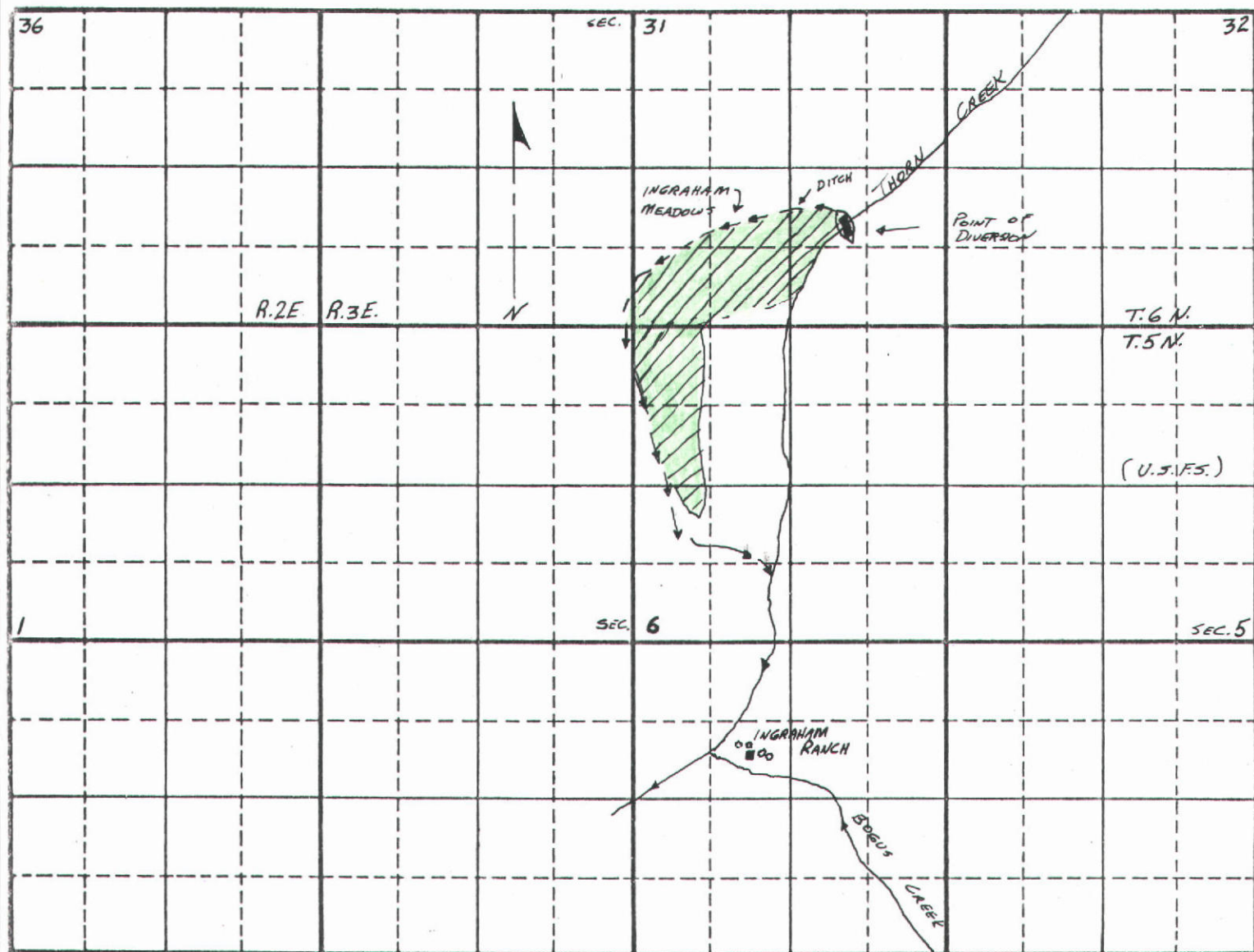


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 4 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

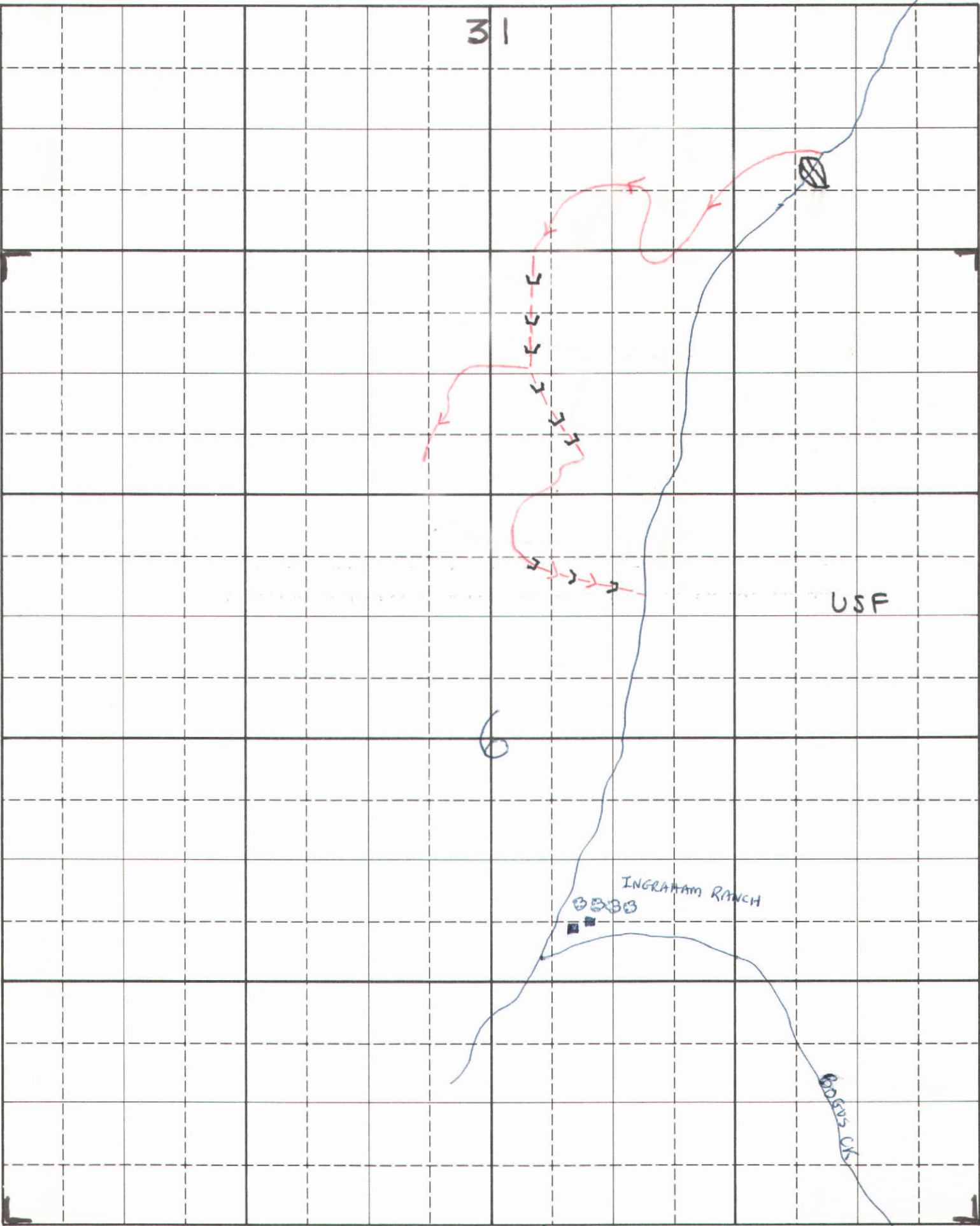
GEOLOGIST
9-7-78

I, L. GLEN SAXTON, Chief, Operations of the Department of Water Resources hereby APPROVE this application for amendment on Permit No. 65-7451.

Witness my hand this 15th day of December, 19 78.

L. Glen Saxton
Chief, Operations Bureau

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

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

RC Harper
(Applicant) agent.

} = CEMENT DROPS

⊞ = DIVERSION DAM.

65 7451

RECEIVED

MAR 2

Department of Water Administration

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 principal 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 consecutive 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 proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning

with Jan 17, 1974
and ending with the issue of
Jan. 24
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 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. 65-7451 for a permit to appropriate 0.7 cubic feet per second of water from Thorn Creek, tributary to Bogus Creek by means of dam, headgate and ditches with in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 6 N., R. 3E., B.M., Boise County to be used from April 15 to June 10 for irrigation of 35 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T. 6N. R. 3E., W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 5N., R. 3E., B.M.

