

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: 02/05/08
Receipt No: C085874 63-32614)
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:

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

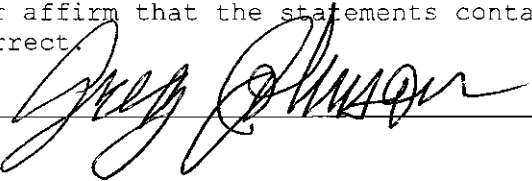
16. Signature(s)

(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

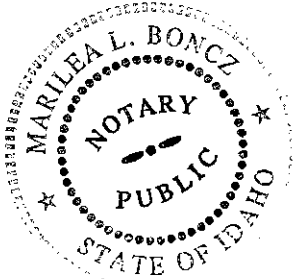
For Individuals:

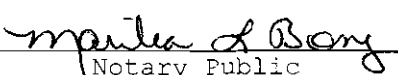
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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 _____



Legend

-  Point of Diversion
-  Place of Use

Point of Diversion and Place of Use for
Portion of Water Right 63-8051 owned by
Gregory B. and Heidi M. Johnson

0.1
Miles



Water Engineering, LLC
water resource consultants
800 E. River Park Lane, Ste. 105, Boise, Idaho 83708
tel: 208.383.4140 fax: 208.383.4156



SCANNED

FFR 0 6 2008

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

AMOUNT 6.00



Pioneer Title Co.

GOING BEYOND

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

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 E. 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.

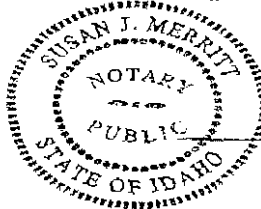
Dated: November 21, 2005

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

SCANNED

FEB 06 2008

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.


SH

SCANNED

FEB 06 2008

RECEIVED

FEB 07 2008

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 05 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - AREA
TWIN FALLS CO. IDAHO
FILED

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

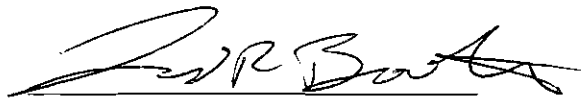
In Re SRBA) Subcase 63-32616 (split from 63-08051)
Case No. 39576)
ORDER GRANTING MOTION TO FILE
AMENDED NOTICE OF CLAIM
ORDER REQUESTING AMENDED
DIRECTOR'S REPORT FROM IDWR

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
Special Master
Snake River Basin Adjudication

SCANNED

FEB 06 2008

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
SCANNED

FFR 0 6 2008

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 63-32616
Date Received: 8/8/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GREGORY B JOHNSON Phone:
660 E FRANKLIN RD STE 240
MERIDIAN ID USA 83642

2. Date of Priority: 10/17/1974

3. Source: GROUND WATER 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:

763' DEEP, 16" CASING, UNDERGROUND PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	03/15 11/15	2.37	651.3

7. Total Quantity Appropriated is:
2.37 C.F.S. and/or 651.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	04E	28	SW	NE	IRRIGATION	27
			SE	NE	IRRIGATION	32
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	38
					Section Acres	136
					Total Acres	136

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-8051 .

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAY 12 2006
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8051	63-8051	✓			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gable A Ranch, c/o K Agenbroad
7313 Kingston, Boise, ID 83704
4. New Owner/Claimant(s) Greg Johnson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 660 East Franklin Road, Suite 240
- City, State and ZIP Code Meridian, ID 83642
- New Telephone Number (208) 888-9771
5. Date you acquired the property November 21, 2005

SCANNED
MAY 17 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

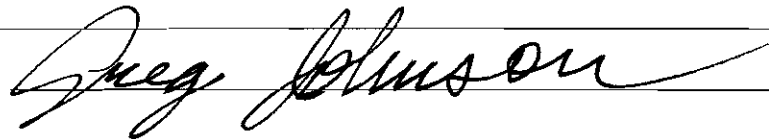
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number <u>63-8051</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2.37 cfs, 651.3 afa</u>	<u>136 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>2.37 cfs, 651.3 afa</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

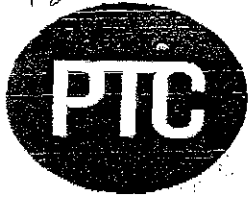
For Office Use Only

Received by _____	Date _____	Fee <u>N/A</u>
Received by <u>JAL</u>	Date _____	Receipt No. _____
Processed by <u>JAL</u> AJ	Date <u>3-13-07</u>	WR _____ Date _____

SCANNED

MAY 17 2006

295642
Srm/62



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 Th...
RECORDED - REQUIRED OF
Pioneer

AMOUNT 6.00



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.

