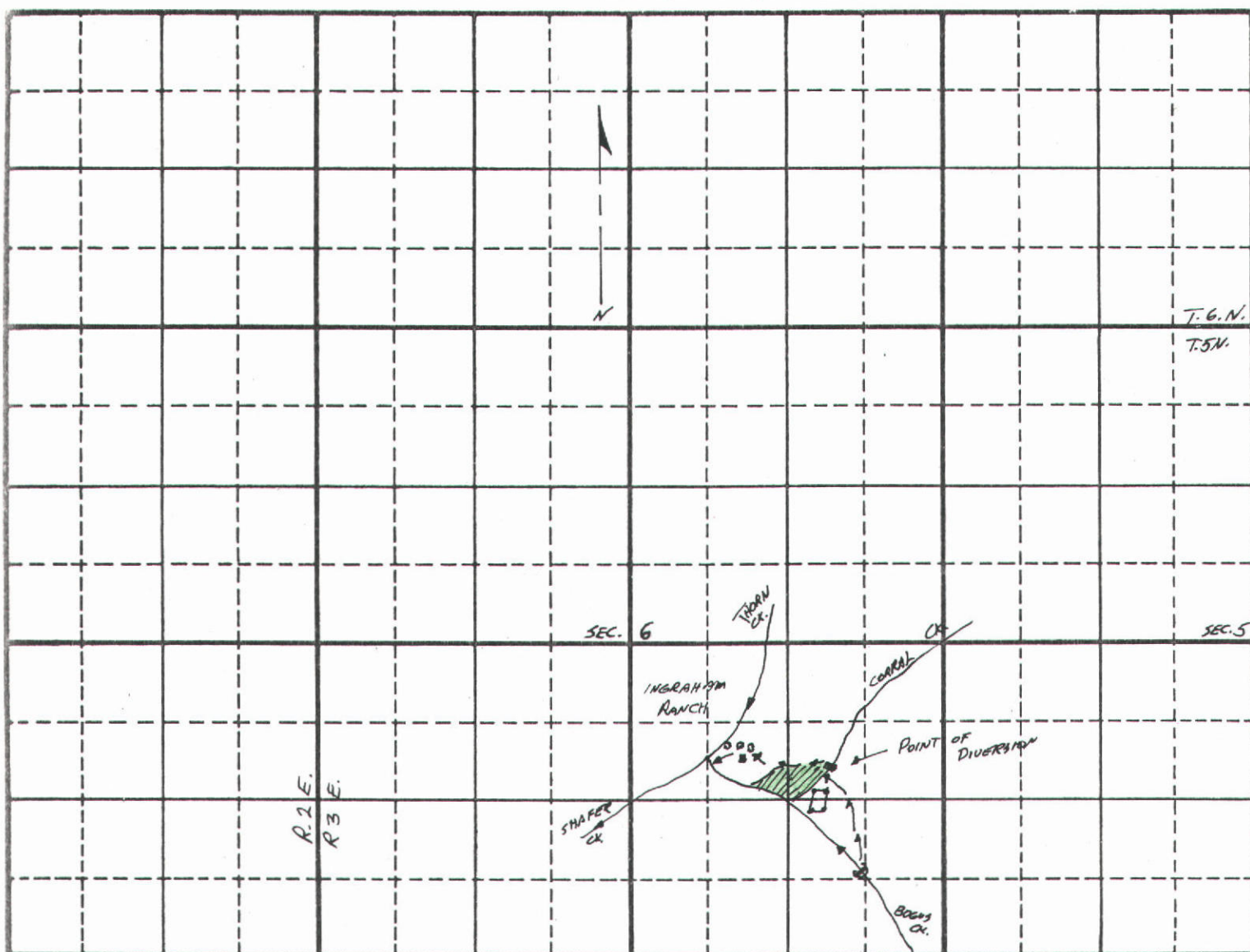


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: $\frac{1}{2}$ 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

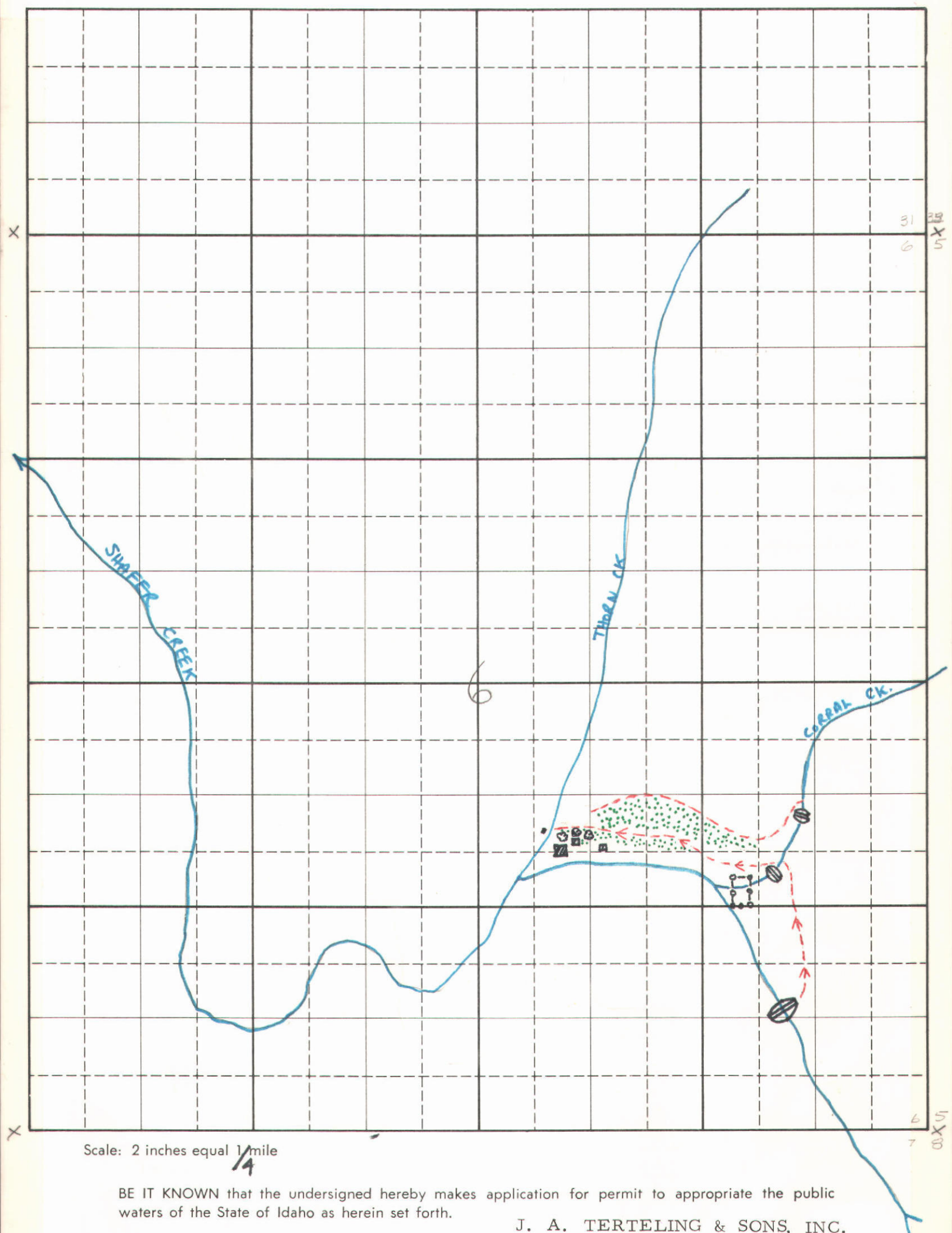
GEOLOGIST [Signature]
9-7-78

I, L. Glen Saxton, Operations Bureau of the Department of Water Resources hereby approve this application for amendment on Permit No. 65-7450.

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, INC.

←---←--- = EXISTING DITCH

----- = PROPOSED DITCH

 = DIVERSION DAMS

= INGRAHAM RANCH CORRALS

(Applicant)

65 7450

RECEIVED

MAR 21 1974

Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

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

J. 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
J. R. Adams, 1974

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, Idaho 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 by means of headgate and ditches within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E., B.M., Boise County to be used from April 15 to August 1 for irrigation of 5 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 5 N., 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

3-21-74

65-7450

RECEIVED

MAR 27

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 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 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. Tappfield
Clerk District Court

Deputy

NOTICE OF CORRECTION

Notice is hereby given that
Notice of Application for Per-
mit No. 65-7450 in the name of
J. A. TERTELING & SONS, Inc
was published in error on Janu-
ary 17, 1974 and January 24,
1974.