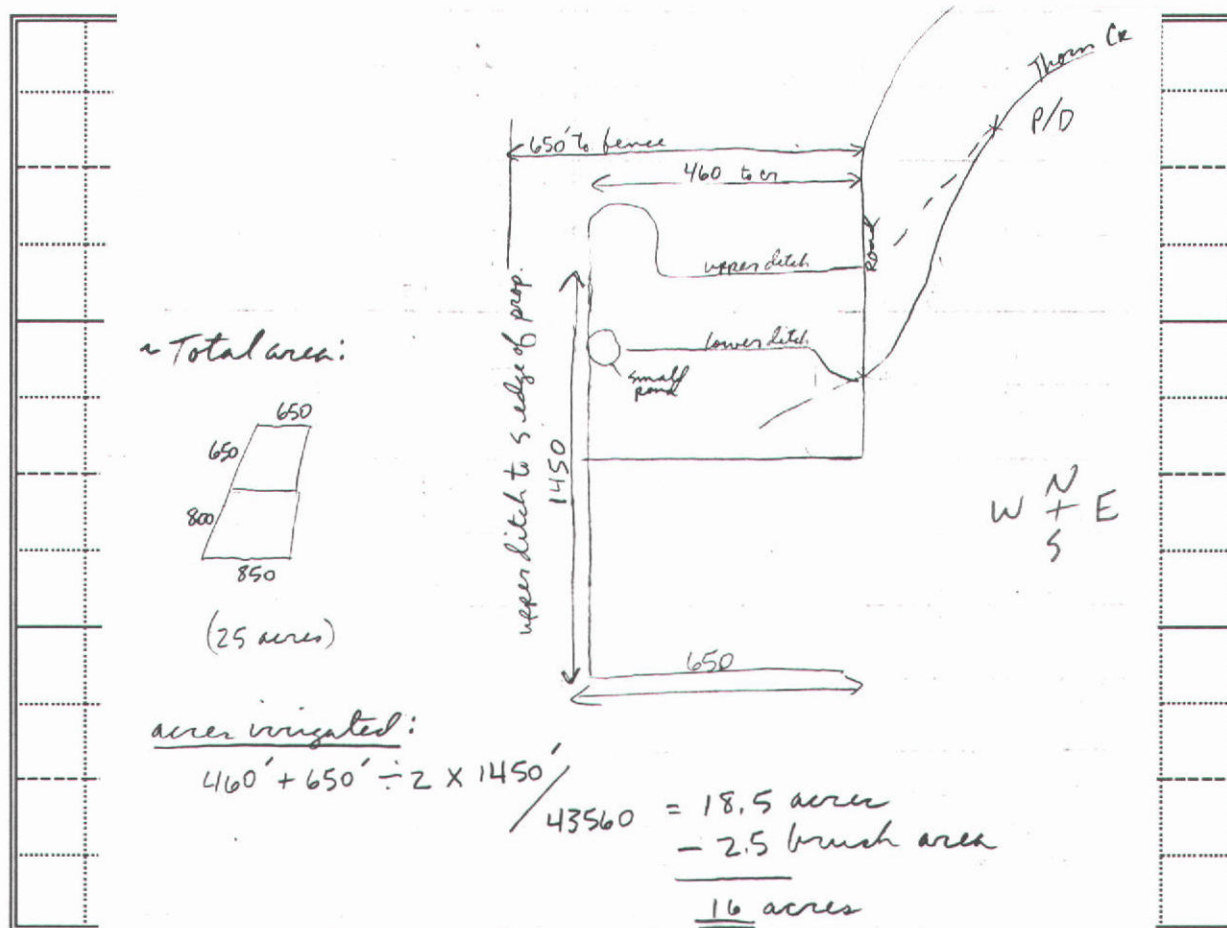
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before February 11, 1974.

R. KEITH HIGGINSON
Director

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

OK df
3-21-74

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. N/A

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
Orange Peel						

2. Measurements: 12.3' in 9.7 seconds, 12" culvert
3/4ths full

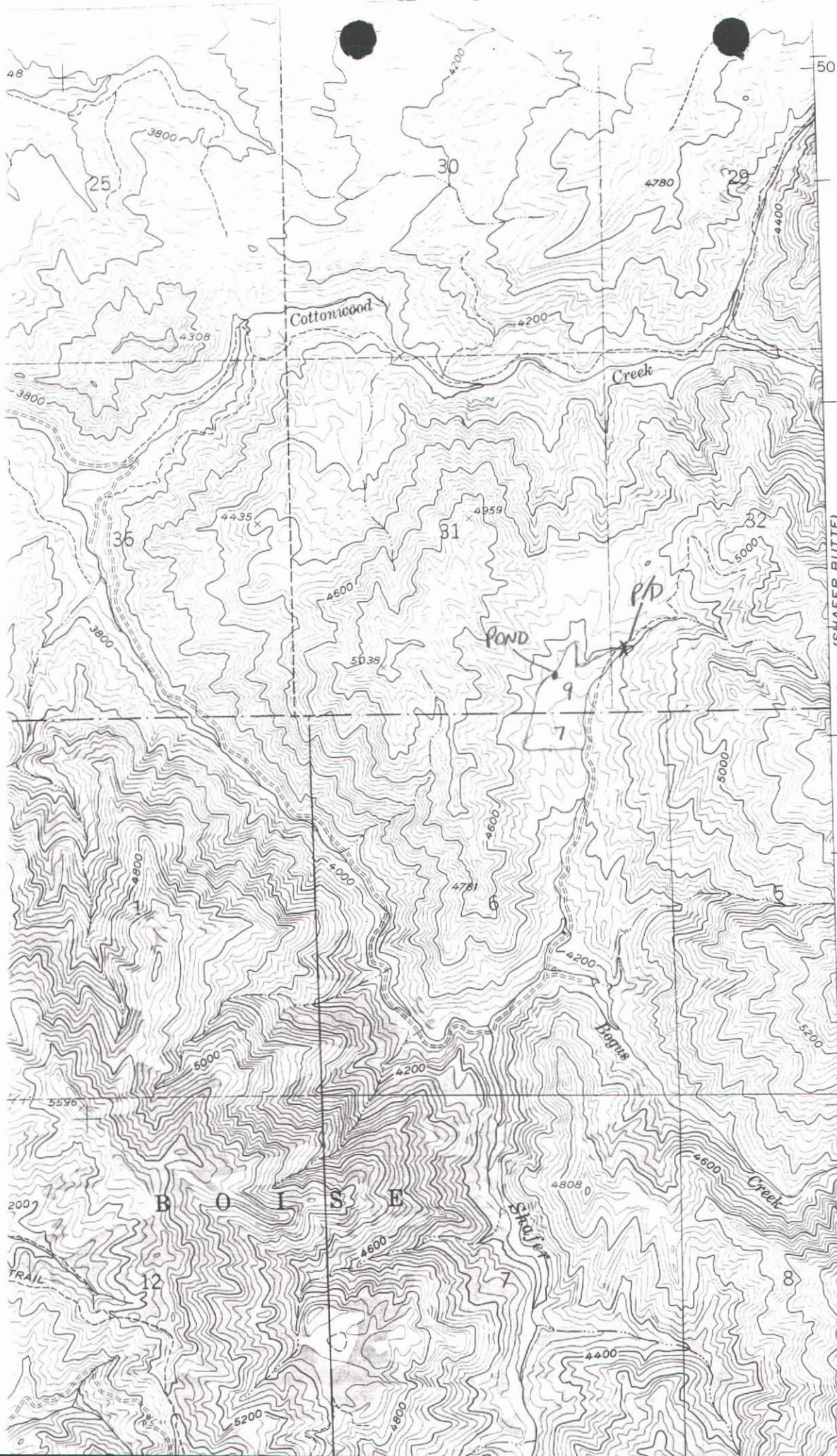
MICROFILMED

AUG 10 1999

EX-103E

DATA FILMED

AUG 10 1999 65-07451



P/D: T6N R3E S32
SWSW

P/U: T6N R3E S31
T5N R3E S6
Gov Lt 2

(SHAFFER BUTTE)