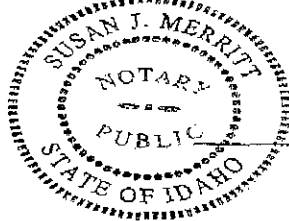
Dated: November 21, 2005

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

SCANNED

MAY 17 2006

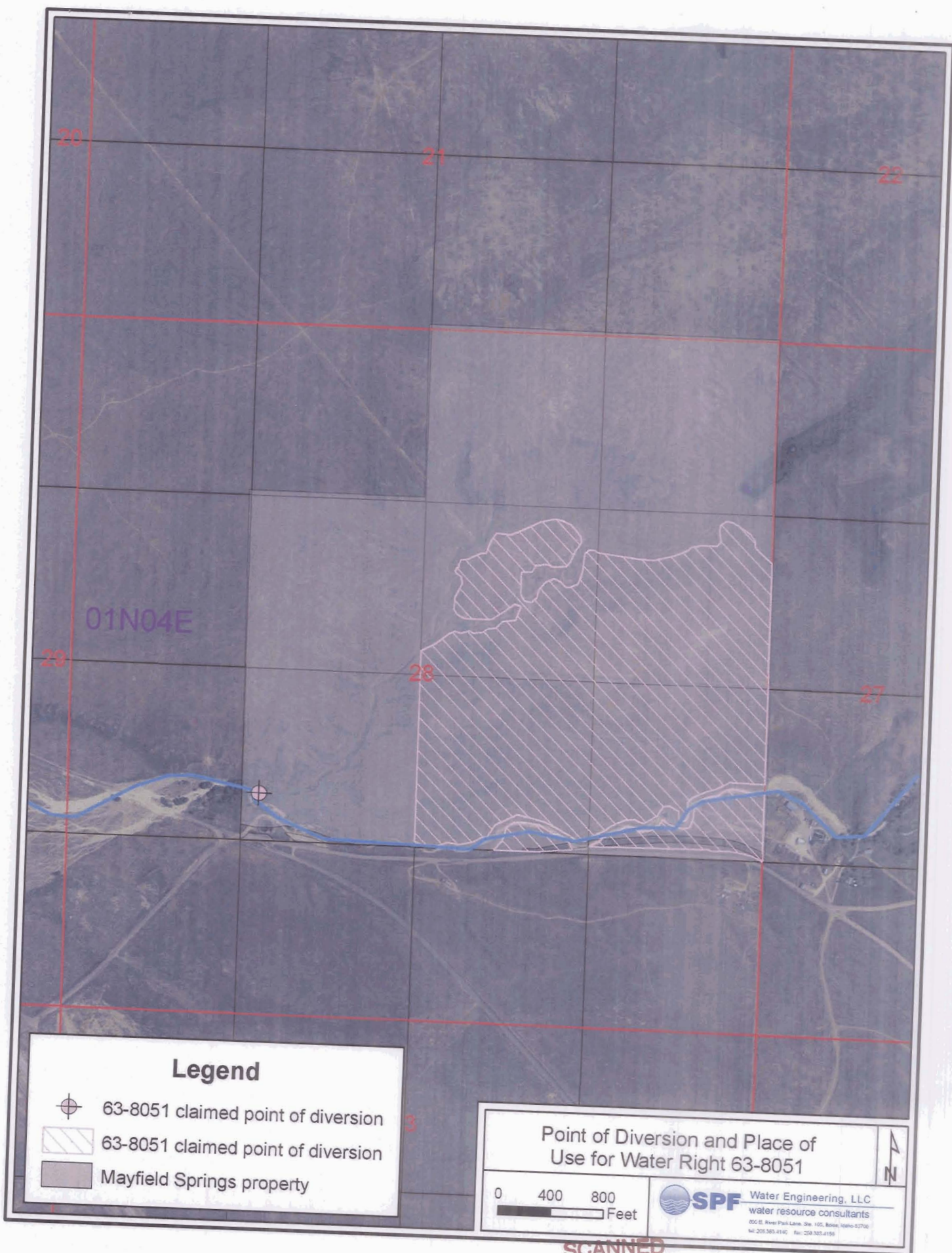


EXHIBIT A

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.


SH

SCANNED
MAY 17 2008

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-08051**
Date Received: 8/ 8/1989
Receipt No: W004218
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GABLE A RANCH 208-343-1924
Address: C/O C AGENBROAD
HC 34 MAYFIELD STAGE
BOISE ID 83706

AND

Name: KEITH O HELMICK 208-386-9679
Address: HC 34
BOISE ID 83716

AND

Name: SANDRA R HELMICK 208-386-9679
Address: HC 34
BOISE ID 83716

2. Date of Priority: OCT 17, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
763' DEEP, 16" CASING, UNDERGROUND PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.440		670.50

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or) 670.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	04E	27	NW	SW		IRR	4.0
						Section Acres	4.0
		28	SW	NE		IRR	27.0
			SE	NE		IRR	32.0
			NE	SE		IRR	39.0
			NW	SE		IRR	38.0
						Section Acres	136.0
						Total Acres	140.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 10/13/1998. SB

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 63-8051
Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Gable A Ranch c/o C Agenbroad
HC 34 Boise ID 83716

4. New Owner/Claimant(s) KEITH O + Sandra R HELMICK

Name Connector (Check one): ☒ and/or ☐ or, ☐ and/or

New Mailing Address HC 34

City, State and ZIP Code Boise ID 83716

New Telephone Number 208 386-9679

5. Date you acquired the property 3-10-92

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Keith Helmick Date 10-13-98

Date _____

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

AGREEMENT FOR SALE OF REAL PROPERTY

PARTIES:

CARL S. AGENBROAD and
JUDITH A. AGENBROAD,
HUSBAND AND WIFE,

and

GABLE A RANCH, an Idaho
General Partnership,

SELLERS,

and

KEITH O. HELMICK and
SANDRA R. HELMICK,
Husband and Wife,

BUYERS.

SUBJECT:

REAL PROPERTY LOCATED IN
ADA AND ELMORE COUNTIES,
IDAHO.

SALES AGREEMENT, made this 10th day of MAY, 1992,
between CARL S. AGENBROAD and JUDITH A. AGENBROAD, Husband
and Wife, whose address is 1309 Tetonia Drive, Boise, Idaho
83705, and whose Social Security Number is [REDACTED] and
GABLE A RANCH, an Idaho General Partnership, the members of
said partnership being Carl S. Agenbroad, Judith A. Agenbroad,
Col. Jerald R. Agenbroad, Helen Agenbroad, Kenneth D.
Agenbroad, Jacqueline Agenbroad and Ronald Agenbroad,
hereinafter collectively designated in the singular and by
masculine gender as the seller, and KEITH O. HELMICK and
SANDRA R. HELMICK, husband and wife, HC 34, Mayfield Stage,
Boise, Idaho 83706, and whose Social Security Number is
[REDACTED] hereinafter designated in the singular and by
masculine gender as the buyer;

WITNESSETH: That for and in consideration of the sum of
\$125,000.00 to be paid as hereinafter specified, and in
consideration of the covenants and agreements herein
contained, the seller hereby agrees to sell and convey and the
buyer hereby agrees to buy the following described real
property located in the County of Ada and in the County of
Elmore, State of Idaho, and more particularly described as
follows:

REAL PROPERTY, located in Ada County, Idaho, described as follows:

The Northeast Quarter, the North Half of the Southeast Quarter, the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section Twenty-eight, Township One North, Range Four East, Boise Meridian;

ALL TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water rights and ditch rights appurtenant to said property and TOGETHER with the right to graze livestock upon the public domain, consisting of 364 AUMs in Slater Flat Allotment in the Bruneau Reserve area.

1. PURCHASE PRICE. The buyer, in consideration of the premises, agrees to pay to the seller for said property the sum of \$125,000.00 at the times and in the amounts as follows:

The sum of \$15,000.00 at the time of the execution of this agreement;

The balance of \$110,000.00 shall be paid at the times and in amounts as follows:

The sum of \$12,050.00 upon the 15th day of February, 1993, and the sum of \$12,050.00 upon the 15th day of February of each and every year thereafter until the balance of said purchase price, together with interest, has been paid in full.

2. INTEREST. The deferred balance of said purchase price shall bear interest from the date hereof until paid at the rate of nine (9%) percent per annum. Each annual installment paid hereunder shall first be applied to pay the interest then accrued and unpaid to the date of such payment and the balance of each annual installment shall be applied upon the principal sum to be paid to the seller hereunder.

3. RIGHT OF PREPAYMENT. The buyer may at his option pay all or any part of said purchase price on or before the due date thereof, without penalty, and interest shall be charged only upon the principal balance remaining from time to time unpaid.