The point of diversion was
advertised as being within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E.
B.M. Boise County. WHEREAS,
the actual point of diversion is
within the NE $\frac{1}{4}$ 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, 83
728, on or before March 11, 19-
74.

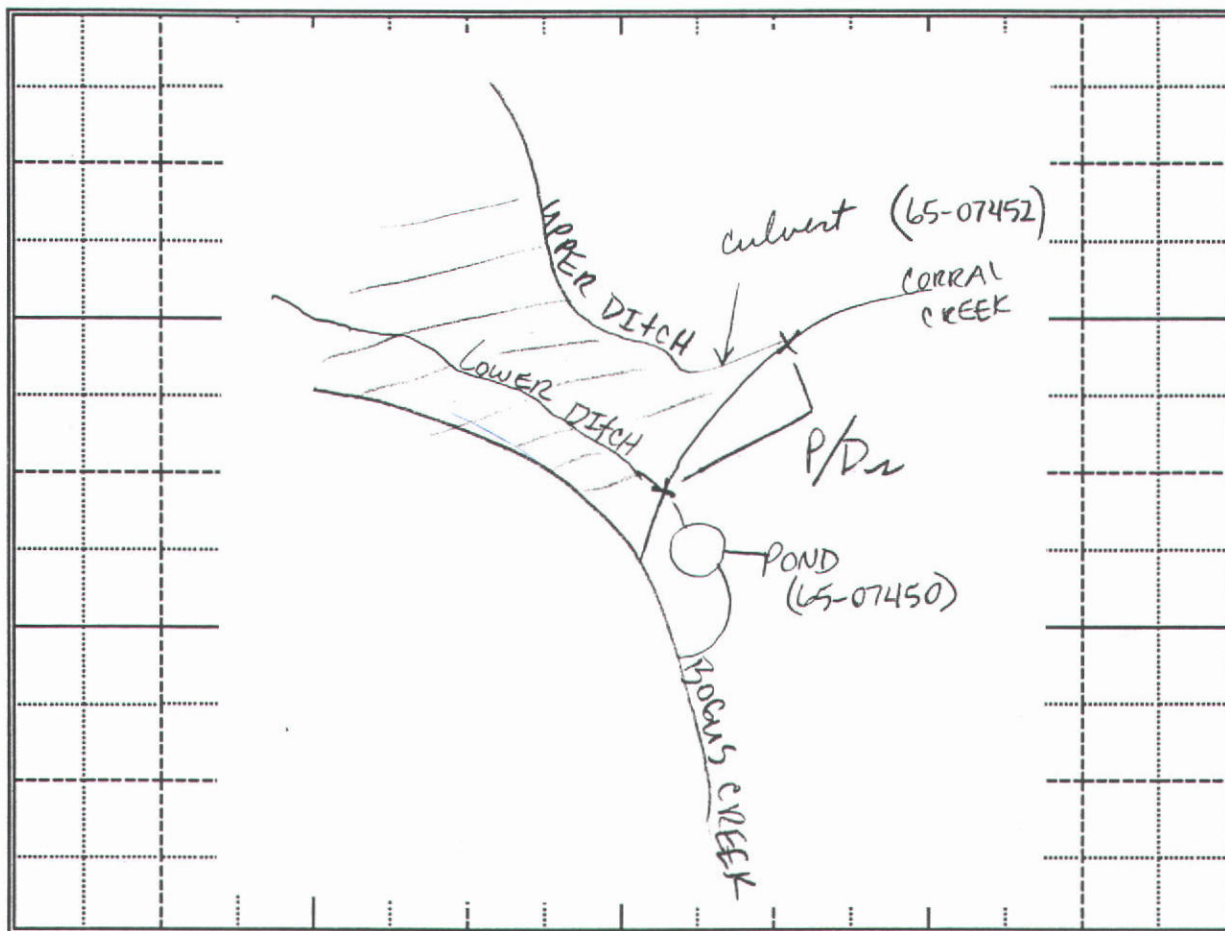
R. Keith Higginson
Director

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

OK df
3-21-74

65 7450

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
Orange Peel						

2. Measurements: 12' in 4.3 seconds, 12" culvert
1/2 full

MICROFILMED

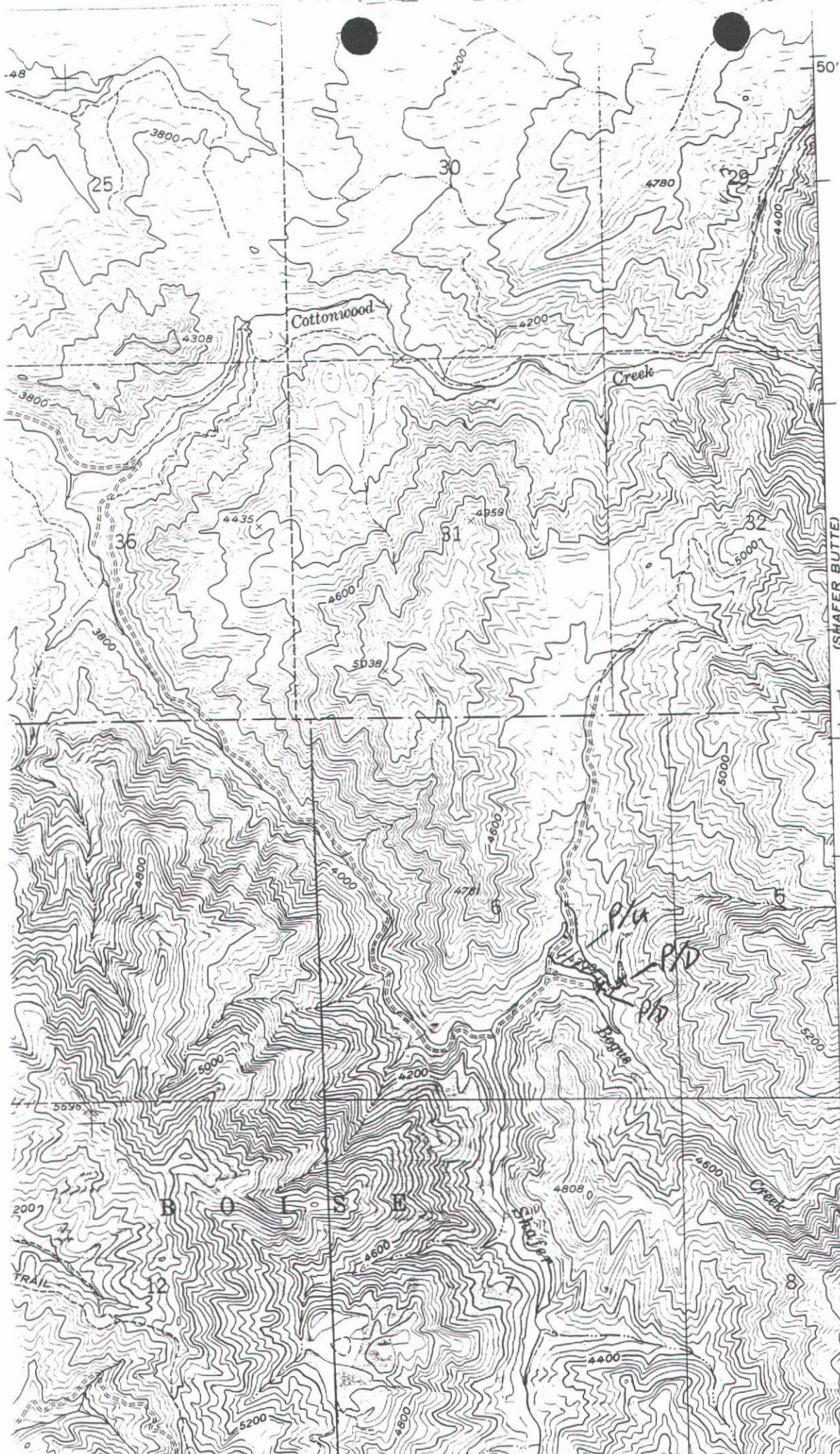
AUG 10 1999

15R3E

P/U
P/D

PHOTOFILM
AUG 18 1999
65-07450-999

A/M



(SHAFFER BUTTE)

T. 6 N.

T. 5 N.

47'30"

T5N
R3E
Sec 6
P/D: NESE
P/U: NESE
NWSE

MICROFILMED

10 1999

65-07450



Canvae dam
diversion
off of Unnam
stream
(Corral Creek
Upper ditch,
Diversion



P, 6

RECEIVED

AUG 10 1999

15-07450

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. 23, 197... and end-

ing with the issue of *Sept. 29*

197... .

