

RECEIVED DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
FEB 05 2008
DEPARTMENT OF WATER RESOURCES
2008 JAN 31 PM 3 07

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

In Re SRBA) Subcase 63-32616 (split from 63-08051)
Case No. 39576)
ORDER GRANTING MOTION TO FILE
AMENDED NOTICE OF CLAIM
ORDER REQUESTING AMENDED
DIRECTOR'S REPORT FROM IDWR

On March 9, 2007, Gregory B. Johnson filed a *Standard Form 4 – Motion to File Amended Notice of Claim* in subcase No. 63-08051, seeking to add 5 acres to the claimed place of use. On March 19, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* which split water right 63-08051 into 63-32615 and 63-32616. Mr. Johnson is the claimant of water right 63-32616. It is apparent from the documents in the file that the claimed additional 5 acres only involve Mr. Johnson's portion of the split.

Pursuant to Administrative Order 1 § 10(f), and good cause appearing, the *Motion to File Amended Notice of Claim* is **granted**. The clerk of the Court is instructed to file the *Amended Notice of Claim* and forward any filing fees to IDWR.

The Idaho Department of Water Resources is requested to re-evaluate the amended claim and file an amended director's report if necessary.

Dated

Jan. 31, 2008

Theodore R. Booth

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM; ORDER REQUESTING AMENDED DIRECTOR'S REPORT FROM IDWR was mailed on January 31, 2008, with sufficient first-class postage to the following:

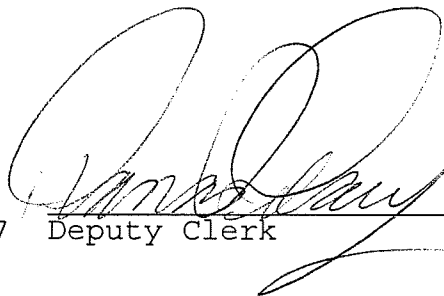
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GREGORY B JOHNSON
660 E FRANKLIN RD STE 240
MERIDIAN, ID 83642

ORDER

Page 1 1/31/08

FILE COPY FOR 01697 Deputy Clerk

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk, is written over a horizontal line.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 63-8051 (portion)
Date Received: 02/05/06
Receipt No: C085874
Received By: KAW

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

1. Name of Claimant(s)

Gregory B. Johnson and/or Heidi M. Johnson Phone: (208)888-9771
660 E. Franklin Rd., Suite 240
Meridian, ID 83642

2. Date of Priority: October 17, 1974

3. Source: Groundwater Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	04E	28	NE SW	ADA	

5. Description of diverting works:

well and pump

6. Water is used for the following purposes:

Purpose	From	To	Cfs (or) Afa
IRRIGATION	3/15	11/15	2.37

7. Total Quantity Appropriated is:
2.37 cfs

8. Total consumptive use:

9. Non-irrigation uses:

DISTRICT COURT - SRDA
TWIN FALLS CO., IDAHO
FILED
2007 MAR 9 AM 10 32

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03N	01E	28	SW	NE		IRRIGATION	27
			SE	NE		IRRIGATION	32
			NE	SW		IRRIGATION	9
			NE	SE		IRRIGATION	39
			NW	SE		IRRIGATION	38
						Section Acres	145
						Total Acres	145

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used: None

14. Remarks:

15. Basis of Claim: License

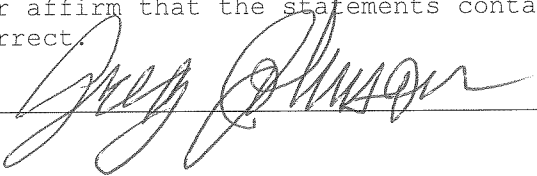
16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

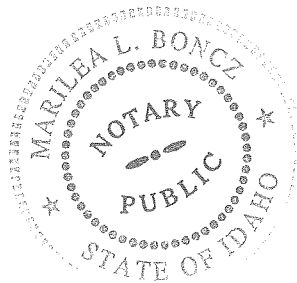
For Individuals:

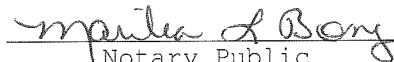
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant:  Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27 of Feb 2007