4. PLACE OF PAYMENT. All of said deferred payments shall be paid by the buyer to the seller at Pioneer Title Company of Ada County at 888 North Cole Road, Boise, Idaho,

REAL PROPERTY, located in Elmore County, Idaho, bounded and described as follows:

A parcel of land being a portion of the Southwest Quarter of Section Twenty-seven, Township One North, Range Four East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the iron pin marking the One-quarter corner common to Section Twenty-eight, Township One North, Range Four East, Boise Meridian, Ada County, Idaho, and Section Twenty-seven, Township One North, Range Four East, Boise Meridian, Elmore County, Idaho, said point being the real point of beginning; thence South $89^{\circ}43'11''$ East 809.02 feet along the North line of said Southwest Quarter of said Section Twenty-seven to an iron pin; thence South $7^{\circ}24'28''$ West 1,186.07 feet to an iron pin; thence South $17^{\circ}49'28''$ West 453.13 feet to an iron pin marking a point of curve on the North right-of-way of Old Highway 30 and the Northerly line of Danskin Properties Subdivision, as filed for record in the office of the Elmore County Recorder, Mountain Home, Idaho; thence along the North right-of-way of said Old Highway 30 and said Northerly line of Danskin Properties Subdivision, the following courses and distances to iron pins: along a curve to the right 149.12 feet, said curve having a delta of $11^{\circ}14'32''$, a radius of 760.00 feet, tangents of 74.80 feet and a long chord of 148.88 feet which bears North $67^{\circ}11'58''$ West to a point of tangent; thence leaving said Northerly line of Danskin Properties Subdivision, but continuing along said Northerly right-of-way of Old Highway 30, North $61^{\circ}34'40''$ West 429.49 feet to an iron pin on the section line common to said Sections Twenty-seven and Twenty-eight; thence leaving said North right-of-way of Old Highway 30, North $0^{\circ}06'08''$ West 1,349.38 feet along said line common to Sections Twenty-seven and Twenty-eight to the Real Point of Beginning, said parcel containing 24.11 acres, more or less.

INCLUDING, an access and egress easement for the above-described parcel of land, more particularly described as follows:

Commencing at the Brass Cap marking the corner common to Sections Twenty-eight and Thirty-three, Township One North, Range Four East, Boise Meridian, Ada County, Idaho, and Sections Twenty-seven and Thirty-four, Township One North, Range Four East, Boise Meridian, Elmore County, Idaho; thence North $0^{\circ}06'08''$ West 1,284.46 feet along the line common to said Sections Twenty-eight and Twenty-seven to an iron pin on the Northerly right-of-way of Old Highway 30; thence South $61^{\circ}34'40''$ East 429.49 feet along said right-of-way to an iron pin marking a point of curve on the northerly line of Danskin Properties Subdivision, as filed for record in the office of the Elmore County Recorder, Mountain Home, Idaho; thence along said Northerly line of Danskin Properties Subdivision and said Northerly right-of-way of Old Highway 30 along a curve to the left 179.12 feet, said curve having a delta of $13^{\circ}30'15''$, a radius 760.00 feet, tangents of 89.98 feet, and a long chord of 178.71 feet which bears South $68^{\circ}19'49''$ East to the Real Point of Beginning; thence along the centerline of a 20' wide permanent access and egress easement the following courses and distances: North $15^{\circ}59'32''$ East 237.01 feet; thence North $28^{\circ}46'40''$ East 87.69 feet; thence North $38^{\circ}44'32''$ East 80.58 feet; thence North $13^{\circ}50'01''$ East 97.84 feet; thence North $32^{\circ}12'07''$ East 39.72 feet; thence North $65^{\circ}33'56''$ West 38.29 feet; thence North $29^{\circ}53'24''$ West 79.15 feet to a point of ending of centerline on the line common to Parcel 1 and Parcel 2 of the Record of Survey.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08051
Date Received: 8/08/1989
Receipt No: W004218
Received By: Rsh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GABLE A RANCH 208-343-1924
Address: C/O C. AGENBROAD
HC 34, MAYFIELD STAGE
BOISE, ID 83706

2. Date of Priority: OCT 17, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
763' DEEP, 16" CASING, UNDERGROUND PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.440		670.50

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or) 670.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	04E	27	NW	SW		IRR	4.0
Section Acres							4.0

A63-08051

Page 1

Date: 08/08/89

MICROFILMED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	04E	28	SW		NE/		IRR	27.0
			SE		NE/		IRR	32.0
			NE		SE /		IRR	39.0
			NW		SE /		IRR	38.0
							Section Acres	136.0
							Total Acres	140.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Carl Openbrood Date: 8/8/89

Date: _____

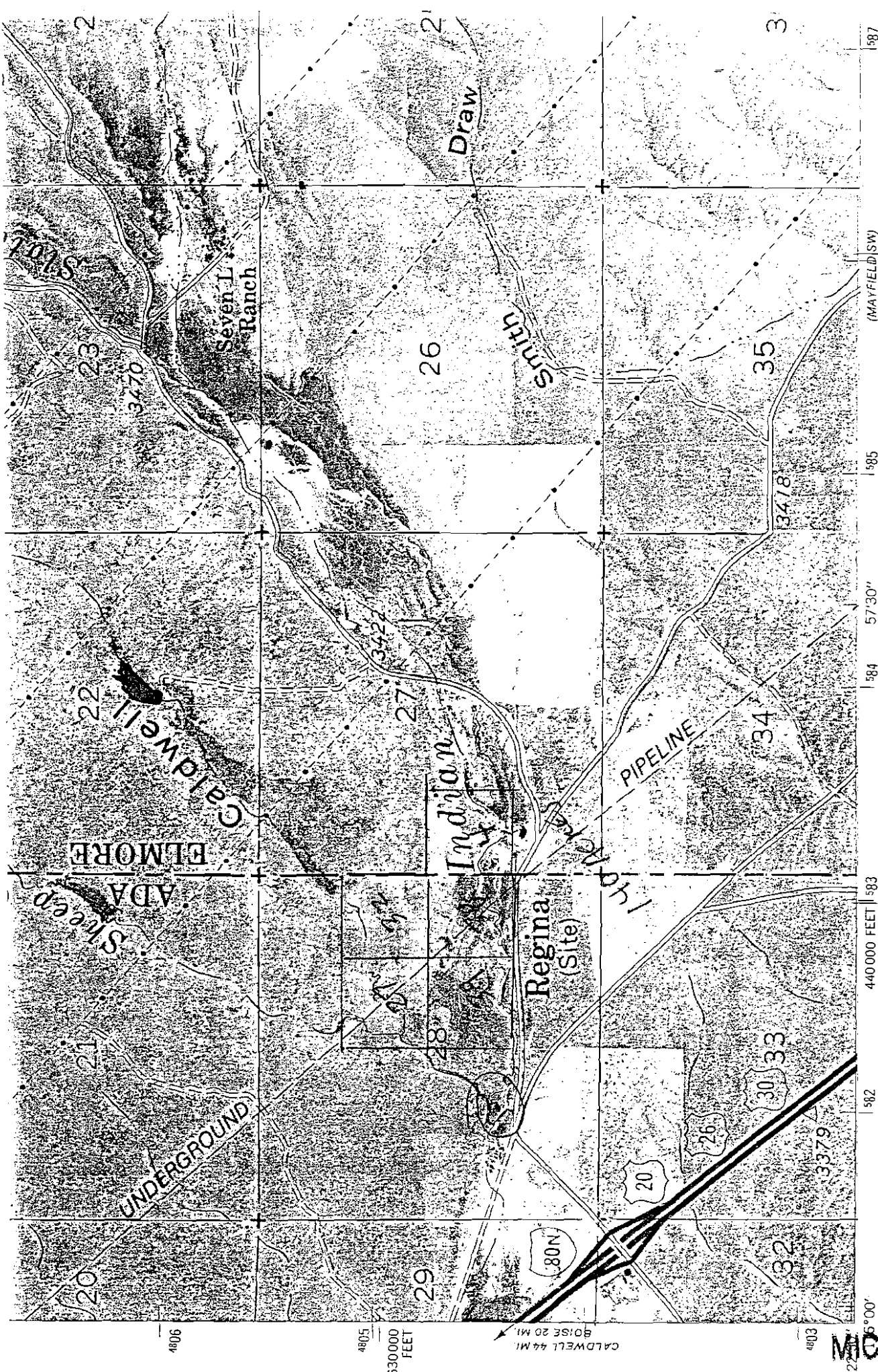
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Aug 19 89