Sherry... Archer

Subscribed and sworn to before

me this *2nd* day of *Oct.* 1978.

Robert J. Taffield
Clerk of Dist Court

LEGAL NOTICES

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit
No. 65-7450 in the name of J.A. TER-
TELING & SONS, INC. was issued for
the diversion of .2 cubic feet per
second with the point of diversion
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T 5N-R
3E., B.M. to be used from April 15
to Aug 1 for irrigation purposes of a
total of 5.0 acres within the NW $\frac{1}{4}$
SE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

The permit holder now proposes
to amend Permit No. 65-7450 by
changing the place of use to within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 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.

RECEIVED
OCT 5 1978
Department of Water Resources
Western Regional Office

OK.
10-10-78
MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Notice of Application for Permit No. 65-7450 in the name of J. A. TERTELING & SONS, Inc was published in error on January 17, 1974 and January 24, 1974.

The point of diversion was advertised as being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E., B.M. Boise County. WHEREAS, the actual point of diversion is within the NE $\frac{1}{4}$ 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 February 28, 1974.

OK df

3-13-74

65 7450

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-07450

Priority: August 12, 1974

Maximum Diversion Rate:

0.15 CFS

Maximum Diversion Volume:

17.5 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 1.080 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	0.15 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION: 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 1.5	NWSE 3.5		5

Total number of acres irrigated: 5

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. Two points of diversion are located within NESE, S06, T05N, R03E.
5. Right 65-07452 is also diverted through one of the points of diversion described above.
6. Source is locally known as Corral Creek.
7. A 2 acre portion of the place of use is also irrigated under right no. 65-07452.

MICROFILMED

JUL 18 1979

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07450

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

1999 JUN 10 1999

10/93

RECEIVED
JUN 16 1999
Department of Water Resources

RECEIVED

JUN 09 1999
WATER RESOURCES
WESTERN REGION

Ident. Number

Received by

Date

65-07450
JUN 19 1999

RECEIVED

JUN 08 1999

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

Department of Water Resources

Applicant 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. 65-07450, and request that the permit and permit map be amended and/or changed as followsPurpose 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 ^{terral} Thorn Creek.*1 Point of diversion NE 1/4 of SE 1/4 of _____ 1/4, Sec 6 Township 5N Range 3EB.M., County of Boise (Thorn Creek) Other points of diversion _____

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

Amount 0.20 cfs 0.15 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													1.5				1.5
5N	3E	6														3.5			3.5

Total number of acres to be irrigated 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. _____

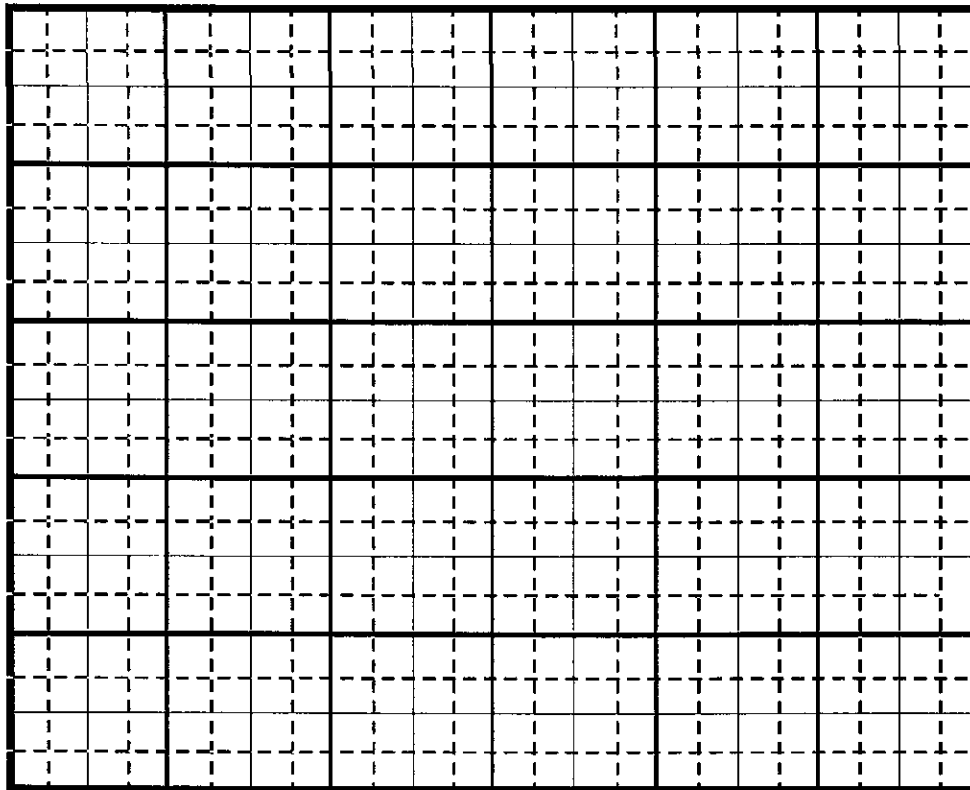
MICROFILMED

Last Name Terteling Ident No. 65-07450

JUN 10 1999

* changed per telecon w/ Don Terteling 6/18/99
S Curtis

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, 1999

Jd Terteling
(Permit Holder) PRESIDENT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

\$50 0045685

Preliminary check by SC Publication prepared by N/A Date 6/9/99
Published in N/A Publication dates N/A

I, KARL J. DREHER, of the Department of Water Resources hereby APPROVE
the above application for amendment of permit 65-07450.

Witness my hand this 30TH day of JUNE, 1999

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

Last Name Terteling Ident No. 65-07450

MICROFILMED

AUG 10 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-07450)
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. 65-07450 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. 65-07450 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.

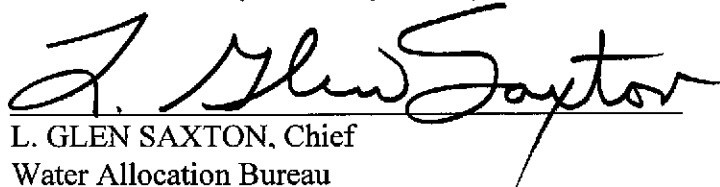
CONCLUSIONS OF LAW

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. 65-07450 is advanced to August 12, 1974.