T. 6 N.

T. 5 N.

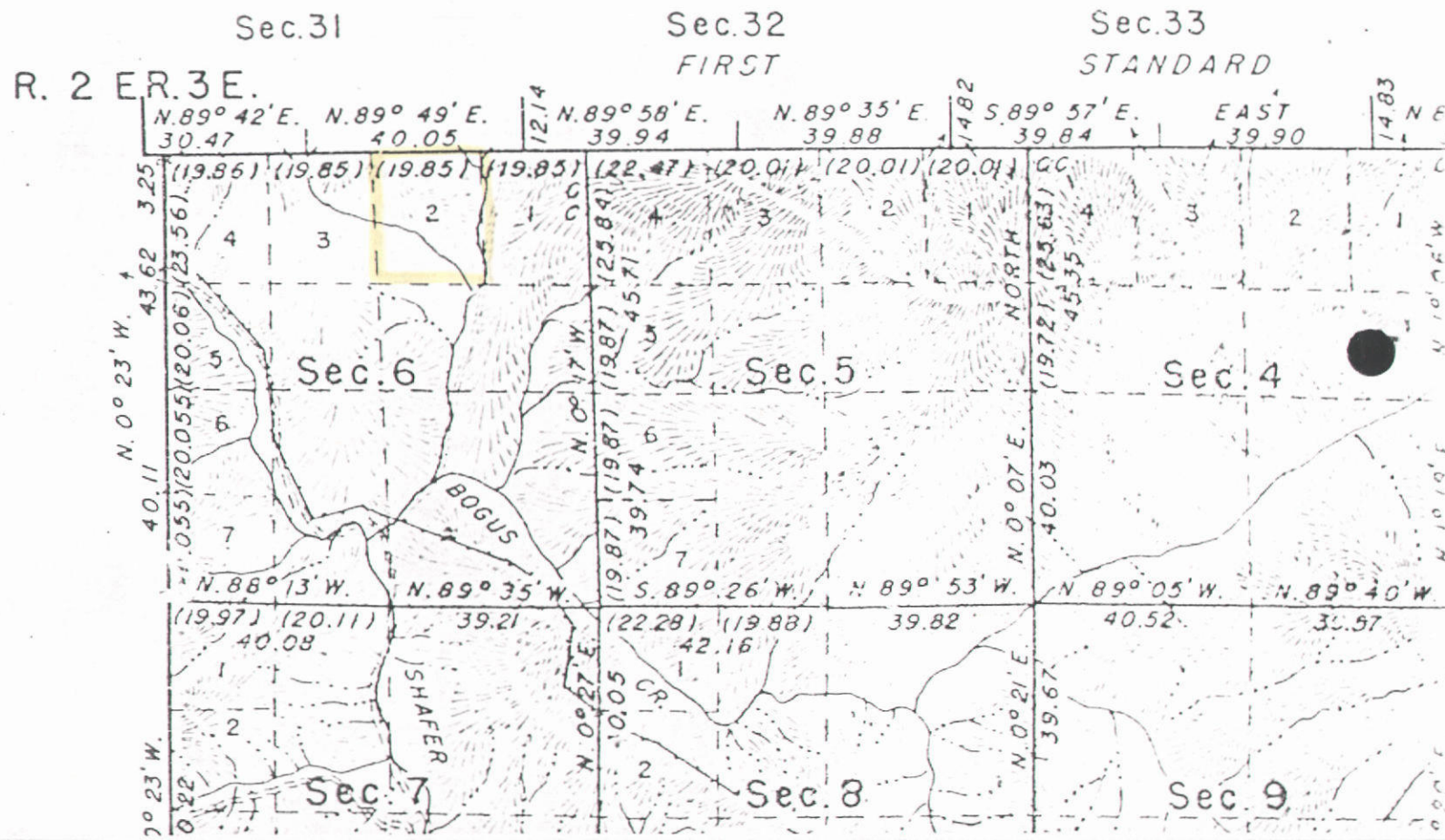
47'30"

MICROFILMED
AUG 10 1999

65-07451

TOWNSHIP N° 5 NORTH , RANGE N° 3 LA

DEPENDENT



MICROFILMED
AUG 10 1999

65-07451

65-07451

AUG 10 1999
MICROFILMED

collected
runoff water
in addition
to unnamed
stream water



little
supplum



P/D = 12" culvert
3/4 the full



— small pond
P/M looking SW

P/M - Looking North



MICROFILMED
AUG 10 1999

65-07451

RECEIVED

OCT 5 1978

Department of Water Resources
Western Regional Office

STATE OF IDAHO, }

County of Boise }

Sherry Archer being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for
..... consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

Sept. 22, 197... and end-

ing with the issue of *Sept. 29*

197 ..

Sherry Archer
Subscribed and sworn to before

me this *2nd* day of *Oct.* 197..

Robert J. Taffield
Clerk of Dist Court

**NOTICE OF PROPOSED AMENDING
OF WATER PERMIT**

Notice is hereby given that Permit
No. 65-7451 in the name of J.A. TER-
TELING & SONS, INC. was issued
for the diversion of 0.7 cubic feet per
second with the point of diversion
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R
3E., B.M. to be used from April 15 to
June 10 for irrigation purposes within
the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and
within the W $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec
6 T 5N-R 3E., B.M.

The permit holder now proposes to
amend Permit No. 65-7451 by chang-
ing the place of use to within the S $\frac{1}{2}$
SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and within the
W $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

Any protests to this proposed
amending of the permit must be filed
with the Director of the Idaho Depart-
ment of Water Resources, 92 South
Cole Road, Boise, Idaho 83705 on
or before October 9, 1978.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on September
22 and 29, 1978.

OK
10-10-78

MICROFILMED

**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. 65-7451
for a permit to appropriate 0.7
cubic feet per second of water
from Thorn Creek, tributary to
Bogus Creek by means of
dam, headgate and ditches with
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 6
N., R. 3E., B.M., Boise County
to be used from April 15 to
June 10 for irrigation of 35
acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
31, T. 6N., R. 3E., W $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 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

65 7451

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-07451

Priority: August 12, 1974

Maximum Diversion Rate:

0.32 CFS

Maximum Diversion Volume:

56.0 AF

This is to certify, that J A TERTELING & SONS INC

877 W MAIN 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 December 27, 1977. An examination indicates that the works have a diversion capacity of 0.750 cfs of water from:

UNNAMED STREAM

tributary to BOGUS 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	0.32 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 32, Township 06N, 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	Lot 2 (NWNE)	7			7
06N	03E	31	SESE	9			9

Total number of acres irrigated: 16

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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department 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 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Source is locally known as Thorn Creek.

MICROFILMED

APR 17 1978

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07451

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, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED
SEP 16 1984

10/93

RECEIVED

JUN 09 1999

WATER RESOURCES
WESTERN REGION

Ident. Number

Received by

Date

65-07451

JUN 10 1999

JUN 19 1999

RECEIVED

JUN 16 1999

JUN 08 1999

State of Idaho
Department of Water Resources
Department of Water Resources
APPLICATION FOR AMENDMENT OF A PERMIT

Applicant The Terteling Company, Inc.Phone (208) 338-5200Address 3823 N. 36Th Street, Boise, Idaho 83703

I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-07451, 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 1)
correct error in name of applicant; should be as noted, and not J.A. Terteling & Sons; and 2)
unnamed stream locally known as ^{Shen} Corral Creek.*

1 Point of diversion: SW 1/4 of SW 1/4 of _____ 1/4, Sec 32 Township 6N Range 3E

B M, County of Boise (Corral Creek) Other points of diversion _____

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

Amount 0.32 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 _____ for _____ purposes from _____ to _____ (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		7															7
6N	3E	31																9	9

Total number of acres to be irrigated 16

- 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 _____

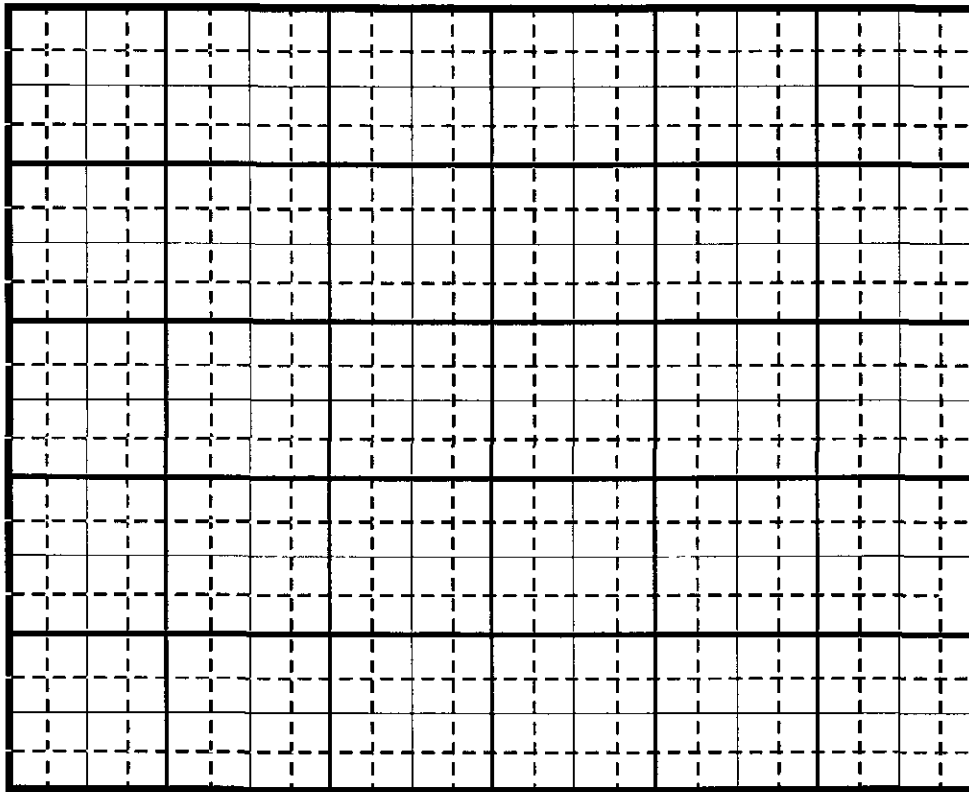
MICROFILMED

JUN 17 1999

Last Name Terteling Ident No. 65-07451

* changed per telecon w/ Tom 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)



MAP 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

J. D. Fenteling
(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 65-07451.

Witness my hand this 30TH day of JUNE, 1999

Karl J. Dreher
Acting for (Signature) KARL J. DREHER, Director

MICROFILMED

AUG 10 1999

Last Name Fenteling Ident No 65-07451

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-07451)
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. 65-07451 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On February 14, 1974, the Department approved Application for Permit No. 65-07451 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.