Don Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994



SCALE-1:24,000



LEGEND

- Alienated Land within the National Forest Boundary as of January, 1979
- National Forest Boundary
- U.S. Highway
- State Highway

LUCKY PEAK	ARROWPOCK DAM	ELDON	ELDON
CREEK	GRABE MTR	NE	NE

CONTOUR INTERVAL 40 FEET

Datum is mean sea level

Polyconic projection—1927 North American Datum
 MAPPED, EDITED AND PUBLISHED BY THE
 U.S. GEOLOGICAL SURVEY, 1976

10,000-foot grid based on Idaho coordinate system, west zone. 1000 metre Universal Transverse Mercator grid, zone

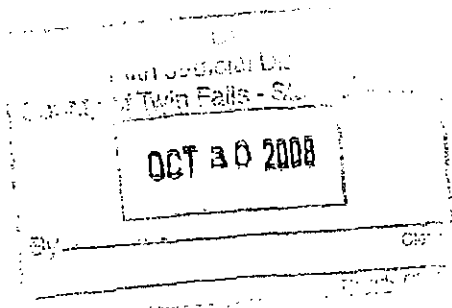
MICROFILMED

AUG 24 1992

RECEIVED

OCT 31 2008

DEPARTMENT OF
WATER RESOURCES



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

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-32615
) and 63-32616
)
) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION OF
) DISALLOWANCE FOR WATER RIGHT
) CLAIM 63-08051

A notice of claim was filed for water right 63-08051 pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of water right 63-08051. Subsequent to the filing of the *Director's Report*, IDWR filed a *Notice of Completed Administrative Proceeding* which split water right 63-08051 into water rights 63-32615 and 63-32616.

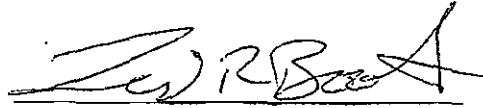
On March 9, 2007, Gregory B. Johnson, the claimant of water right 63-32616, filed an objection to the *Director's Report*, and a *Motion to File an Amended Notice of Claim*. The *Motion* was granted by *Order* dated January 31, 2008. On February 14, 2008, IDWR filed an *Amended Director's Report* for water right 63-32616. No objections have been filed to the *Amended Director's Report*, and the time for doing so has expired.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-32615 and 63-32616 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER

RECOMMENDED that the SRBA District Court enter a final order **disallowing** water right claim 63-08051

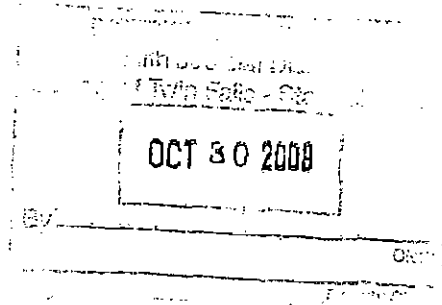
Dated Oct. 30, 2008

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', written over a horizontal line.

Theodore R. Booth
Special Master
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-32616



NAME AND ADDRESS: GREGORY B JOHNSON
PO BOX 344
MERIDIAN, ID 83680

SOURCE: GROUND WATER

QUANTITY: 2.37 CFS
651.30 AFY

PRIORITY DATE: 10/17/1974

POINT OF DIVERSION: T01N R04E S28 NESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.37 CFS 651.30 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T01N R04E S28	SWNE 27.0 SENE 32.0 NESW 9.0 NESE 39.0 NWSE 38.0
	145.0 Acres Total	

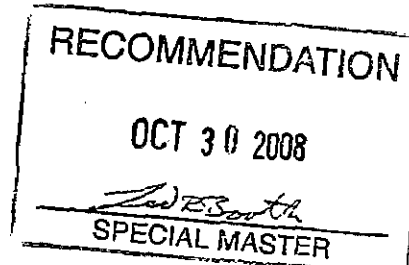
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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

In Re SRBA

Case No. 39576

Water Rights: 63-32616

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: September 23, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 23, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

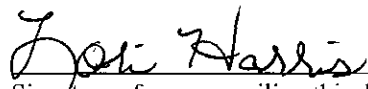
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Gregory B. Johnson
PO Box 344
Meridian ID 83680

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 23, 2008

GREGORY B JOHNSON
PO BOX 344
MERIDIAN ID 83680

Re: Water Right No. 63-32616

Dear Mr. Johnson:

Enclosed is a copy of the above referenced water right which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Lori Graves-SPF Water Engineering

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 22 2008

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): 63-32616

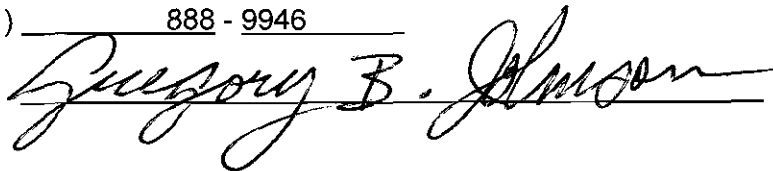
[] Name(s): Gregory B. Johnson

[] Old Mailing Address: 660 E. Franklin Rd., Ste. 240
Meridian, ID 83642

[] New Mailing Address: PO Box 344
Meridian, ID 83680

Telephone Number: (208) 888 - 9946

[] Signature(s) of Owner(s)