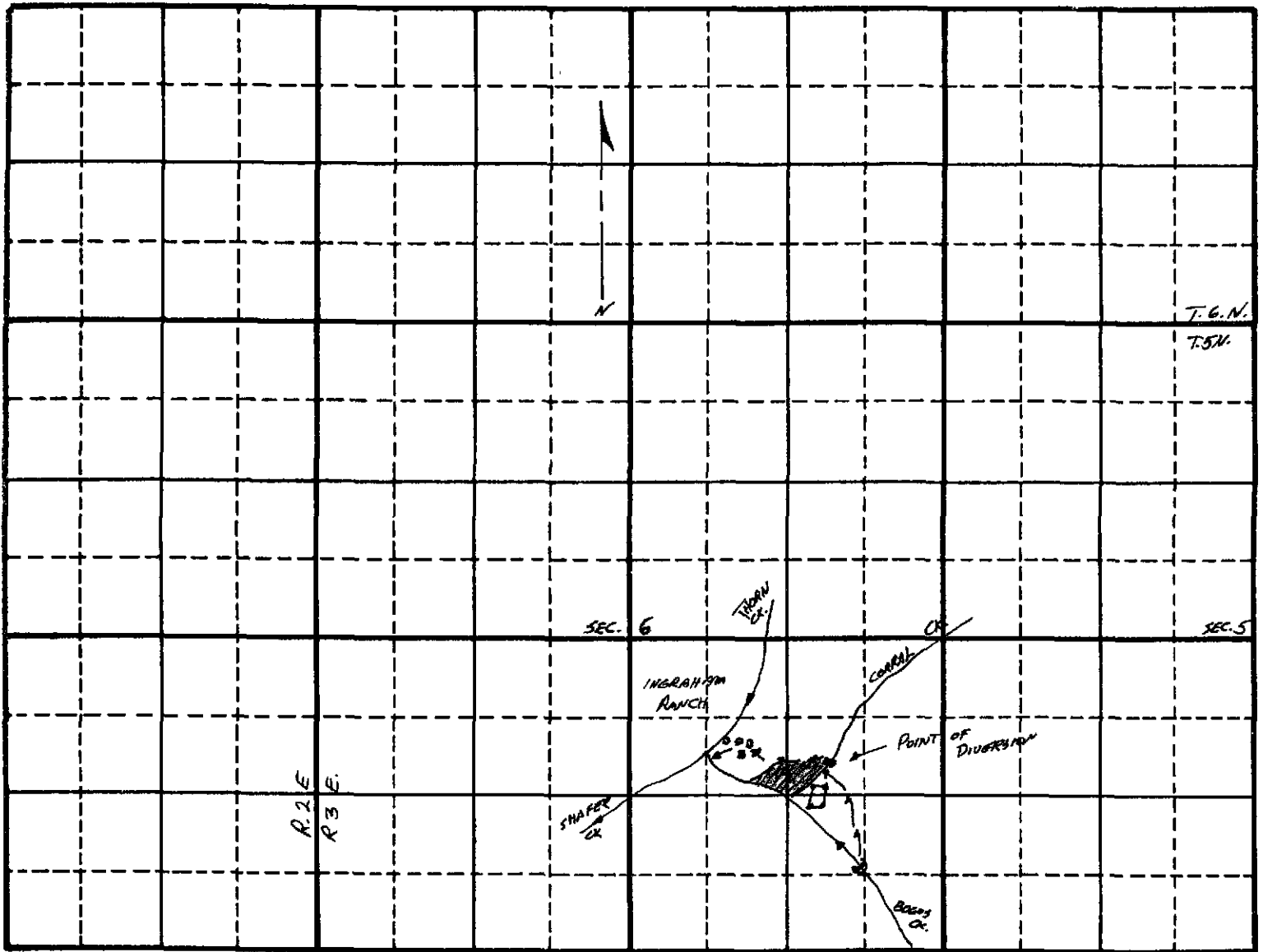
Dated this 24th day of May, 1999.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
AUG 10 1999

Total number of acres to be irrigated

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: $\frac{1}{2}$ 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

GEOLOGY 9-7-78

I, L. Glen Saxton, Operations Bureau of the Department of Water Resources hereby approve this application for amendment on Permit No. 65-7450.

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

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE

FEB 8 1978

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of Boise)

Permit No. 65-7450

J. A. Terteling & Sons, Inc. of P. O. Box 1428, Boise, Idaho 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. 65-7450.

That under the terms and conditions of said permit, work thereunder was required to be completed by April 1, 19 78.

That he has heretofore performed the following work described under said permit:
Constructed Header Ditch w/16" Headgate, and 6 (8") Dropgates.
Installed Culvert and necessary diversion requirements.
System is completed and will be used this Summer.

Costing \$524.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: All work has been completed, but
due to short water year in 1977 and revised farming schedule,
will not be able to initiate irrigation until after permit
expiration; therefore request extension.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to April 1, 19 79.

J. A. Terteling & Sons, Inc.

(signature) R.C. Harper (Agent)

Subscribed and sworn to before me this _____ day of _____, 19 ____.

(notary public)

My commission expires _____.

Date of receipt at office of Department of Reclamation _____

ACTION OF STATE RECLAMATION ENGINEER

I, BOBBY D. FLEENOR, Chief, Operations Bureau
State Reclamation Engineer of the State of Idaho,
hereby APPROVE and extend the time within which to submit proof of beneficial
use of water under Permit No. 65-7450 to April 1, 1979.

Witness my hand this 16 day of February, 19 78.

Bobby D. Fleenor
State Reclamation Engineer
Chief, Operations Bureau

* If other than the holder, Power of Attorney must be supplied.

RECORDED

Identification No. _____

Application No. 65-7450

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 P.O. Box 1428, Boise, Idaho 83701
- 2 Source of water supply Corral Creek which is a tributary of Bogus Creek
- 3 a. Location of point of diversion is NE $\frac{1}{4}$ 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 at a point in NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 6 Township 5N Range 3E B.M. _____
- 4 Water will be used for the following purposes.
Amount .2 for Irrigation purpose from April 15 to Aug. 1 (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 _____ cubic feet per second and/or
b. _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. Diversion will be accomplished by
headgate with dropboards, and headgate in ditch to stop flow. Dropboards
removed for winter flow. Irrigation will be via contour ditch and siphon
tubes, followed by cement outlets.
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 \$ 350.00.
- 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	
5N	3E	6														5.0			5.0

Total number of acres to be irrigated 5.0

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

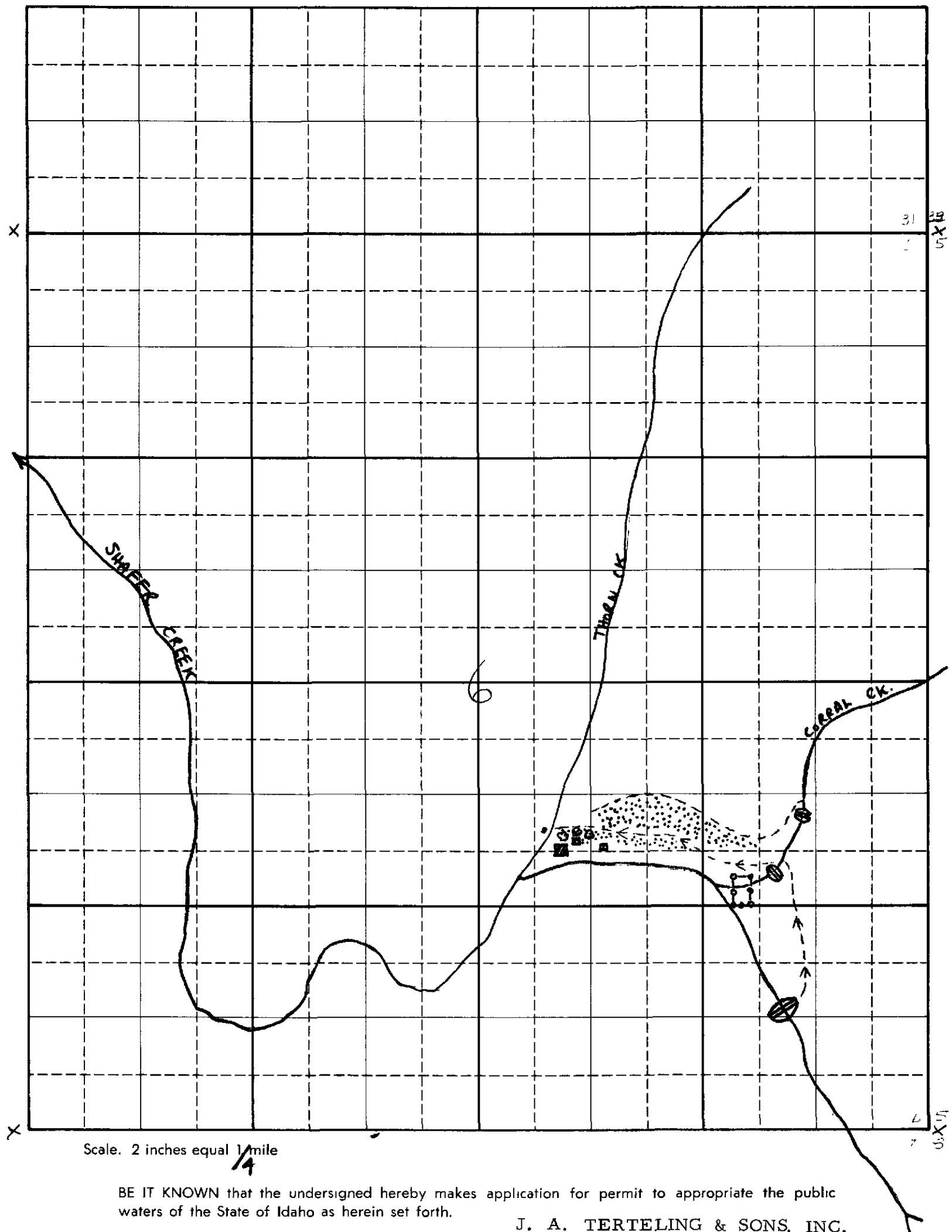
10. Remarks Since we are dependent upon the use of Corral Creek for stock water, approval of this permit would depend upon prior approval of our Bogus Creek Diversion, which would carry Bogus Creek water in a short ditch to the Corral Creek Channel. (See Application No.)