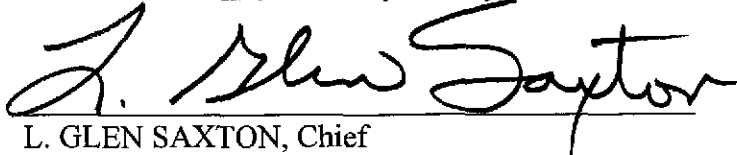
CONCLUSIONS OF LAW

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. 65-07451 is advanced to August 12, 1974.

Dated this 24th day of May, 1999.

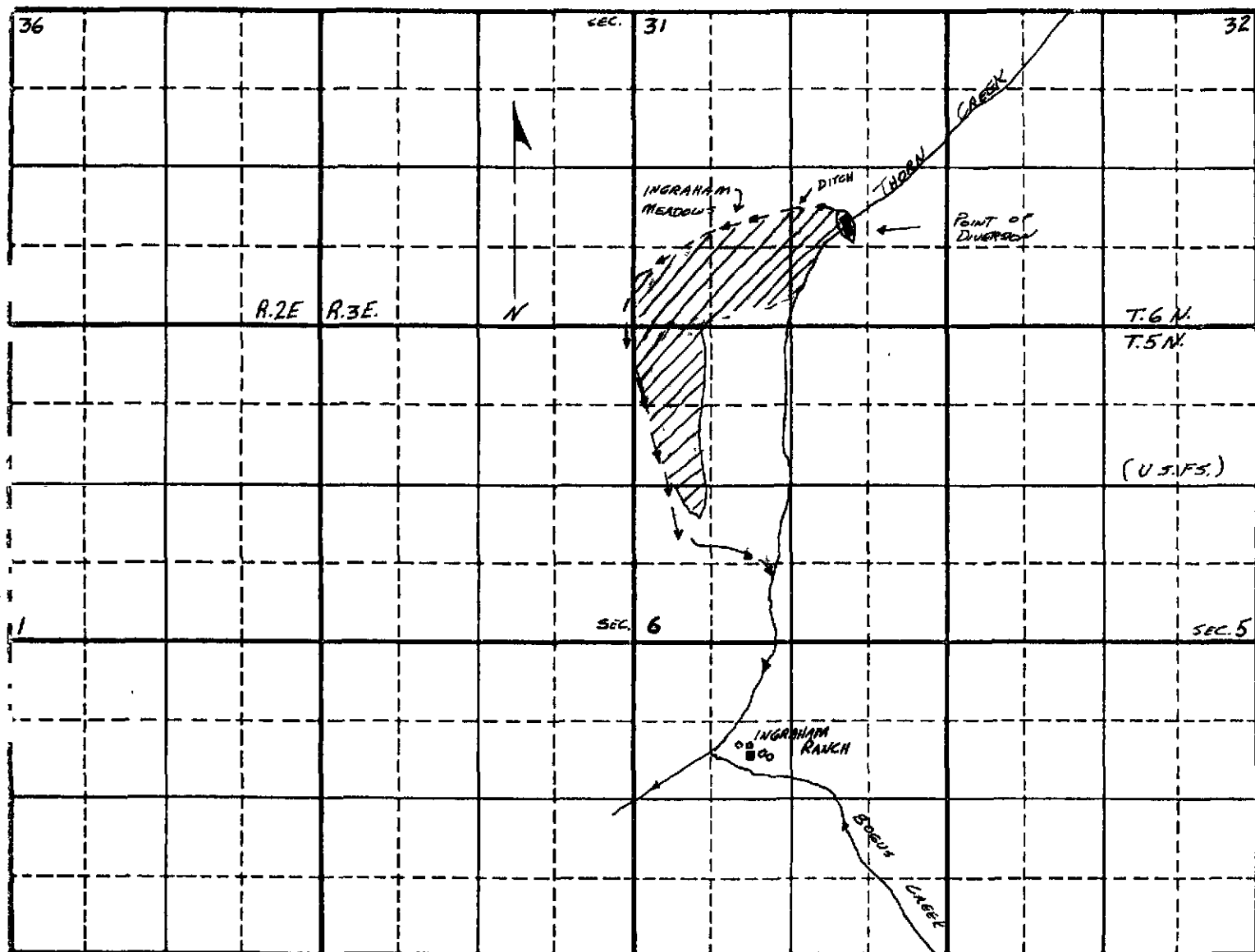

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
MAY 11 1999

APPLICATION FOR AMENDMENT

NIGRO

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: 4 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

GEOLOGIST [Signature]
9-7-78

I, L. GLEN SAXTON, Chief, Operations of the Department of Water Resources, hereby APPROVE this application for amendment on Permit No. 65-7451.

Witness my hand this 15th day of December, 19 78.

L. Glen Saxton
Chief, Operations Bureau

Identification No. _____

Application No. 65-7451

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant J. A. Terteling & Sons
post office address P.O. Box 1428, Boise, Idaho 83701
- 2 Source of water supply Thorn Creek which is a tributary of Bogus Creek
3. a Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 31 Township 6N
Range 3E B.M. Boise County; additional points of diversion if any: _____

- b If water is not consumed, it will be discharged into Thorn Creek at a point in SE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 6 Township 5N Range 3E B.M. _____
- 4 Water will be used for the following purposes:
Amount .7 for irrigation purpose from 15 April to 10 June (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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 .7 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. Rock or cement dam with drop boards will raise water to ditch level. 16" headgate will retard flow when not in use. Contour ditches with intermittent cement headgates will control water. Drop boards out in winter. Cipolletti weir if necessary.
b Height of storage dam _____ 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 4 years
b. Estimated construction cost is \$ 250.00
- 8 Description of proposed uses:
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	3E	31															5.0	2.5	7.5
5N	3E	6						20.0	4.0	3.5									27.5

Total number of acres to be irrigated. 35

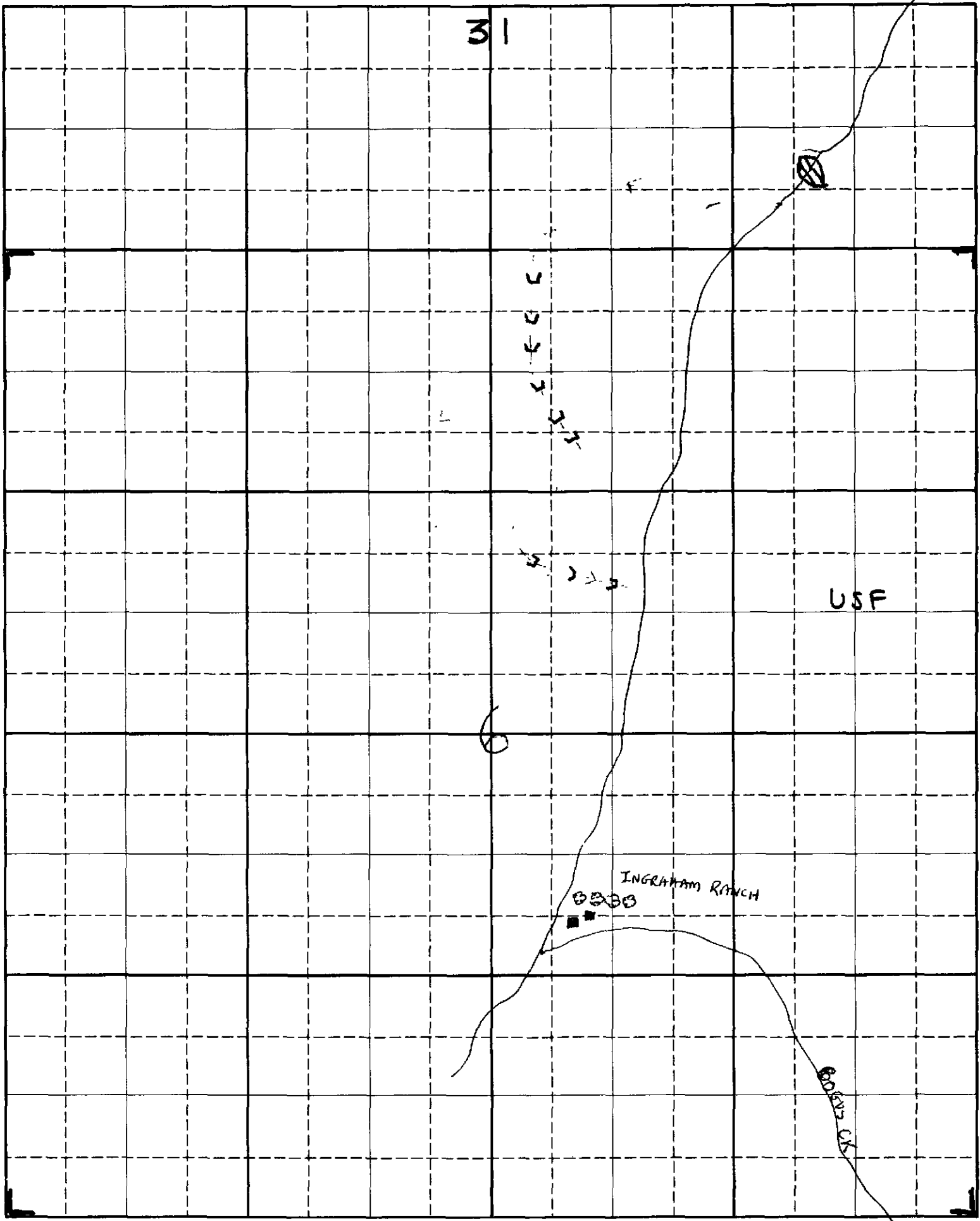
c. Describe any other water rights used for the same purposes as described above.