(Include your title if on behalf of company or organization)

Date: 9/16/08

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033



SPF Water Engineering, LLC
water resource consultants

RECEIVED

SEP 22 2008

**WATER RESOURCES
WESTERN REGION**

September 19, 2008

Lori Harris
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Change in Address
SRBA Claim No. 63-32616

Dear Lor,

Enclosed on behalf of Greg Johnson, is a Change in Address for SRBA Claim No. 63-32616. Special Master Ted Booth tried to send Greg an Amended Director's Report to the current address listed on the claim and had it returned. Special master Booth requested that a Change in Address be filed and is waiting for the Notice of Completed Administrative Proceeding from you. Thanks Lor.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Greg Johnson

Enclosures

SPF file number: 329.0140

COPY

AMENDED DIRECTOR'S REPORT

Subcase No. 63-32616

NOTED
FILED
2008 FEB 20 07 11 42

In Re SRBA
Twin Falls County Civil Case No. 39576

RECEIVED

FEB 20 2008

DEPARTMENT OF
WATER RESOURCES

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
David R. Tuthill, Jr., Director
Donald V. Shaff, Adjudication Bureau Chief

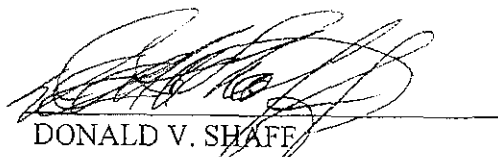
February 12, 2008

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Motion to File Amend Claim* filed on March 9, 2007, and the *Order Granting Motion to File Amended Notices of Claim; Order Requesting Amended Director's Report from IDWR* issued by Special Master Booth on January 31, 2008, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).



DONALD V. SHAFF
Adjudication Bureau Chief

Amended Director's Report
Right No. 63-32616

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32616

NAME AND ADDRESS: GREGORY B JOHNSON
660 E FRANKLIN RD STE 240
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.370 CFS
651.300 APY

PRIORITY DATE: 10/17/1974

POINT OF DIVERSION:

T01N R04E S28 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.370 CFS 651.30 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in ADA County

T01N R04E S28	SWNE	27.00	T01N R04E S28	SENE	32.00
T01N R04E S28	NESW	9.00	T01N R04E S28	NESE	39.00
T01N R04E S28	NWSE	38.00			

145 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Licensee

This right is a split from former right 63-8051 .

Amended Director's Report
Right No. 63-32616

CERTIFICATE OF SERVICE

I certify that on February 12 2008, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

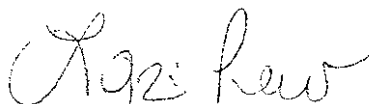
2. Copies to:

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

ADA COUNTY COURTHOUSE
200 W. FRONT ST.
BOISE, ID 83202-7300

GABLE A RANCH
C/O C AGENBROAD
HC 34 MAYFIELD STAGE
BOISE, ID 83706

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



Signature of person delivering form

RECEIVED
FEB 05 2008
DEPARTMENT OF
WATER RESOURCES
FILED
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

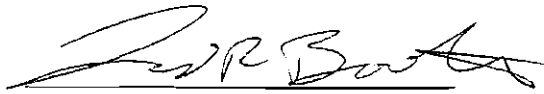
On March 9, 2007, Gregory B. Johnson filed a *Standard Form 4 – Motion to File Amended Notice of Claim* in subcase No. 63-08051, seeking to add 5 acres to the claimed place of use. On March 19, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* which 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
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:

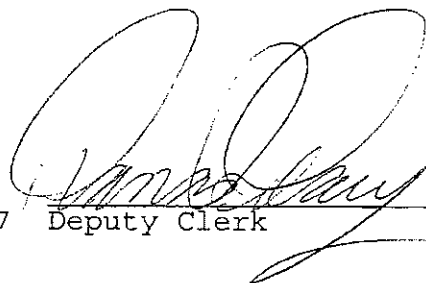
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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 handwritten signature in black ink, appearing to read "Danae Day", is written over a horizontal line. The signature is fluid and cursive.

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: 02/05/08
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:

2007 MAR 9 PM 10 32
FILED
DISTRICT COURT - SNBA
TWIN FALLS CO., IDAHO

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

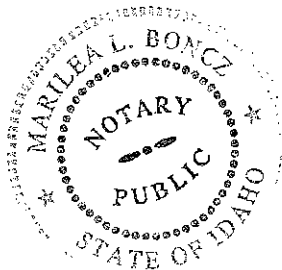
For Individuals:

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

Signature of Claimant: *Greg Johnson* Date: _____

State of Idaho)
County of Ada) SS.