Use of Corral Creek would be limited to its available run-off. We estimate its economic use, for improvement of a horse pasture, to be confined to the period 15 April to 25 June.

Water requested in excess of 5 miners inches is to allow transportation of water from the point of diversion by ditch through granitic soils.

Point of Corral Creek diversion would be upstream from entry point of Bogus Creek Diversion.

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



J. A. TERTELING & SONS, INC.

(Applicant)

agent

← - - - - - EXISTING DITCH

- - - - - PROPOSED DITCH

⊗ = DIVERSION DAMS

⊗ = INGRAHAM RANCH CORRALES

65 7210

Received by df Date 1-3-74 Time 3:30p
 Preliminary check by CSB Fee \$ 10.00
 Receipted by df Date 1-3-74 - Permit # 13514
 Publication prepared by df Date 1-4-74
 Published in Idaho Falls News
 Publication dates 1-10-74 & 1-17-74
 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 df

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. 65-7450, 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 78.
- c. Other. _____

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

Witness my hand this 1 day of April, 19 74.


 Director

RECEIVED
1974

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

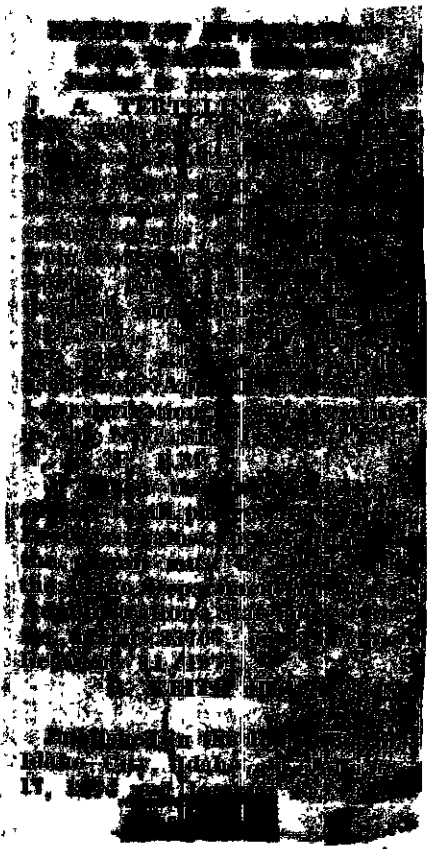
once a week for two consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than 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. Taffield
Clerk District Court

Deputy



3-21-74

RECORDED

INDEXED

Department of Water Control

**AFFIDAVIT
OF
PUBLICATION**

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

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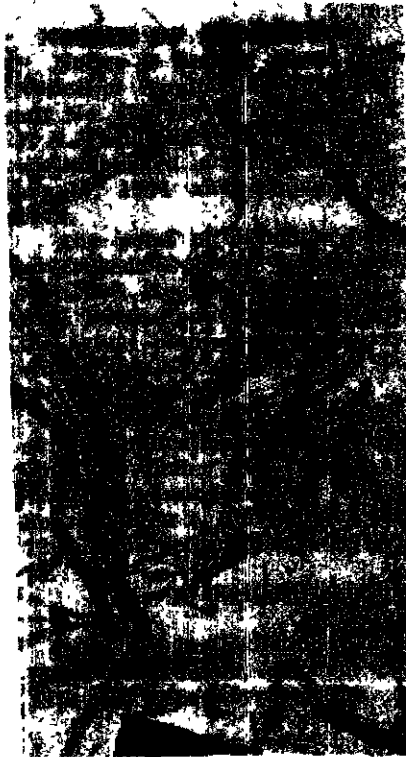
once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more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

with 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. Tappell
Clerk District Court

Deputy



OK df
3-21-74

63 7480



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. 65-07450

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

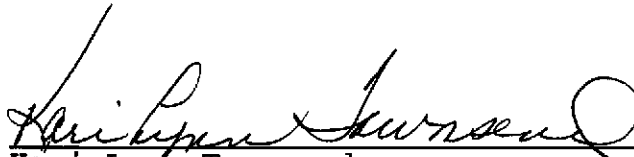
MICROFILMED
AUG 10 1999

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. 65-07450

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.

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AUG 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.

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AUG 10 1999

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.

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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. 65-07450

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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

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 RIGHT 65-07450

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before a license can be issued, your permit must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment form describes the additional point(s) of diversion and other information that will be included on the license when it is issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment form. Please review the amendment carefully. If you concur with the information presented please sign the form and return it with the \$50.00 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.

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

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AUG 10 1999

B/U FIELD EXAM REVIEW

by Andy DonPermit # 65-7450 Name Tertling & Sons Date: 4/28/99 ✓ Lots ✓

NAME	Chng <u>✓</u> Same <u>✓</u>	Or Address Change? <u>877 W Main Ste 706 02</u>
SOURCE	<u>✓</u>	Clarify source <u>unnamed stream (AKA Connel Cr) trib to Bogue Cr.</u> Prelim. Order to Void - Source change.
P/D	<u>✓</u>	Amendment Needed? Addn'l 1/4? <u>Legal</u> P39 <u>2 in Same 1/4? ✓ W32</u> <u>2 in NESE</u> P45 Overlap(s) <u>1 pd same as 65-07452</u>
P/U	<u>✓</u>	Amendment Needed? <u>reduce NESE to 1.5 & NWSE to 3.5 = 5 ac total</u> P41 Overlap(s) <u>2 acres also sewed by 65-07452</u> (Gov't use special ¶s) <u>P/D & P/U Amend? P37</u>
RATE	<u>✓</u>	Permit/proof fee limits <u>0.20</u> / <u>0.20</u> Measured Quantity = <u> </u> cfs Theoretical Quantity = <u> </u> cfs <u>12" culvert, 1/2 full, 12' in 4.3 sec (upper ditch only)</u> <u>in = 5 ac x 0.04 cfs/ac = 0.20 cfs</u> <u>0.04 cfs/ac = 0.20 cfs</u>
	<u>✓</u>	Recommended capacity <u>0.20</u> cfs
	<u>✓</u>	Recommended rate <u>0.20</u> <u>0.25</u> cfs
VOLUME	<u>✓</u>	Season: <u>(8 / 184) 4/15-10/15 = 184</u> days Calculations: <u>in = 5 ac x 3.5 AF/ac = 17.5</u>
	<u>✓</u>	Flow limit: <u>0.15</u> cfs x <u>184</u> days/yr. x <u>1.9835</u> = <u>54.7</u> AF
	<u>✓</u>	Recommended volume <u>17.5</u> AF
USES	<u>✓</u>	Same Nature of Use? <u> </u> P46 Amendment Needed? <u> </u>
REMARKS	<u>✓</u>	Multiple p/d's in same 1/4? Use W32 <u> </u> <u>✓ ① W32 ③ W36 ③ AKA Connel Cr.</u>
CONDITIONS	<u>R02</u>	Measuring Device (R43) or Lockable Controlling Works (R02)
	<u>R04</u>	Watermaster Control (R04) - WD # <u>65</u>
	<u>Pmk R67</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 <u> </u>
PRIORITY	App Rod <u>1/3/74</u> Due <u>4/1/79</u> Rcd <u>4/20/87 (222 days late)</u> Receipt# <u>42367</u> Fee OK? <u>Yes</u> No \$ <u>50</u> Order to Reinstate Needed? <u>Yes</u> No <u>Done?</u> Advanced to: <u>8/12/74</u> Priority <u>8/12/74</u> Examined <u>6/26/98</u>	
COMMENTS:	<u>add 2nd P/D. / Allow 0.04 cfs/ac to include conveyance loss.</u>	