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 early use of Thorn Creek for contour irrigation of a portion of the Ingraham Ranch meadows. We could use only the early flood waters available. This creek usually dwindles until the flow stops at its confluence with Bogus Creek at the Ingraham Cabin. Normal flow, without diversional use upstream, usually ceases by about July 1.

Although the improvement would employ only short term use of the water, we would obtain an economic increase in the output of our meadows. The area has been used during our ownership for production of both hay and pasture.

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

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

RC Harper
(Applicant) agent:

J = CEMENT DROPS
⊕ = DIVERSION DAM.

CS 7451

Received by Date 1-14-74 Time 3:30Preliminary check by Fee \$ Receipted by Date 1-15-74 # 1-1-74Publication prepared by Date 1-11-74Published in 26th Nov-66Publication dates 1-16-74 & 1-17-74Publication approved Date Priority reduced to Reason Protests filed by: Copies of protests forwarded by Hearing held by Date Recommended for approval denial by du SDF

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. 65-7415, 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 February 1, 19 78.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons:

Witness my hand this 14 day of February, 19 74.

R. Karl Higin
Director

**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 20th 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. 65-7451
for a permit to appropriate 0.7
cubic feet per second of water
from Thorn Creek, tributary to
Bogus Creek by means of
dam, headgate and ditches with
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 6
N., R. 3E., B.M., Boise County
to be used from April 15 to
June 10 for irrigation of 35
acres within the S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
31, T. 6N. R. 3E., W $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 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 13, 1974.

R. KEITH ROBINSON
Director

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

24 df
3-21-74

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>LCB</u>	<u>1/4/73</u>	Application No. <u>65-7451</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature <u>— ? PJA</u> ☒ Fee
(3)	<u>LCB</u>	<u>1/4/73</u>	In form to receipt
	<u>LCB</u>	<u>1/4/73</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>LCB</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 <u>Pof A (sunding) LCB</u>
(5)	<u>LCB</u>	<u>1/4/73</u>	In form for advertising <u>OK LCB</u>
(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)			Comments: _____
(10)			Affidavit of Publication received (date) _____
(11)	<u>P.W.H.</u>	<u>2-12-74</u>	Final date for protests <u>2-11-74</u> Protests received: yes _____ no ☒
(12)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>P.W.H.</u>	<u>2-12-74</u>	All requested information received from agencies or applicant yes _____ no ☒
(14)	<u>P.W.H.</u>	<u>2-12-74</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>2-12-74</u>



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 STE 706
BOISE ID 83702

RE: WATER RIGHT NO. 65-07451

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

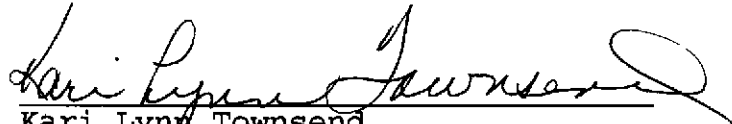
206 1 2 1999

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. 65-07451

J A TERTEILING & SONS INC
877 W MAIN 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.

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

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

AUG 10 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 ST STE 706
BOISE ID 83702

RE: WATER RIGHT NO. 65-07452

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 actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. 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,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 17 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

MAY 10 1999

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 65-7451 Name: Terteling Date 4/29/99 ✓ Lots ✓

	Chng	Same	
NAME	_____	_____	Or Address Change? 877 W Main Ste 706 Boi 83702
SOURCE	_____	☒	per USGS: Clarify source <u>unnamed stream (AKA Thon Cr) Trib To Bogus Cr.</u> Prelim. Order to Void - Source change.
P/D	☒	_____	Amendment Needed? Addn't 1/4? _____ Legal <u>SWSW, S32</u> P39 ~~Same 1/4?~~ <u>W32</u> P45 Overlap(s) <u>none</u>
P/U	_____	☒	Amendment Needed? <u>change to NWNE(7ac), S6 & SESE(9ac)</u> S31 P41 Overlap(s) <u>none</u> (Gov't use special ¶'s) *P/D & P/U Amend? P37
RATE	_____	☒	Permit/proof fee limits <u>0.70</u> / <u>0.70</u> Measured Quantity = <u>0.75</u> cfs Theoretical Quantity = _____ cfs ① <u>measured culvert, orange peel method 12.3' in 9.7 seconds</u> <u>through 12" culvert 2/4 full.</u> ② <u>inv = 16 x 0.02 cfs/ac = 0.32 cfs</u> Recommended capacity <u>0.75</u> cfs Recommended rate <u>0.32</u> cfs
VOLUME	_____	☒	Season (<u>B / 3.5</u>) <u>4/15-10/15</u> = <u>184</u> days Calculations: <u>16 ac x 3.5 AF/ac = 56.0 AF</u> Flow limit: <u>0.32 cfs x 184 days/yr x 1.9835 = 116.8</u> AF Recommended volume <u>56.0</u> AF
USES	_____	☒	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS	_____	_____	Multiple p/d's in same 1/4? Use W32 _____

CONDITIONS

<u>R43</u>	Measuring Device (<u>R43</u>) or Lockable Controlling Works (<u>R02</u>)
<u>R04</u>	Watermaster Control (<u>R04</u>) - WD # <u>63</u>
<u>R63</u>	Irrigation rate/annual volume overlap
<u>—</u>	GW irrigation replaces surface water (<u>050</u>)
<u>—</u>	GW irrigation supplements surface water (<u>065</u>)
<u>—</u>	Water Quality
<u>099</u>	Other _____

PRIORITY

App Rcd 1/3/74 Due 2/1/74 Rcd: 4/20/87
Receipt# 42367 Fee OK? Yes No \$ 100
Order to Reinstate Needed? Yes No Done? Advanced to: 8/12/74
Pronty 8/12/74 Examined 6/26/98

COMMENTS amend P/D & P/U, advance priorities

USE	CFS	VOLUME
br.	0.32	56.0
TOTAL	0.32	56.0

SRBA Overlap AL65-01451
Adjustment Memo _____
LICENSE
#1 AMEND: P39 /P38
#2 AMEND. [REDACTED] (C)P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 24 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-07451

1. Owner: J.A. Terteling & Sons Inc Phone No. 338-5200

Current Address: 877 W. Main Ste 706, Boise 83702

2. Accompanied by: Joe Terteling & Mark Sandmeyer EXAM DATE: 6/26/98

Address: _____ Phone No. _____

Relationship to Permit Holder: Applicant & Developer

3. Source: Unnamed Stream tributary to Bogus Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

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
			SW	SW	32	6.N	3E	Boise	Topo + CFS4 maps, Pacing

