

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 63-32615  
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)

SANDRA R HELMICK Phone: (208)386-9679  
HC 34  
BOISE ID USA 83716

KEITH O HELMICK Phone: (208)386-9679  
HC 34  
BOISE ID USA 83716

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	0.07	19.2

7. Total Quantity Appropriated is:

0.07 C.F.S. and/or 19.2 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	27	NW	SW	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: ELMORE

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



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 63-8051

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	_____	_____
<b>Total</b>	<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	_____	_____
<b>Total</b>	_____	

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 N/A  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by [Signature] AJ Date 3-13-07 WR \_\_\_\_\_ Date \_\_\_\_\_

**SCANNED**

MAY 17 2006

235642  
SPM/BL

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 11/22/05 2:03 PM  
DEPUTY Pam Thompson  
RECORDED - REQUEST OF  
Pioneer  
AMOUNT 5.00  
105177702



# Pioneer TITLE CO.

GOING BEYOND

3151 W. Rifleman 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 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

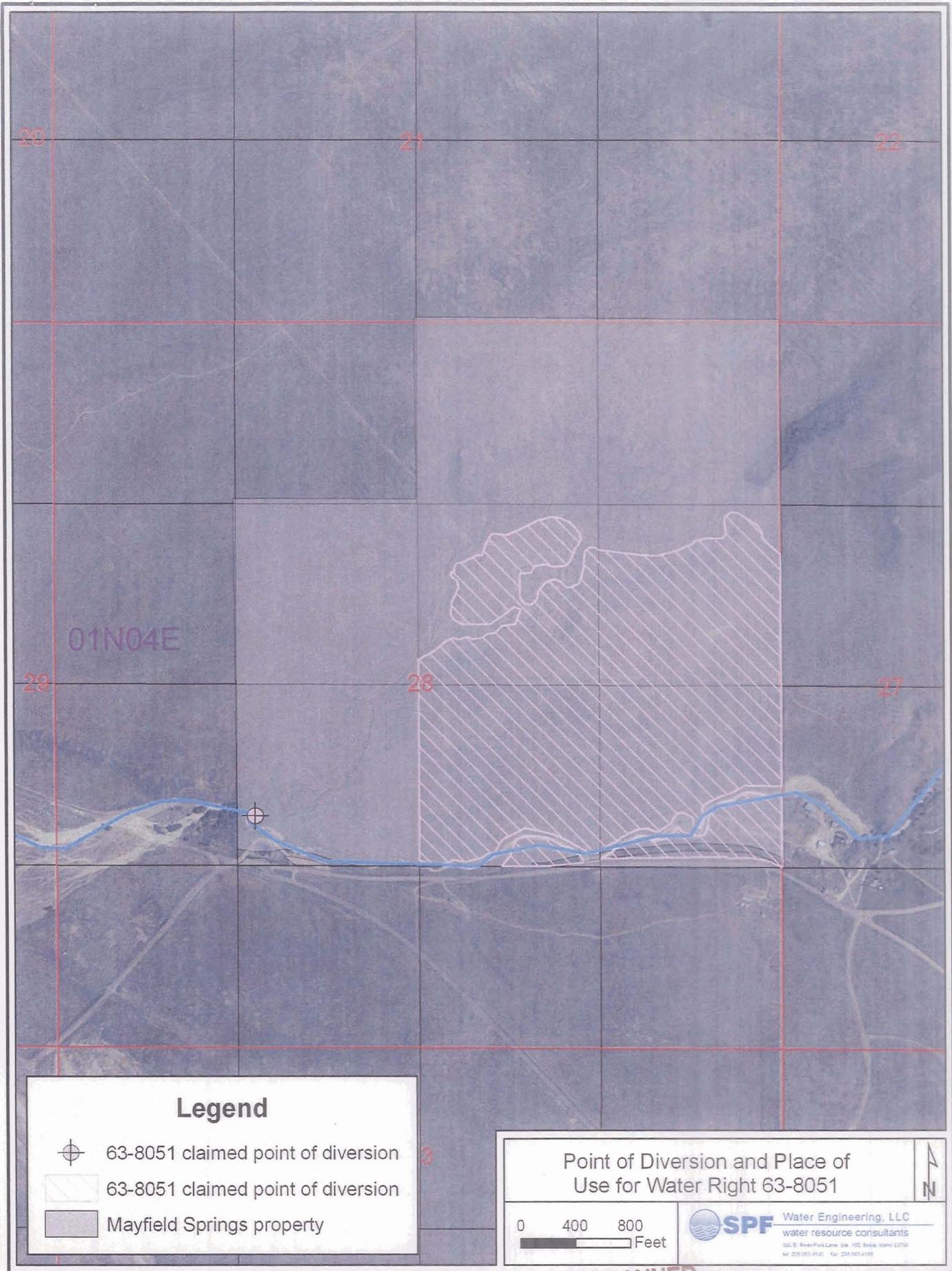
STATE OF Idaho. County of Ada, ss.