USE	CFS	VOLUME
<u>err.</u>	<u>0.20</u>	<u>17.5</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
TOTAL	<u>0.20</u>	<u>17.5</u>

SRBA Overlap 65-07450
Adjustment Memo
LICENSE
#1 AMEND: P45/P38
#2 AMEND: (R) P42/(C) P47

RECEIVED

JUL 24 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 17 1998

Department of Water Resources

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-074501. Owner: J.A. Terteling + Sons Inc Phone No. 338-5200Current Address: 877 W Main Ste 706 Boise 837022. Accompanied by: Joe Terteling + Mark Sandmeyer EXAM DATE: 6/26/98

Address: _____ Phone No. _____

Relationship to Permit Holder: Applicant + Developer3. Source: Unnamed stream tributary to Bogus Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-074522. 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
			NE	SE	6	5N	3E	Boise	Topo + CFSA maps
									Pacing
									(2 points)

2. Place(s) of Use:

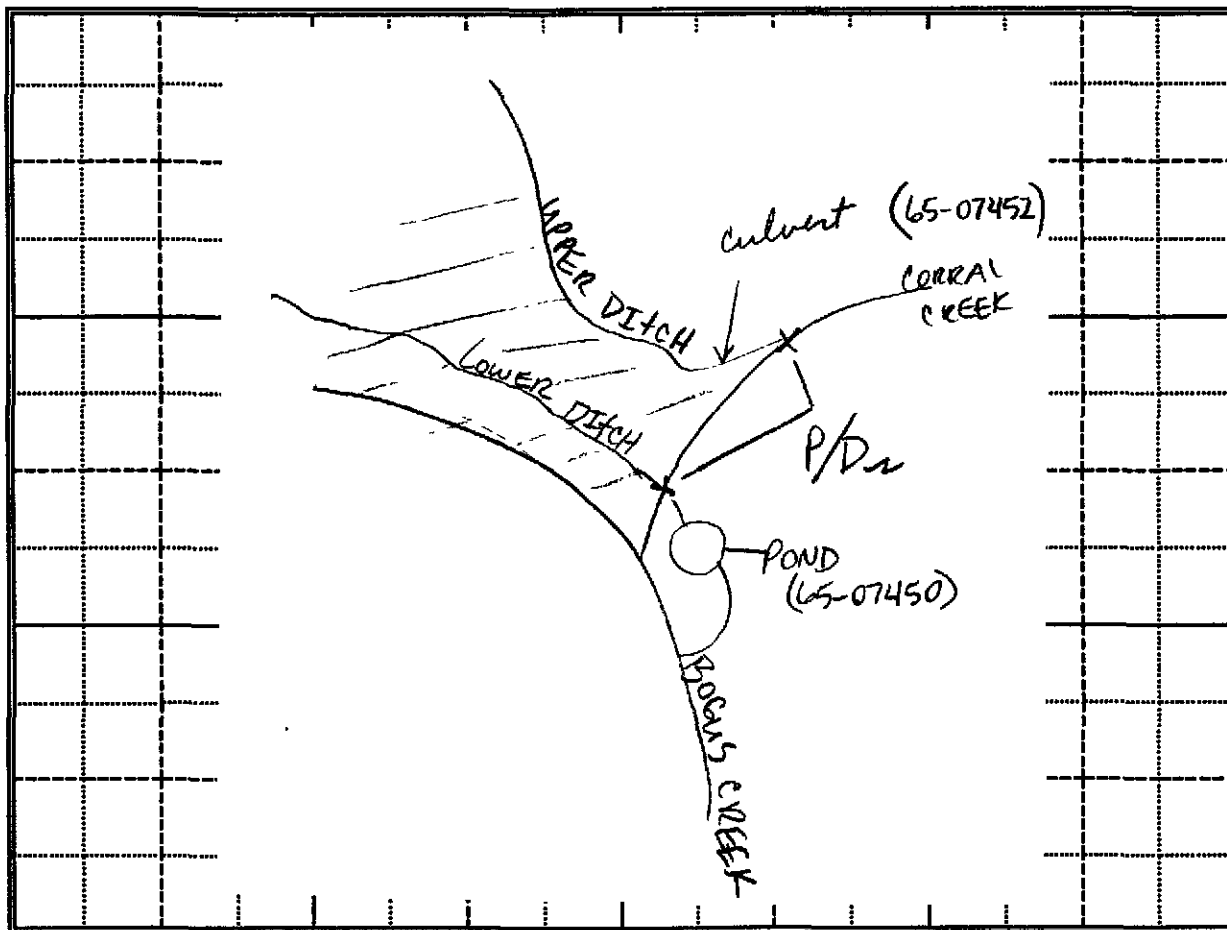
Indicate Method of Determination

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													1.5	3.5			5

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AUG 10 1999

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
Orange Peel						

2. Measurements: 12' in 4.3 seconds, 12" culvert
1/2 full

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AUG 10 1999

E. NARRATIVE/REMARKS/COMMENTS

Five acres of grass hay are irrigated with water from the unnamed stream via ditch and gravity irrigation.

A flow measurement was made in a 12' long culvert used in a section of the upper ditch.

Bogus Creek water can also be diverted from a storage pond into the unnamed stream and redirected into a lower ditch along with water from the unnamed stream to irrigate two of the five acres. This rt when used with 65-07452 (Bogus Creek) is limited to 1" / acre.

The source for this rt is locally known as Corral Creek.

NOTE: Attached are Mr + Mrs Dobson's comments regarding applicant's development. They have earlier priority to Shafes Creek, which the unnamed stream (Corral Creek) is eventually tributary to.

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

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AUG 10 1999

F. FLOW CALCULATIONSMeasured Method: Timed Flow

Additional Computation Sheets Attached

$$A = \pi r^2$$

$$r^2 = \frac{1}{2} D^2 = (1' \div 2)^2 = .25 \text{ ft}^2$$

$$A = 3.142 \times .25 \text{ ft}^2 \times \frac{1}{2} \text{ full} = .39 \text{ ft}^2$$

$$Q = A \times V = .39 \text{ ft}^2 \times 12 \text{ ft} / 4.3 \text{ sec} = \frac{4.68 \text{ cu ft}}{4.3} = 1.08 \text{ cfs}$$

Found 12" culvert
1/2 full
orange peel
floated 12'
in 4.3 sec

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3.5 = 17.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \times 184 \times 1.9835 = 54.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 17.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>	<u>.15</u>	<u>17.5</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.15</u>	<u>17.5</u>

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. AUTHENTICATIONField Examiner's Name Lon Grawner Date 7/20/98