Notary Public

Residing at Meridian

My commission Expires 8/30/08

Signature of Claimant: _____ Date: _____

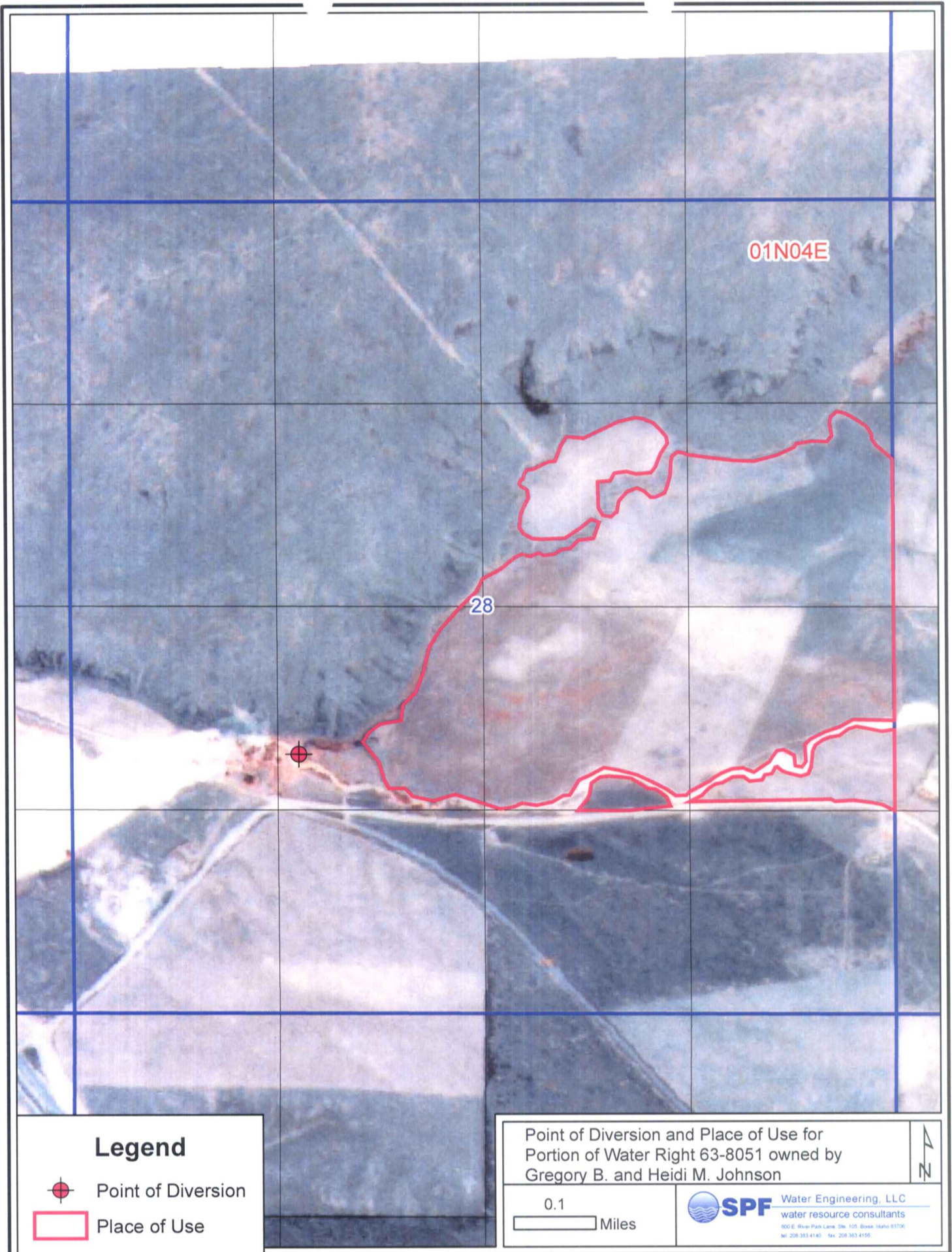
State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ of _____ 2007

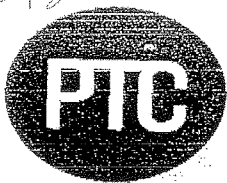
Notary Public

Residing at _____

My commission Expires _____



235642
SRM/6L



Pioneer Title Co.

GOING BEYOND

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

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/22/05 02:35 PM
DEPUTY Patti Thompson
RECORDED - REQUEST OF
Pioneer

AMOUNT \$0.00

18517772

WARRANTY DEED

For Value Received Keith O. Helmick, also known as Neil Helmick and Sandra R. Helmick, also known as Sandy Helmick, Husband and Wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
Gregory B. Johnson and Heidi M. Johnson, Husband and Wife
hereinafter referred to as Grantee, whose current address is P.O. Box 344, Meridian, Idaho 83680
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

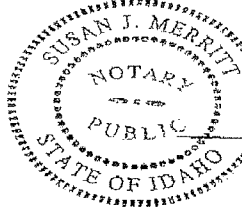
Dated: November 21, 2005

Keith O. Helmick
Keith O. Helmick

Sandra R. Helmick
Sandra R. Helmick

STATE OF Idaho. County of Ada, ss.

On this 21st day of November, in the year of 2005, before me the undersigned, notary public personally appeared Keith O. Helmick and Sandra R. Helmick known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



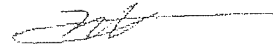
Susan J. Merritt
Susan M. Merritt
Notary Public of Idaho
Residing at Caldwell
Commission expires: May 5, 2011

EXHIBIT A

The Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Northwest quarter and Northeast quarter of the Southwest quarter of Section 28, Township 1 North, Range 4 East, Boise Meridian, in Ada County, Idaho.

EXCEPTING from said Northeast quarter Southwest quarter that property deed to the State of Idaho by Warranty Deed recorded May 4, 1959 in Book 454 of Deeds at page 534 as Instrument No. 453382 for the Mayfield Access Road.

ALSO EXCEPTING, from said Northeast $\frac{1}{4}$ Southwest $\frac{1}{4}$ lying within the right-of-way for Old Highway 30 as described in Deed to the State of Idaho, recorded in Book 194 of Deeds at Page 46, records of Ada County, Idaho.


S-16