000 ft. by 1000 ft.

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres. 21

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:_____

(7) Effluent, sewage waste, or return water from this use is discharged into City of Seattle

(8) If you are claiming water as a member of an organization, list name of organization. _____

(9) Remarks _____

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case_____

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date)

(Signature of Claimant)

(Signature of Spouse)

Organization

State of _____ }
County of _____ } ss.

Organization
Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____, before me,

a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same.

Notary Public residing at 155 N. 2nd St.

My commission expires _____