Reviewer _____ Date _____

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SEAL

AUG 10 1999

T

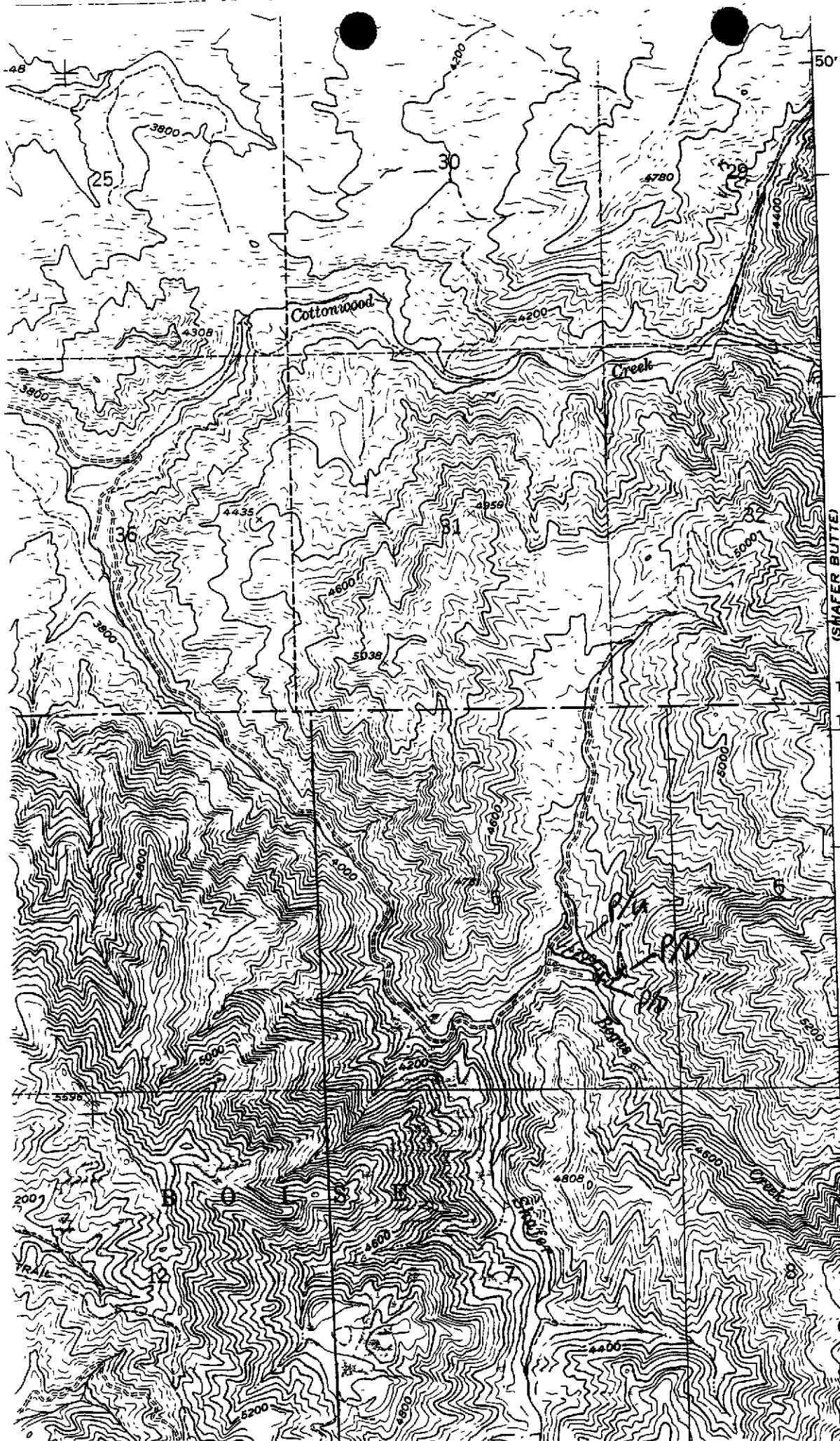
15 APR 35

e/u
p/d

OFILM

64-67480999

N M



ISMAFER BUTTE

T 6 N
T 5 N

47'30"

TSN
R3E
Sec 6
P/D: NESE
P/U: NESE
NWSE

MICROFILMED

10 1999

65-07450



Canva da
diversion
off of Innam
stream
(Corral Creek
Upper ditch,
Diversion



P, 6

3
MED
AUG 10 1999

15-07-99

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

65-07450



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.

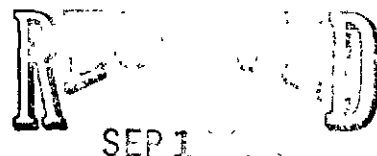
A handwritten signature in cursive script, reading 'Flinda Inouye'.

Flinda Inouye
Administrative Assistant

FAI/sf

MICROFILMED

SEP 17 1988



Department of Water Resources
Western Regional Office

4/86

RECEIVED

APR 20 1987

RECEIVED KEYPUNCHED

APR 22 1987

Department of Water Resources
STATE OF IDAHO Western Regional Office

For Office Use Only
Fee Received \$50
Date 4-27-87
Receipt # 42367
Receipt by [Signature]
Sent to S.O. [Signature]

Department of Water Resources DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 65-7450

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: Corral Creek

5. Extent of Use:

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

Irrigation 5 (acres) Other/Remark from April 15 - Aug. 1

6. Total rate &/or volume for which proof is submitted .2 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.)

4-17-87

Date

The Terteling Company, Inc.

[Signature]

Signature of Permit Holder (and title, if appropriate)

AUG 10 1999

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

65-7450
J. A. TERTLING & SONS, INC.
C/O J. H. FULTON
P.O. BOX 4127
BOISE, ID 83701

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

MICROFILMED

AUG 10 1999

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

Aug 10 1986

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

65-7450
J. A. TERTEILING & SONS INC.
P.O. BOX 1428
BOISE, ID 83701

Mailing address:
Statehouse
Boise, Idaho 83720

138483

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

AUG 10 1999

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

MICROFILMED

APR 10 1993

May 2, 1979

T. R. 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 1983

THE TERTELING COMPANY, INC.

POST OFFICE BOX 4127 • BOISE, IDAHO 83704

TELEPHONE (208) 376-6700

April 30, 1979

Idaho Department of Water Resources
Western Region
92 South Cole Road
Broadbent Business Park
Boise, Idaho 83705

RECEIVED

MAY 1 1979

RE: Water Permits 65-7450, 65-7451, 65-7452

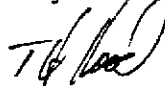
Department of Water Resources
Western Regional Office

Gentlemen:

After receiving and reviewing the computer printout of the proposed findings of water rights, I found several errors which I thought were eliminated earlier by my filing of the attached Amendments.

Please review the three attached Amendments and notify the court of these changes. If you have any questions, please give me a call at 376-6700. Thank you.

Very truly yours,



T. H. Hood

THH:vy:M6

Enclosures

MICROFILMED

MAY 10 1979

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 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. 23, 197..P. and end-
ing with the issue of *Sept. 29*
197 .P.

Sherry... Archer
Subscribed and sworn to before

me this *2nd* day of *Oct.* 1978

Robert J. Taffield
Clerk of Dist Court

LEGAL NOTICES

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit
No. 65-7450 in the name of J.A. TER-
TELING & SONS, INC. was issued for
the diversion of .2 cubic feet per
second with the point of diversion
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T 5N-R
3E., B.M. to be used from April 15
to Aug 1 for irrigation purposes of a
total of 5.0 acres within the NW $\frac{1}{4}$
SE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

The permit holder now proposes
to amend Permit No. 65-7450 by
changing the place of use to within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 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, 97 South
Cole Road, Boise, Idaho 83705 on or
before October 9, 1978.

C. STEPHEN ALLRED

Published in THE IDAHO WORLD
Idaho City, Idaho 83631 on *Sept. 23*

OK.
10-10-78
MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

February 14, 1978

The Idaho World
Box 220
Idaho City, ID 83631

RE: APPLICATION FOR AMENDMENT OF WATER PERMIT NO. 65-7450 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/

NOT REFILED

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7450 in the name of J.A. TERTELING & SONS, INC. was issued for the diversion of .2 cubic feet per second with the point of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M. to be used from April 15 to Aug 1 for irrigation purposes of a total of 5.0 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T 5N-R 3E., B.M.

The permit holder now proposes to amend Permit No. 65-7450 by changing the place of use to within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 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.

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

September 18, 1978

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

Gentlemen:

Re: Permit No. 65-7450

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

MICROFILMED

Identification No. _____

Permit No. 65-7450

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 65-7450
3. Date of Priority that you are prepared to establish January 4, 1974
4. a) Source from which water was appropriated Surface Source, Corral Creek
b) Location of the point of diversion: NE 1/4 SE 1/4, 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 0.2 CFS for Irrigation purposes from April 15 to August 1 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 0.2 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 flow at
0.2 CFS: (Bill McAllister will examine 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) 16" Header Ditch & Headgate W/6 (8") Dropgates for
Diversion. Also Culverts for Necessary Transfer.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None Installed, Flow Less Than 0.3 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: N/A

MICROFILMED

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

NW 1/4, SE 1/4, Sec. 6, T.5N., R.3E. (5 acres)

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	3E	6													5.0				5.0

Total number of acres irrigated 5.0

10. Remarks: _____

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

5-16-78

(Date)

R. C. Harper

(Signature)

R. C. Harper, Authorized Agent

State of Idaho)

County of Ada) ss.

On this 16 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.

Ray C. McQuinn

Notary Public residing at Boise Idaho

My commission expires 4/28/82

May 16, 1978

RECEIVED

MAY 17 1978

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Re: Proof of Application of Water to Beneficial Use:
Water Permits 65-7450, 65-7452

Gentlemen:

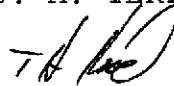
Please find enclosed two requests for Proof of Application of Water to Beneficial Use for the above-captioned water permits.

An examination by your department is scheduled for Tuesday, May 23, 1978.