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 2008



**Legend**

-  63-8051 claimed point of diversion
-  63-8051 claimed point of diversion
-  Mayfield Springs property

**Point of Diversion and Place of Use for Water Right 63-8051**

0 400 800  
 Feet



**SPF** Water Engineering, LLC  
 water resource consultants  
 952 E. River Park Lane, Ste. 102, Boise, Idaho 83706  
 Tel: 208.383.4747 Fax: 208.383.4188



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 2006

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 AMENDED**  
**ACQUIRED UNDER STATE LAW**

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 Agenbrood  
Hc 34 Boise ID 83706

4. New Owner/Claimant(s) KEITH D + 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 March, 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: REH

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

AUG 24 1992

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.

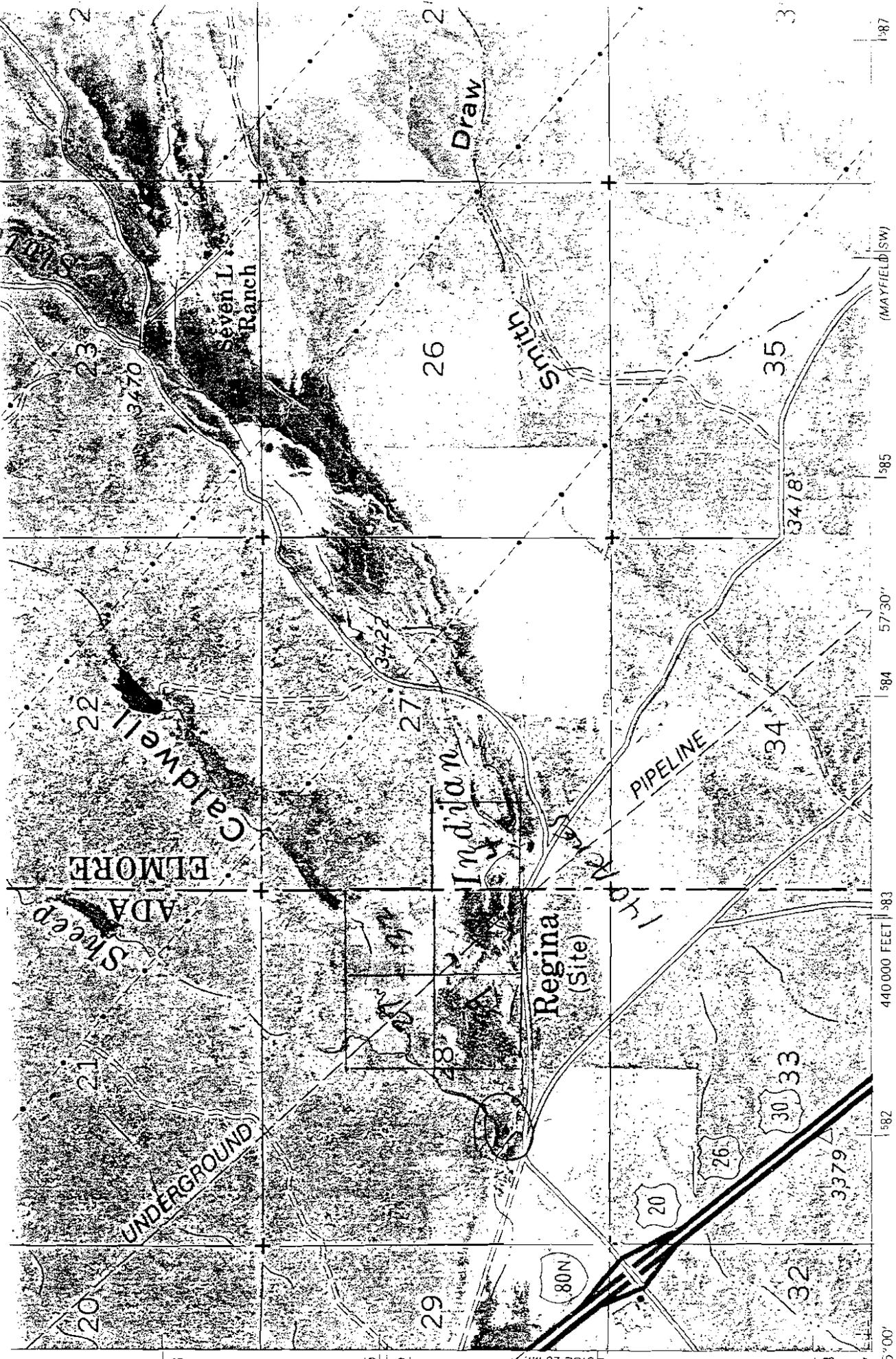
Signature of Claimant(s): Carl Apentroad Date: 8/8/89  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of ADA ) SS.