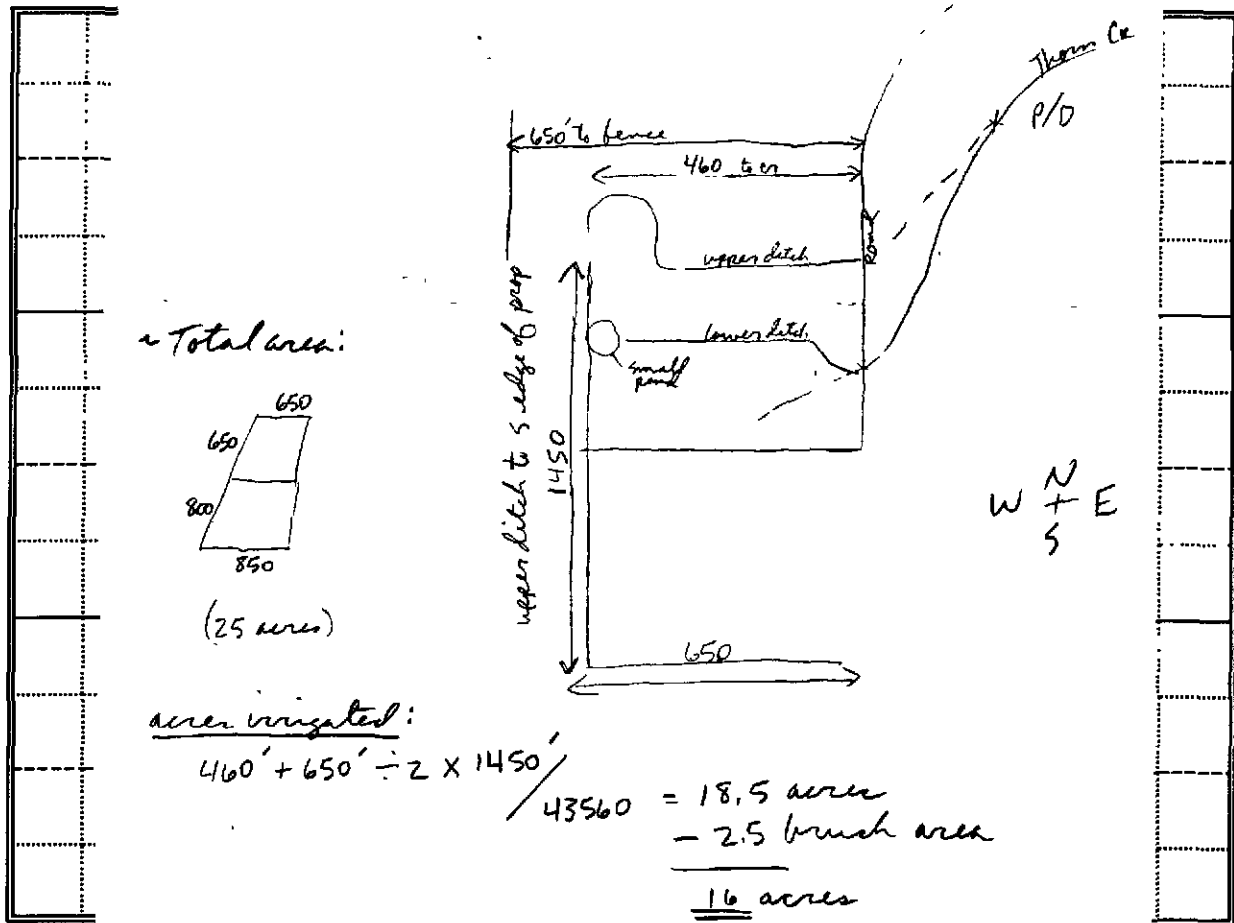
2 Place(s) of Use:

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		42 7															7
6N	3E	31															9		9

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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. N/A

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
Orange Peel						

2. Measurements: 12.3' in 9.7 seconds, 12" culvert
3/4ths full

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100% 100%

E. NARRATIVE/REMARKS/COMMENTS

16 acres of grass hay within a 25 acre pasture, meadow area are irrigated with water from the unnamed stream via ditch and gravity irrigation system. The P/M + P/D were determined by pacing in the field and by planimetry and comparing maps.

The Ditch system utilizes a small pond in sec 31. Run off water from surrounding draws is also collected in the ditch system during good water years.

No other rights are used.

NOTE:- 'Unnamed' stream, locally known as Thorn Creek

- attached are MR + Mrs Dobson's comments regarding applicant's system development. They have earlier priority to Shafter Creek which 'Thorn' Creek is tributary to.

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

MICROFILMED

1961 10 1994

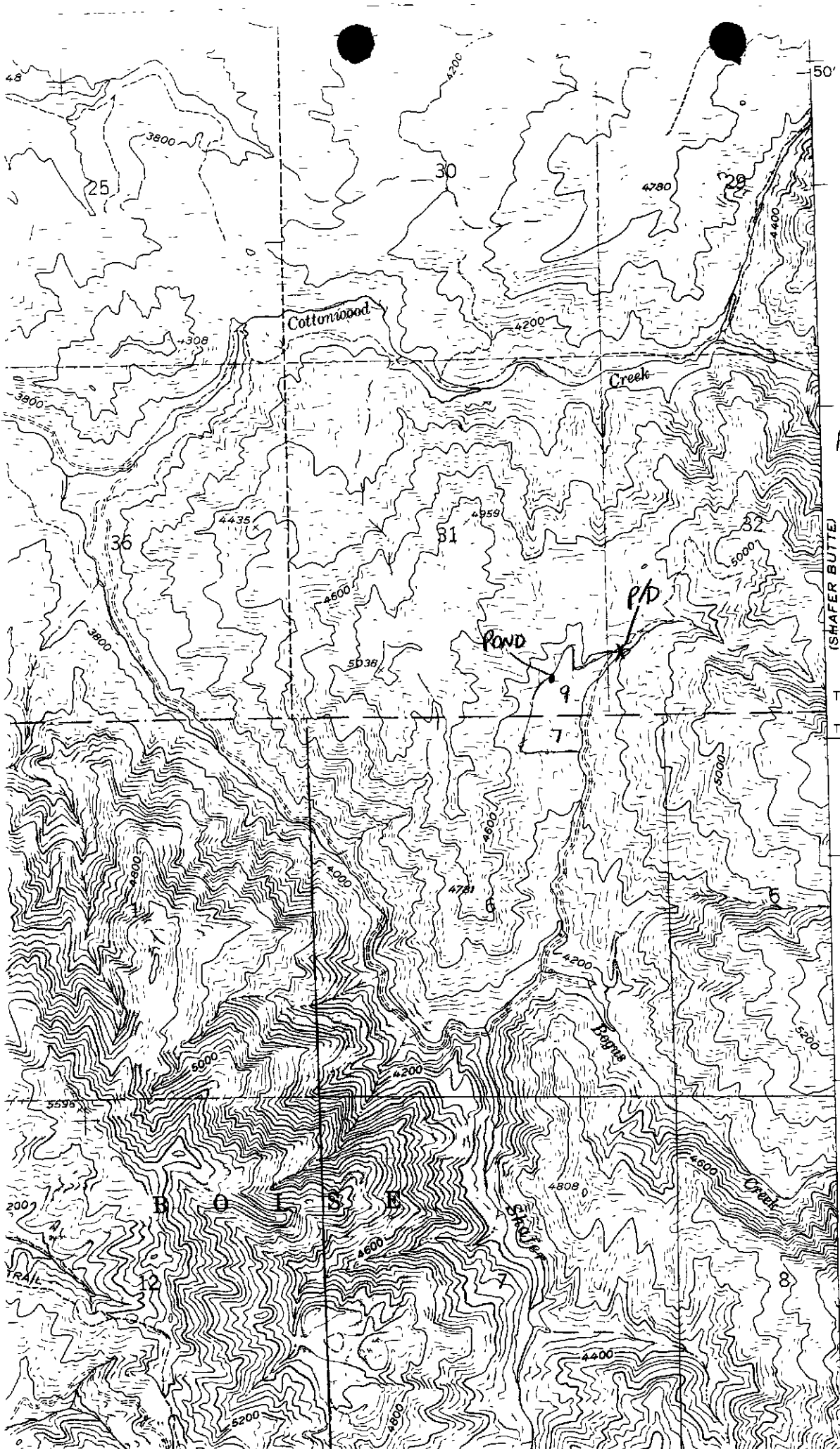


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FILM 5

AUG 10 1995 65-07451



P/D: T6N R3E S32
SWSW

P/U: T6N R3E S31
T5N R3E S6
Gov Lt 2

T 6 N
T 5 N

47'30"