Your early, favorable action on these requests will certainly be appreciated.

Very truly yours,

J. A. TERTELING & SONS, INC.



T. H. Hood

THH:bf:T3

Enclosures

MICROFILMED

Re: Permit No. 65-7450

February 17, 1978

J. & Terteling & Sons, Inc.
Attn: T. H. Hood
P.O. Box 1428
Boise, Idaho 83701

Gentlemen:

Enclosed 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, 1979.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
FEB 8 1978

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of Boise)

Permit No. 65-7450

J. A. Terteling & Sons, Inc. of P. O. Box 1428, Boise, Idaho 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. 65-7450.

That under the terms and conditions of said permit, work thereunder was required to be completed by April 1, 19 78.

That he has heretofore performed the following work described under said permit:
Constructed Header Ditch w/16" Headgate, and 6 (8") Dropgates.
Installed Culvert and necessary diversion requirements.
System is completed and will be used this Summer.

Costing \$524.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: All work has been completed, but
due to short water year in 1977 and revised farming schedule,
will not be able to initiate irrigation until after permit
expiration: therefore request extension.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to April 1, 19 79.

J. A. Terteling & Sons, Inc.

(signature) R.C. Harper (Agent)

Subscribed and sworn to before me this day of , 19 .

(notary public)

My commission expires .

Date of receipt at office of Department of Reclamation

ACTION OF STATE RECLAMATION ENGINEER

I, BOBBY D. FLEENOR, Chief, Operations Bureau
State Reclamation Engineer of the State of Idaho,
hereby APPROVE and extend the time within which to submit proof of beneficial
use of water under Permit No. 65-7450 to April 1, 1979.

Witness my hand this 16 day of February, 19 78.

Bobby D. Fleenor
Chief, Operations Bureau

* If other than the holder, Power of Attorney must be supplied.

February 6, 1978

RECEIVED

FEB 8 1978

Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit No. 65-7450

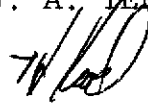
Gentlemen:

Attached is an application for extension of time on the above permit that has an April 1, 1978, completion date.

We respectfully request that the extension of time be granted.

Very truly yours,

J. A. TERTELING & SONS, INC.



T. H. Hood

THH:cjs

Enclosure

TERTELING & SONS, INC / 1755 WESTGATE DRIVE / P O BOX 1428 / BOISE, IDAHO 83701

RECEIVED

January 31, 1978

CERTIFIED MAIL

138299

Re: Permit No. 65-7450

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

Dear Sirs:

One of the conditions of approval of your water Permit No. 65-7450 (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, 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
MAY 11 1978

April 5, 1974

Re: Permit No. 65-7450

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

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7450 . 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 7450

AGREEMENT FOR WATER USAGE

THIS AGREEMENT made and entered into this 18TH day of MARCH, 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;

BFD 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." ~~These existing water rights may include the diversion of some flood water.~~ *TERTELING, JH*

5. Prior to the time that the Payette River drainage has been adjudicated, the applicant, *BFD TERTELING, JH* 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.

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

Dorinda Felt
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 Carter

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-

Lila E. Lower
Notary Public residing at Boise, Idaho

My commission expires 5-19-75

65 7450

RECEIVED

FEB 6

Department of Water Administration

RECEIVED
FEB 6 1974
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

65-7450
65-7452

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

1

B. D. [unclear]

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

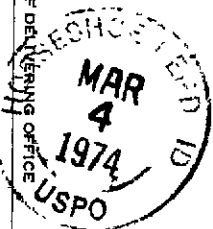
DATE DELIVERED

3

SHOW WHERE DELIVERED (*only if requested*)

3-4-74

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

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PAYMENT OF POSTAGE, \$300

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TO



DEPARTMENT OF POSTS

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PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

1

W. A. T. ...

44-11

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

...

DATE DELIVERED

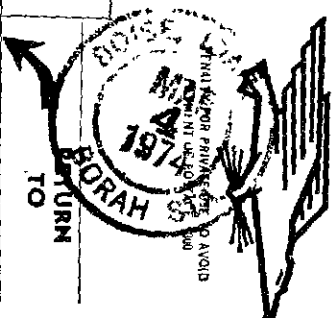
SHOW WHERE DELIVERED (*only if requested*)

MAR 4

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.



DEFINITION

655

2000

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

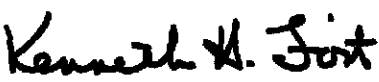
On January 3, 1974, J. A. Terteling & Sons, Inc. filed with the Department of Water Administration applications to appropriate the public waters of the State of Idaho. On February 6, 1974, the Department received a protest against approval of said applications from Benjamin Freeman Dobson.

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. FOIT, P. E.
Western District Engineer

05 7450

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 Development
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 7450

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 65-7450 in the name of J. A. TERTELING & SONS, INC. was published in error on January 17, 1974 and January 24, 1974.

The point of diversion was advertised as being within the NE $\frac{1}{4}$ 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 6, T. 5 N., R. 3 E., 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 Feb. 28, 1974

65-7450

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:def

Enclosure

65-7450

February 11, 1974

Benjamin Freeman Dobson
Box 125
Horseshoe Bend, ID 83629

Re: Application for Permit #65-7450
& 65-7452 - J.A. Terteling & 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:def

65 7450

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

CE 1120

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

65 7450

NOTICE OF APPLICATION FOR PERMIT
mit No. 65-7450 in the name of
J. A. TERTELING & SONS, Inc
was published in error on January 17, 1974 and January 24, 1974.

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

OK'd
3-13-74

65 7450

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

January 7, 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 - " " " "

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,

65-7450

**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. 65-7450 for a permit to appropriate 0.2 cubic feet per second of water from Corral Creek, tributary to Bogus Creek by means of headgate and ditches within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 6N., R. 3E., B.M., Boise County to be used from April 15 to August 1 for irrigation of 5 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 5 N., 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.

E. KEITH HIGGINSON

Director

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

65-7450

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. A. TERTELING & SONS, INC., P. O. Box 1428,
Boise, ID
has on Jan. 3, 1974 submitted Application No. 65-7450
for a permit to appropriate 0.2 cubic feet per second ~~approx~~
~~per annum~~ of water from Corral Creek, trib. to Bogus Creek
by means of headgate & ditches
within the NE 1/4, S. 6, T. 6 N., R. 3 E., B.M., Boise County

to be used from April 15 to Aug. 1
for irrigation of 5 acres

within the NW 1/4, 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. 30, 1974.

65 7450

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on Jan. 10, 1974 and Jan. 24, 1974.

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

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.

65-7450 AMENDED

Notice is hereby given that J. A. TERRELLING & 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) Application for Permit No. 65-7450 Jan. 3, 1974 Department of Water Resources
(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Corral Creek 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 2 Period of Use From April 15 To Aug. 1st
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (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 NE 1/4 SE 1/4, Sec. 6, Twp. 5N, 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 Headgate.
(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	
3N	3E	6														5			5

Total No. of acres 5

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
(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.:

Application for Permit No. 65-7450 3 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 Ada

On this 15th day of December, 1976, in the year 1976, before me,

a notary public, personally appeared J. A. TERRELLING & 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, they, corporation, partnership or) executed the same.

Notary Public residing at 1129 N. 1st St., Boise, Idaho

My commission expires 11-29-76

15-13012 (a)
M
JAN

JAN 4 MAP NO.

Department of Water Administration
1960 3B

P. O. Box 1428, Boise, Idaho 83701

(Name of Claimant)

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) _____

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

Use Irrigation 0.2 gals Period of Use From Apr 1st To Aug 1st
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

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

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

- (4) Quantity of water claimed: 2.12 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. ~~NW~~ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 6, Twp. 5N, Rge. 1E, 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 will be accomplished by headgate with drop boards, and headgate in ditch to stop flow. Dropboards removed for winter flow. Irrigation will be via contour ditch and siphon tubes, followed by concrete outlets.

- (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 5.0

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 (THIS RT. WHEN COMBINED WITH RT NO 65-7952 SHALL PROVIDE NO MORE THAN 42 CGG / AC.)

- (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)

State of California

County of San Diego

On this 10 day of February, in the year 1978, before me,
a notary public, personally appeared BILLIE L. GAY
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 1111 1st St. N. W.

My commission expires