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



Marilea L. Boncz
Notary Public

Residing at Meridian

My commission Expires 8/30/08

Signature of Claimant: _____ Date: _____

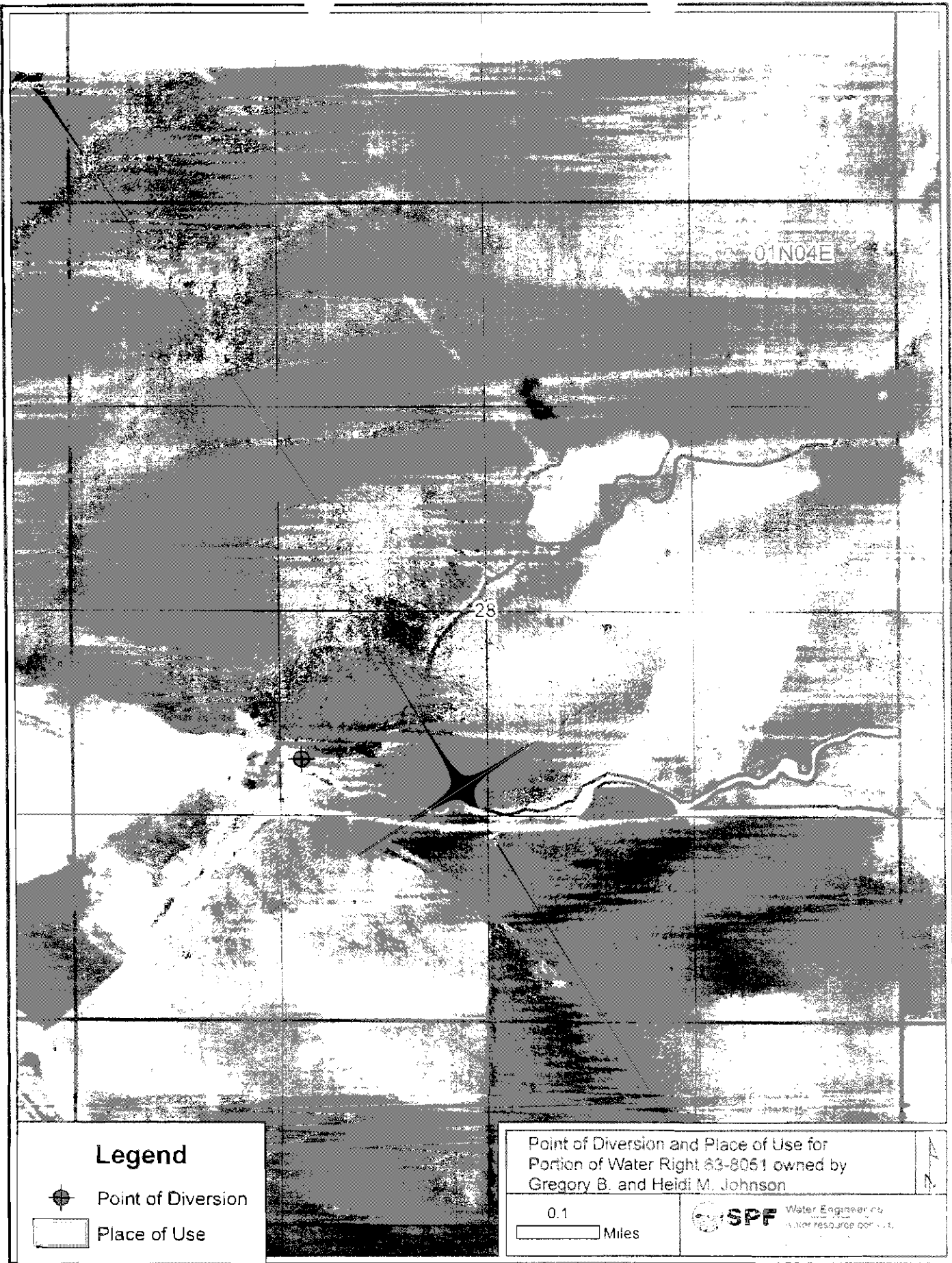
State of Idaho)
County of _____) SS.

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

Notary Public

Residing at _____

My commission Expires _____



2035642
SPM/6L



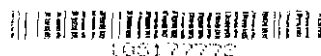
Pioneer Title Co.

GOING BEYOND

5151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/27/05 02:35 PM
DEPUTY PAUL THOMPSON
RECORDED - REQUEST OF
Pioneer

AMOUNT \$300



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.

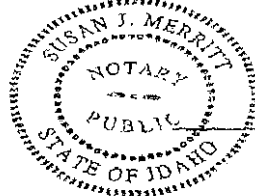
Dated: November 21, 2005

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.



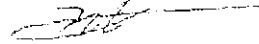
Susan J. Merritt
Susan M. Merritt
Notary Public of Idaho
Residing at Caldwell
Commission expires: May 5, 2011

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 23, 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. 453352 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. H.

2

Special Master Booth entered a bench order on 10/2/2007 granting these motions to amend claim. No written order was issued. Unfortunately, I did not send the claims and the fees to IDWR in October. I didn't notice until getting ready for the status conference on 2/5/08.

Sorry these are so late.

RECEIVED

FEB 07 2008

WATER RESOURCES
WESTERN REGION

amended claim
POW - 3 NIE S28
property is
actually in
1N 4E S28

Do not do a V2
per Jan
2-7-08

When change of
ownership submitted
claim was for 140
acres, 2.44 CFS, 670.5 AF.
140 acres at 2.44 = .674
CFS/AC
63-32615 - rec'd 1.07 CFS
140 acres at 670.5 AF = 1.287 AF
63-32615 - rec'd 19.2 AF.
63-32616 gets 2.37 CFS +
651.3 AF TOTAL.

RECEIVED
MAR 09 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

) Subcase 63-8051 (PORTION 63 - 32646)

) (Insert water right number)

)

Case 39576

) STANDARD FORM 4

)

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Gregory B. Johnson

My address is 660 E. Franklin Rd., Meridian, ID 83642

My phone number is: Work (208) 888-9771 Home

I am an attorney representing

My name is

My address is

My phone number is

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

I have only recently acquired this property and therefore could not have filed this claim earlier. The preceding property owners failed to claim this right

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim)

Attached are (1) a water right report obtained from the IDWR website describing the decreed right 65-2676, (2) a copy of Walter Courtney's Notice of Claim to a Water Right filed January 12, 1973, (3) a copy of Water License No. 28986 which describes this right. Further, I understand that this right was previously decreed in the Payette River Adjudication.

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

- 1 Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
- 2 Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

I did not own the property to which this water right is appurtenant at the time the water right was claimed. I believe there was an error on the original claim which, if decreed, would result in the loss of 9 acres under the water right. I now own 145 acres of the land

originally irrigated by water right 63-8051. Keith and Sandra Helmick own the
remaining 4 acres under water right 63-8051.

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

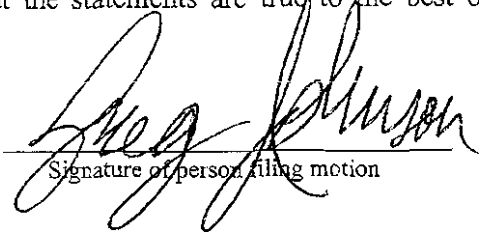
I have attached:

1. An amended Notice of Claim, with map
2. Payment of the following additional fees required by IDWR: \$18.00 for the additional 9 acres claimed.
3. A copy of the Warranty Deed conveying the parcel of interest from Helmick to Johnson

VERIFICATION (Must be completed)

State of Idaho)
County of Ada)

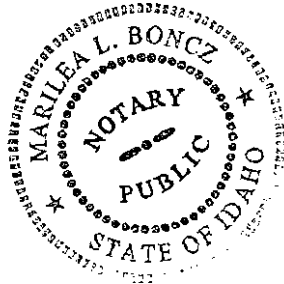
_____, being first duly sworn, upon oath, deposes and says:
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7), or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.



Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 2/27/07
(Insert Date)



Marilea L. Boncz
Notary Public for Idaho
Residing at: Meridian
My Commission expires: 8/30/08

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing

CERTIFICATE OF MAILING

I certify that on March 8, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

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

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

Gable A Ranch
c/o C. Agenbroad
HC 34 Mayfield Stage
Boise, ID 83716

Keith and Sandra Helmick
16 E. Indian Creek Rd.
Boise, ID 83716



Signature of person or attorney mailing the form

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:
Receipt No:
Received By:

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:

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

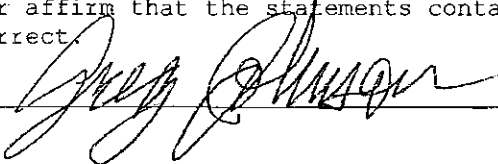
16. Signature(s)

(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

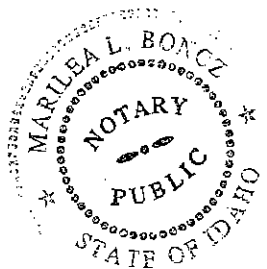
For Individuals:

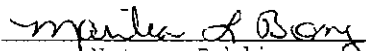
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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: _____

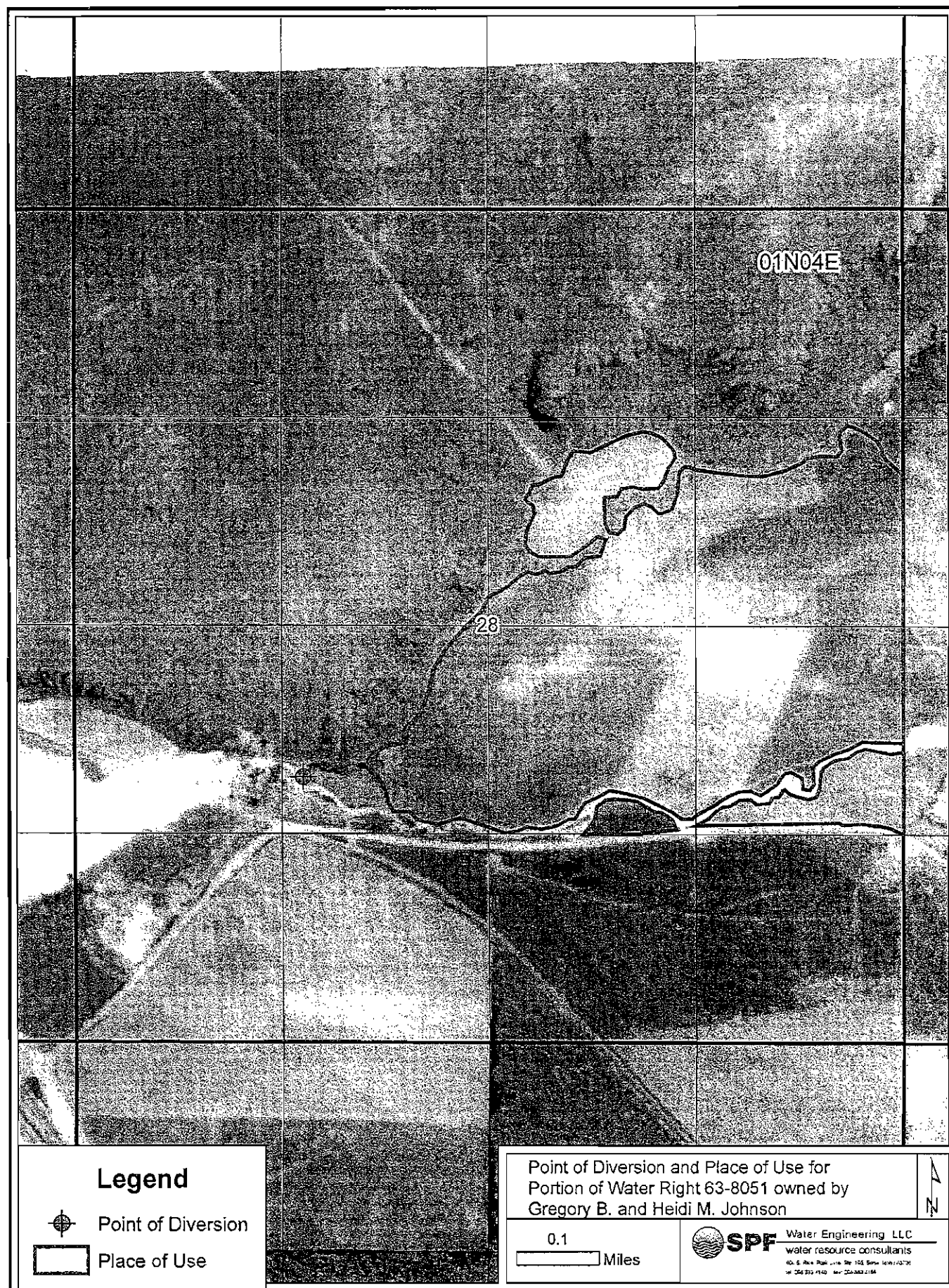
State of Idaho)
County of _____) SS.

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

Notary Public

Residing at _____

My commission Expires _____



295642
SMM/6L



Pioneer Title Co.
GOING BEYOND

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/22/05 02:35 PM
DEPUTY PAID Thompson
RECORDED - REQUEST OF
Pioneer
AMOUNT \$ 6.00
105177772

8151 W. Rifleman Ave / Boise, Idaho 83701 / (208) 377-2700

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 83650
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.

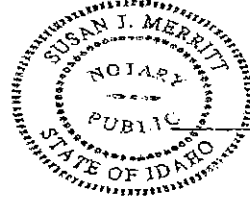
Dated: November 21, 2005

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 this within instrument, and acknowledged to me that he/she/they executed the same



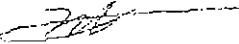
Susan J. Merritt
Susan M. Merritt
Notary Public of Idaho
Residing at Caldwell
Commission expires: May 5, 2011

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 151 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


S16

RECEIVED

MAR 09 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-8051 (PARENT) 63-32614
IS NOW CURRENT
RT # AFFECTED)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Gregory B. Johnson
Address: 660 E. Franklin Rd., Suite 240
Meridian, ID 83642

Daytime Phone: (208) 888-9771

Name & Address of Attorney, if any:

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

Name: Gable A. Ranch
Address: c/o C. Agenbroad
HC 34 Mayfield Stage
Boise, ID 83706

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes.)

1. ☒ Name and Address
Should be: Gregory B. and Heidi M. Johnson
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: a total of 145 acres, as shown on the attached SF4 (*Motion to File: Amended Claim*)
10. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See Attachment A

F. VERIFICATION (Must be completed)

State of Idaho)
)ss.
County of _____)

_____, duly sworn, upon oath, deposes and says:

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

Greg Johnson

Subscribed and sworn to before me on:

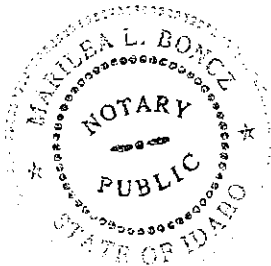
2/27/07

Marilea L. Boncz

Notary Public for Idaho

Residing at: Meridian ID

My Commission Expires: 8/30/08



Attachment A - Reasons Supporting Objection

Water Right license 63-8051 was issued by the Idaho Dept. of Water Resources (IDWR) in 1983. The license was issued to "Gable A Ranch" for the irrigation of 149 acres. It appears there was a typographical error on the license; the legal description of the place of use does not match the map of the irrigated acres as found during the field examination by IDWR. Specifically, 9 acres are listed on the license in the NWSW, S28, T01N R04E. This 9 acre parcel was mapped in the NESW by the field examiner and is still irrigated today.