MICROFILMED

APR 10 1993

65-07451

TOWNSHIP N° 5 NORTH , RANGE N° 3 EA

DEPENDENT

Sec.31

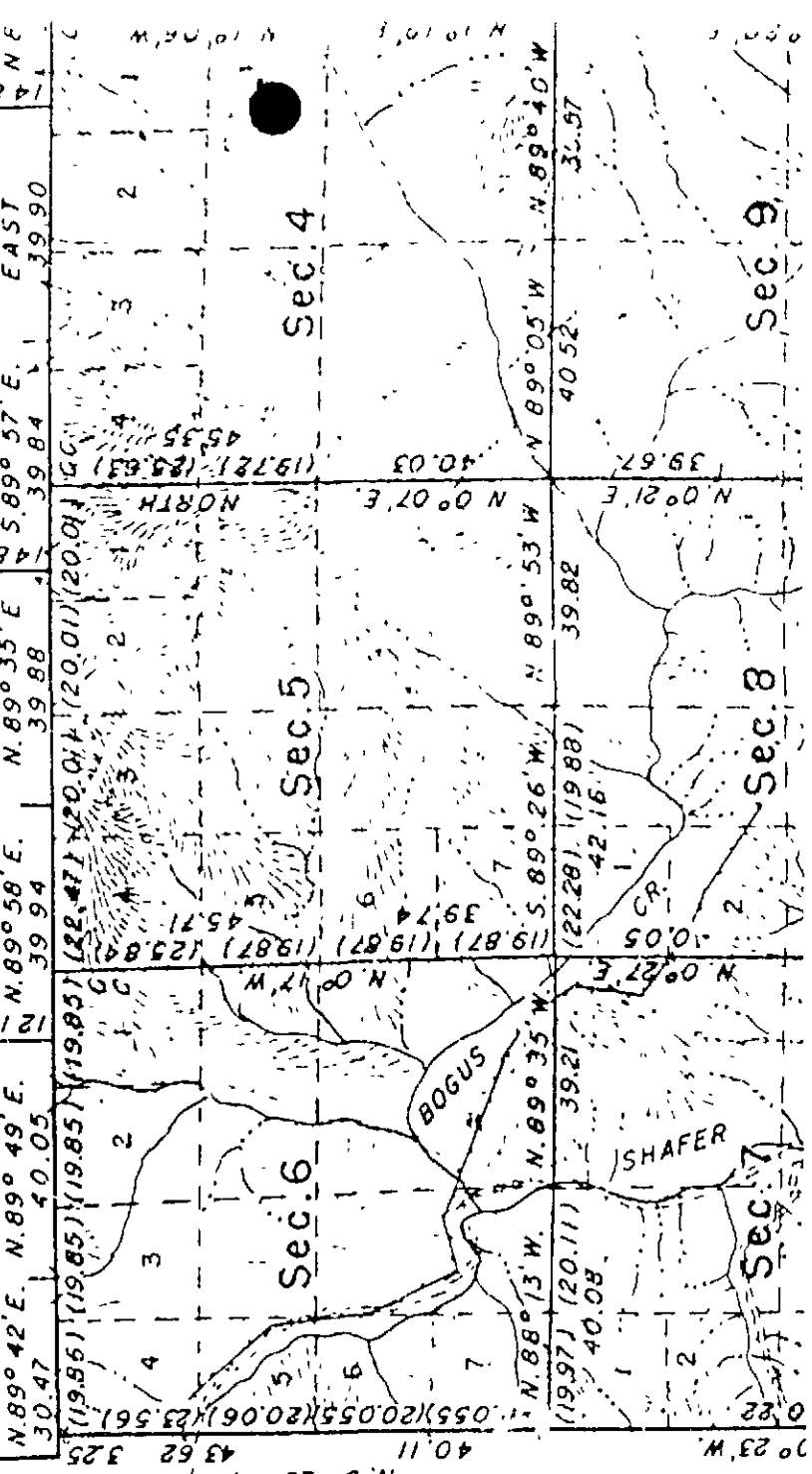
Sec.32

Sec.33

FIRST

STANDARD

R. 2 E R. 3 E.



MICROFILMED
1993

65-07451

ly 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 ~~live~~stock 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.

Ken Dobson

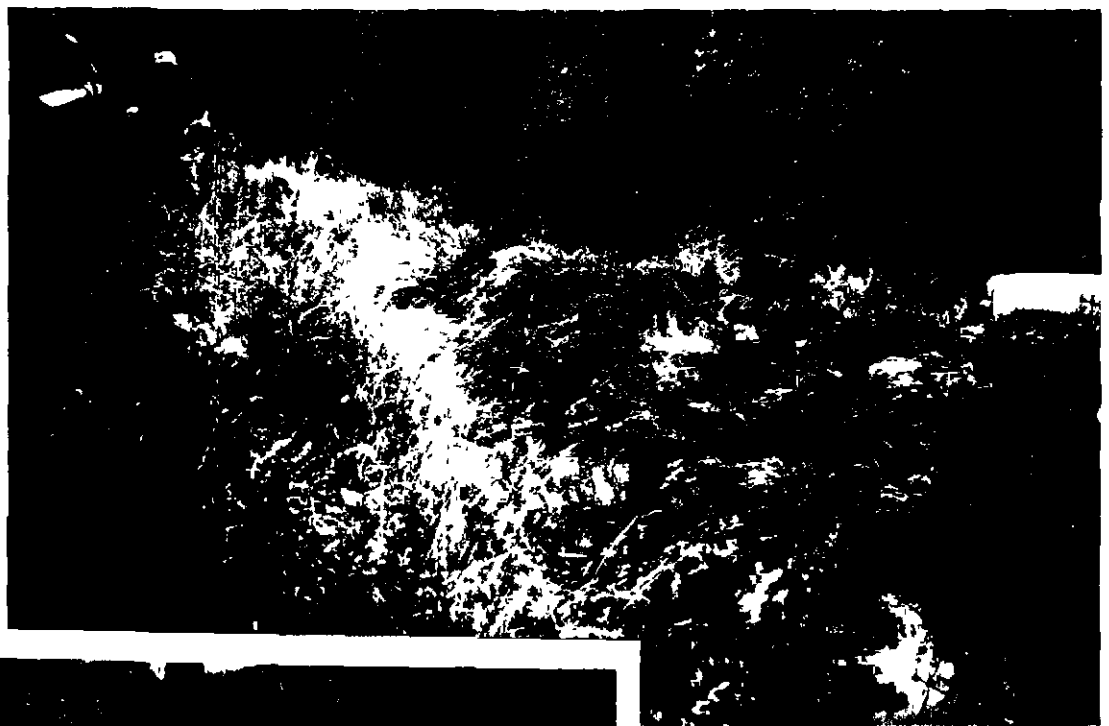
MICROFILM

AUG 10 1999

65-07451



P/D = 12" culvert
3/4 the full



ditch
system



collected
Run off water
in addition
to unnamed
stream water

MICROFILM

1/15/65

65-07451



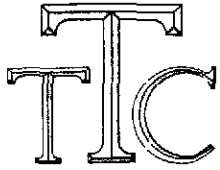
small Pond
P/m looking SW

P/m. Looking North



65-07451

65-07451



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,

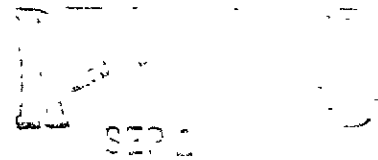
THE TERTELING COMPANY, INC.

A handwritten signature in cursive script that reads 'Flinda Inouye'.

Flinda Inouye
Administrative Assistant

FAI/sf

MICROFILMED



Department of Water Resources
Boise, ID 83705

CONVERSATION MEMORANDUM

DATE

6/9/87

FILE

63-7595 ✓

NAME OF PARTY

Terteling

EMPLOYEE

Brad

65-7450

65-7451

65-7452

RE:

Exam

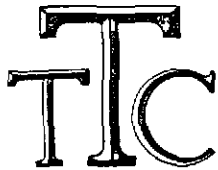
- a representative of the Terteling Co. called concerning the field exam date

- due to an injury, the land managers will be unable to assist with the field exam until early July.

- the Terteling Co. will contact us when it is possible to conduct exam.

- contact is Roy Greiner (mgr.)

MICROFILMED



June 29, 1987

Mr. Brad E. Dingee
Sr. Water Resource Agent
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Permit Nos. 63-7595, 65-7450, 65-7451, 65-7452

Dear Brad:

This letter is to confirm our telephone conversation today regarding water right field examinations on the above referenced water permits.

Tentatively, we will be calling to schedule the examinations the week of July 6th or the week of July 13th. As we discussed over the phone, we will not lose our water rights because of this delay.

If you have any questions, please give me a call.

Very truly yours,

THE TERTELING COMPANY, INC.

Bobbi A. Baxter

Bobbi A. Baxter
Executive Assistant

BAB/bbE02

1001001 MEL

RECEIVED
JUL 1 1987

Department of Water Resources
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

May 29, 1987

65-7451
J. A. TEPELING & SONS INC.
C/O T. H. HCCD
P.O. BOX 4127
BOISE, ID 83704

Dear Permit Holder:

We are planning to conduct water right field examinations in the vicinity of your water permit (the permit number is listed above your name) during the week of June 8, 1987. A field examination is needed to verify your water use so that a water license can be issued. In order to conduct your exam as efficiently as possible, please call this office to schedule a day and time during the above referenced week that is convenient for you. Please note that your system should be operating under normal conditions during the examination.

One of the conditions of approval for your water permit is that a measuring device approved by this department be installed so that we can accurately measure your water use. This device may be a flowmeter or access port (for pressurized pipelines), or a surface water measuring device such as a weir or a flume. We have enclosed additional information concerning measuring devices.

If there is a problem with scheduling or conducting the examination at this time, please call us and other arrangements can be made.

Sincerely,

Brad E. Dingee
Sr. Water Resource Agent

ENCLOSURE

4/86

RECEIVED

APR 20 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received \$100

Date 4-27-87

Receipt # 42367

Receipt by [Signature]

Sent to S.O. [Signature]

1. Permit No. 65-7451

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: surface source, Thorn Creek

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation 35 (acres) Other/Remark April 15 - June 10

6. Total rate &/or volume for which proof is submitted .7 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 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

[Signature]
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

65-7151
J. A. FERRILLING & SONS, INC.
7201 E. B. BOOD
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. P.E.
Manager, Western Regional Office

DAVID R. TUTHILL, JR.

MANAGER, WESTERN REGIONAL OFFICE

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

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

ENCLOSURE 5-

JUL 17 1977



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

65-7451
J. A. TERTELING & SONS INC.
P.O. BOX 1428
BOISE, ID 83701

Mailing address:
Statehouse
Boise, Idaho 83720

138484

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.