The license was claimed in the Snake River Basin Adjudication by Carl Agenbroad. The 9 acre parcel in the NWSW was not claimed, apparently because the claimant recognized he did not own land in the NWSW, S28, T01N, R04E.

A large portion of the land under water right 63-8051 was sold to Gregory B. and Heidi M. Johnson in 2005; a *Notice of Change in Water Right Ownership* was filed with IDWR on May 11, 2006 (copy attached). (The ownership change was not processed by IDWR before the Director's Report recommendation was submitted to the Court.) The 9 acre parcel of concern is now owned by Mr. Johnson and he wishes to amend the adjudication claim to represent the correct place of use for his portion of water right 63-8051. We believe Keith and Sandra Helmick are the current owners of the remaining portion of water right 63-8051 and have included them on the Certificate of Mailing for this Objection.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on March 8, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right:

Name: Gable A Ranch
Address: c/o C. Agenbroad
HC 34 Mayfield Stage
Boise, ID 83716

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

Keith and Sandra Helmick
16 E. Indian Creek Rd.
Boise, ID 83716



Signature of Objector or attorney

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

 THIS ADDRESS IS NOT
CURRENTLY
SERVICED FOR
STREET DELIVERY
RECEIVES MAIL AT PO BOX

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

Re: Original Water Right No. 63-8

Renumbered to Water Right Nos. _____

AAAGSME 236

PRESCRIBED
FIRST CLASS



02 1M
0004227270 MAR 16 2007
MAILED FROM ZIP CODE 83702

\$ 00.29³

RECEIVED

MAR 21 2007

WATER RESOURCES
WESTERN REGION

63-8051
63-32616

NIXIE

2003 1 05 03/20/07

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RETURN TO SENDER



SPF Water Engineering, LLC
water resource consultants

COPY

RECEIVED

MAY 17 2006
DEPARTMENT OF
WATER RESOURCES

RECEIVED
MAY 12 2006
WATER RESOURCES
WESTERN REGION

May 11, 2006

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83706

Subject: Change of Ownership – Water Right 63-8051

Dear Steve:

Enclosed on behalf of Greg Johnson is a water right change of ownership form for a portion of water right 63-8051. The water right is claimed in the SRBA. As a result, we understand that there is no fee for submitting this form.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: Greg Johnson
File: 329.0050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 12 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8051	63-8051	☒			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gable A Ranch, c/o K Agenbroad
7313 Kingston, Boise, ID 83704
4. New Owner/Claimant(s) Greg Johnson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 660 East Franklin Road, Suite 240
- City, State and ZIP Code Meridian, ID 83642
- New Telephone Number (208) 888-9771
5. Date you acquired the property November 21, 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-8051</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2.37 cfs, 651.3 afa</u>	<u>136 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>2.37 cfs, 651.3 afa</u>	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Greg Johnson

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

295642
82m/62



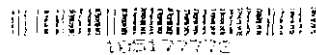
Pioneer title.

GOING BEYOND

3151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
301SE BRAD 11/2/05 02:35 PM
DEPUTY: Paul Thompson
RECORDED - REQUEST OF
PIONEER

AMOUNT 6.00



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 83630
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.

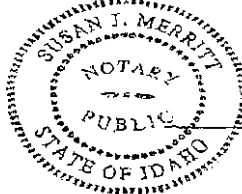
Dated: November 21, 2005

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.



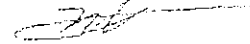
Susan J. Merritt
Susan M. Merritt
Notary Public of Idaho
Residing at Caldwell
Commission expires: May 5, 2011

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 23, Township 1 North, Range 4 East, Boise Meridian, in Ada County, Idaho.

EXCEPTING from said Northeast quarter Southwest quarter that properly deed to the State of Idaho by Warranty Deed recorded May 4, 1959 in Book 434 of Deeds at page 334 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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32616

NAME AND ADDRESS: GREGORY B JOHNSON
660 E FRANKLIN RD STE 240
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.370 CFS
651.300 AFY

PRIORITY DATE: 10/17/1974

POINT OF DIVERSION:

T01N R04E S28 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.370 CFS 651.30 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in ADA County

T01N R04E S28	SWNE	27.00	T01N R04E S28	SENE	32.00
T01N R04E S28	NESE	39.00	T01N R04E S28	NWSE	38.00

136 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-8051 .

**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	)	Water Rights: 63-8051 (Split)
	)	63-32615, 63-32616
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 16, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 16, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

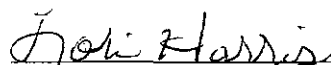
Sandra R. Helmick	☐	overnight mail
Keith O. Helmick	☒	regular mail
HC 34	☐	hand-delivered
Boise ID 83716	☐	facsimile

Gregory B. Johnson	☐	overnight mail
660 E. Franklin Rd. Ste 240	☒	regular mail
Meridian ID 83642	☐	hand-delivered
	☐	facsimile

Gable A Ranch
c/o C Agenbroad
HC 34 Mayfield Stage
Boise ID 83706

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

Department of Water Resources
Western Regional Office

License of Water Right No. 63-8051 Priority October 17, 1974 Amount 2.44 cfs

THIS IS TO CERTIFY, that Gable A Ranch
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-8051 issued pursuant to Application for Permit dated October 17, 1974,
and has submitted proof to the Department of Water Resources on October 24, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.44 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>2.44</u> cfs and	<u>670.5</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.44 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
670.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Twp.
1N, Rge. 4E in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	4E	27									4								4
		28			27	32					39				39	38			145

Total number of acres irrigated 149

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
April, 19 83.

Acting for the Director

Norm C. Young

MICROFILME

AUG 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 16, 2007

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

Re: Original Water Right No. 63-8051

Renumbered to Water Right Nos. 63-32616

Dear Mr. Johnson:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of the original claim.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:1
Enclosures

cc: Terry Scanlan-SPF Water Engineering LLC



RECEIVED

MAY 17 2006

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAY 12 2006

WATER RESOURCES
WESTERN REGION

May 11, 2006

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83706

Subject: Change of Ownership – Water Right 63-8051

Dear Steve:

Enclosed on behalf of Greg Johnson is a water right change of ownership form for a portion of water right 63-8051. The water right is claimed in the SRBA. As a result, we understand that there is no fee for submitting this form.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: Greg Johnson
File: 329.0050

SCANNED

MAY 17 2006