Certified water right examiners are licensed engineers, geologists, or land surveyors 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 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.

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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



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
JUN 11 1985

December 19, 1978

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

Gentlemen:

Re: Permit Nos. 65-7450 and 65-7451

Enclosed are copies of the approved applications for amendments submitted on the above referenced permits.

Also enclosed are the receipts reflecting the fees paid.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 4

RECEIVED

STATE OF IDAHO,
County of Boise }

Sherry Archer being
duly sworn, deposes and says:
that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper 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 consecutive 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 and not a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with

Sept. 22, 197*.8*. and end-

ing with the issue of *Sept. 29*
197 *.8*.

Subscribed and sworn to before

me this *2nd* day of *Oct.* 197*.8*
Robert J. Taffield
Clerk of Dist Court

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7451 in the name of J. A. TRELING & SONS, INC. was issued for the diversion of 0.7 cubic feet per second with the point of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E., B.M. to be used from April 15 to June 10 for irrigation purposes within the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and within the W $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

The permit holder now proposes to amend Permit No. 65-7451 by changing the place of use to within the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and within the W $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

Any protests to this proposed amending of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83703 on or before October 9, 1978.

C. STEPHEN ALLRED

Director

Published in THE IDAHO WORLD

OK
10-10-78

MICROFILM



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 14, 1978

The Idaho World
Box 220
Idaho City, Idaho 83631

RE: APPLICATION FOR AMENDMENT OF WATER PERMIT NO. 65-7451 in the name of
J.A. TERTELING & SONS, INC.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before October 9, 1978.

Sincerely,

RITA FLECK
Secretary

ST/

MICROFILMED

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7451 in the name of J.A. TERTELING & SONS, INC. was issued for the diversion of 0.7 cubic feet per second with the point of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E., B.M. to be used from April 15 to June 10 for irrigation purposes within the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and within the W $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

The permit holder now proposes to amend Permit No. 65-7451 by changing the place of use to within the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T 6N-R 3E and within the W $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

Any protests to this proposed amending of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before October 9, 1978.

C. STEPHEN ALLRED

Director

Published in The Idaho World on September 21, 1978 and September 28, 1978.

January 13, 1978

Re: Permit No. 65-7541

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

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for Permit No. 65-7451.

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

We note that in reviewing this proof affidavit, you indicate that you have not installed a measuring device as required by the conditions of approval of your permit. This measuring device must be installed by the time our examiner makes the exam or your water rights cannot be confirmed by the issuance of a license. Please note that in lieu of a measuring device a certified measurement may be made by a certified professional engineer. This measurement is to be made when the system is operating in a normal manner.

Sincerely,

JANICE RENK
Water Rights

Encl.

mas. dwee

Identification No. _____

Permit No. 65-7451

RECEIVED

DEC 27 1977

af

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
Department of Water Resources

1. a) Name of Permit Holder J.A. TERTELING & SONS, INC.
b) Post Office Address Post Office Box No. 1428, Boise Idaho. 83701
2. Permit Number 65-7451
3. Date of Priority that you are prepared to establish January 3, 1974
4. a) Source from which water was appropriated Surface Source, Thorn Creek
b) Location of the point of diversion: SE 1/4 SE 1/4, Section 31
Township 6N, Range 3E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.7 cfs for irrigation purposes from April 15 to June 10 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ 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, estimated flow at 0.7 cfs and was told State would measure peak flow.
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) Rock dam with drop boards raising water to ditch level. 16" headgate and contour ditches with cement headgates.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
Estimated flow through headgate. Was told that when inspected by State at peak discharge period, flow would be measured at that time.
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Stock water
Exam typed 1/6/78 by [signature]

If you are irrigating 15 or more acres, attach an aerial photo of the property with this affidavit.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	3E	31															5	2.5	7.5
5N	3E	6					20	4	3.5										27.5

Total number of acres irrigated 35

10. Remarks:

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

12/21/77
(Date)

J. L. Terteling
(Signature)
J. L. Terteling, Partner

State of Idaho)
County of Ada) ss.

On this 21 day of December, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lela F. Lawer
Notary Public residing at Boise, Idaho

My commission expires 5-26-79

November 30, 1977

CERTIFIED MAIL

138218

Re: Permit No. 65-7451

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

Gentlemen:

One of the conditions of approval of your water Permit No. 65-7451 (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 February 1, 1978. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
NOV 30 1977
MICHIGAN

February 15, 1974

Re: Permit No. 65-7451

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

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7451. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

65 7451

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 7451

J. A. TERTELING & SONS

PLEASE ADDRESS
ALL COMMUNICATIONS
TO THE FIRM

P.O. Box 1428

HOME OFFICE: BOISE, IDAHO

January 4, 1974

RECEIVED

*OK-
RHC*

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
J. L. Terteling

JLT/bf

65 7451

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

January 17, 1974

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

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

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 7451

35 7451

Notice is hereby given that
J. A. THEITLING & SONS,
INC., P.O. Box 1428, Boise, Idaho,
has on January 3, 1974 submitted Application No. 65-1431
for a permit to appropriate 6.7
cubic feet per second of water
from Thion Creek, tributary to
Bogus Creek by means of
dam, headgate and ditches within
the SE 1/4, Sec. 31, T. 6
N., R. 3E, B.M., Boise County,
to be used from April 15 to
June 10, for irrigation of 35
acres within the SE 1/4, Sec.
[REDACTED]

Idaho, City of the Idaho World
Director
K. KATH HIGGINSON
June 11, 1974
See Idaho 83707 on or before
Administration, Statehouse, Bo-
the Idaho Department of Water
the permit must be filed with
the Bureau of Reclamation of

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. A. TERTELING & SONS, P. O. Box 1428,
Boise, ID
has on Jan. 3, 1974 submitted Application No. 65-7451
for a permit to appropriate 0.7 cubic feet per second ~~acre feet~~
~~per second~~ of water from Thorn Creek, trib. to Bogus Creek
by means of dam, headgate & ditches
within the SE1/4, S. 31, T. 6 N., R. 3 E., B.M., Boise County

to be used from April 15 to June 10
for irrigation of 35 acres

within the SE1/4, S. 31, T. 6 N., R. 3 E., W1/4, SE1/4, S. 6, T. 5 N.,
R. 3 E., B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Administration, Statehouse, Boise, Idaho, 83707, on or before
Feb. 11
~~Jan. 28, 1974~~

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on Jan. 17, 1974 and Jan. 24, 1974 65-7451

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

Boise Co.

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

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

JAN 4 1974

65-7451
Department of Water Administration
5-3-B
6-3-F

Notice is hereby given that J. A. Terzelin & Sons, Inc.
(Name of Claimant)

P.O. Box 1428, Boise, Idaho 83701
(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:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1/3/74

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean)
Thorn Creek which is a tributary of Bogus Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
4-1 (Both Dates Inclusive) 11-1

Use Irrigation Period of Use From Apr. 15th To June 10th
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use Domestic, irrigation, stock, etc. Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use Domestic, irrigation, stock, etc. Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

(4) Quantity of water claimed: 7 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 SE 1/4 SE 1/4, Sec. 31, Twp. 6N, Rge. 3E, 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. Rock or cement dam with drop boards will raise water to ditch level. 16" headgate will retard flow when not in use. Contour ditches with intermittent cement headgates will control water. Drop boards out in winter. Cipolletti

(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.

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	
6N	3E	31					6.0										5.0		11.0
5N	3E	6					20.0	4.0	2.54										26.54

Total No. of acres 36

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

(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.: Permit 65-7451

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)

KEYPUNCHE

(Signature of Spouse)

Organization J. A. TERZELIN & SONS, INC.

(Signature of Authorized Agent)

State of Idaho } ss.
County of Boise }

Organization Seal

On this 14th day of January, 1973, in the year 1973, before me

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

Notary Public residing at Meridian, Idaho

My commission expires 5-5-78

11/2/78 and 9/15/76 3/1/79

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

IDENT. NO.

MAP NO.

65-7451 **AMENDED**

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

(Name of Claimant)

P. O. Box 1428, Boise, Idaho 83701

(Mailing Address)

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:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) DEC 29 1976

Application for Permit No. 65-7451 Jan. 3, 1974

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Thorn Creek Department of Water Resources

Western Regional Office

(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 Irrigation .7 Period of Use From April 15 To June 10
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(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: 7 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. SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 31, Twp. 6N, Rge. 3E, 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. Diversion Dam and Headgates providing Winter and Spring runoff bypass return to streambed: Cipoletti Weir at Pond provides measurement for water traveling approx. 3/4 mile of ditches.

(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 35

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 Bogus Creek via Thorn Creek.

(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.:

No. 65-7451 2 Jan. 1974

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)

State of Idaho

County of NOA ss.

**Organization
Seal**

On this 20 day of December, in the year 1976, before me,
a Notary public, personally appeared W. W. Gartin
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. Ans. T. McGinnis

Organization J. A. TERTEILING & SONS, INC.

Signature of Authorized Agent

Notary Public residing at Bake, Togo

My commission expires