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

Seal

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

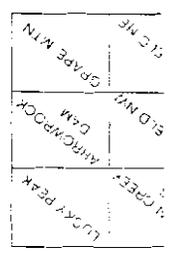


SCALE - 1:24,000



LEGEND

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



CONTOUR INTERVAL 40 FEET

Datum is mean sea level

Polycyclic 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 11

**MICROFILMED**  
**AUG 24 1992**

CALDWELL 44 MI.  
 BOISE 20 MI.

State of Idaho  
Department of Water Resources

Department of Water Resources  
Western Regional Office

WATER RIGHT LICENSE

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					9				39	38			145
											OUT								

Total number of acres irrigated 149

140 ACRES

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

*Ron Gray*

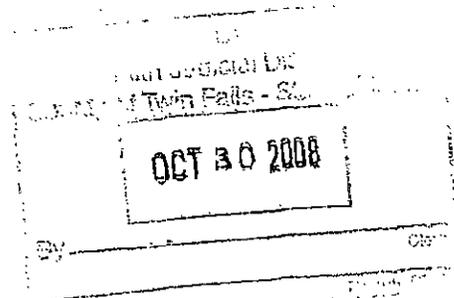
MICROFILME

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	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.

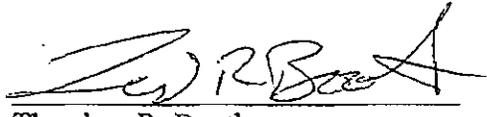
On March 9, 2007, Gregory B. Johnson, the claimant of water right 63-32616, filed an objection to the *Director's Report*, and a *Motion to File an Amended Notice of Claim*. The *Motion* was granted by *Order* dated January 31, 2008. On February 14, 2008, IDWR filed an *Amended Director's Report* for 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



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

Fifth Judicial District  
County of Twin Falls - State of Idaho  
OCT 30 2008

In Re SRBA )  
PARTIAL DECREE PURSUANT TO )  
I.R.C.P. 54(b) FOR )  
Case No. 39576 )  
Water Right 63-32615 )

NAME AND ADDRESS: KEITH O HELMICK  
SANDRA R HELMICK  
HC 34  
BOISE, ID 83716

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS  
19.20 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	0.07 CFS 19.20 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 Elmore County  
T01N R04E S27 NWSW 4.0  
4.0 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

RECORDED  
OCT 30 2008  
*[Signature]*

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

---

RIGHT NUMBER: 63-32615

NAME AND ADDRESS: SANDRA R HELMICK  
HC 34  
BOISE ID 83716

KEITH O HELMICK  
HC 34  
BOISE ID 83716

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS  
19.200 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	0.070 CFS 19.20 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 ELMORE County

T01N R04E S27 NWSW 4.00

4 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	)	<b>Water Rights:</b> 63-8051 (Split)
	)	63-32615, 63-32616
Case No. 39576	)	<b>NOTICE OF COMPLETED</b>
	)	<b>ADMINISTRATIVE</b>
_____	)	<b>PROCEEDING</b>

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	<input type="checkbox"/>	overnight mail
Snake River Basin Adjudication	<input checked="" type="checkbox"/>	regular mail
P.O. Box 2707	<input type="checkbox"/>	hand-delivered
Twin Falls, ID 83303-2707	<input type="checkbox"/>	facsimile

### 2. Copies to:

Clive Strong	<input type="checkbox"/>	overnight mail
Office of the Attorney General	<input checked="" type="checkbox"/>	regular mail
P.O. Box 44449	<input type="checkbox"/>	hand-delivered
Boise, ID 83711-4449	<input type="checkbox"/>	facsimile

United States Dept of Justice	<input type="checkbox"/>	overnight mail
Environment & Natural Resource Div	<input checked="" type="checkbox"/>	regular mail
550 West Fort Street MSC 033	<input type="checkbox"/>	hand-delivered
Boise ID 83724	<input type="checkbox"/>	facsimile

### 3. Copies to all parties to the subcase:

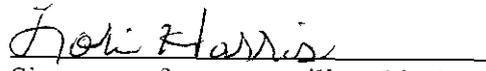
Sandra R. Helmick	<input type="checkbox"/>	overnight mail
Keith O. Helmick	<input checked="" type="checkbox"/>	regular mail
HC 34	<input type="checkbox"/>	hand-delivered
Boise ID 83716	<input type="checkbox"/>	facsimile

Gregory B. Johnson	<input type="checkbox"/>	overnight mail
660 E. Franklin Rd. Ste 240	<input checked="" type="checkbox"/>	regular mail
Meridian ID 83642	<input type="checkbox"/>	hand-delivered
	<input type="checkbox"/>	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

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

March 16, 2007

KEITH O HELMICK  
SANDRA R HELMICK  
HC 34  
BOISE ID 83716

Re: Original Water Right No. 63-8051

Renumbered to Water Right Nos. 63-32615

Dear Mr. & Mrs. Helmick:

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,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris  
Technical Records Specialist 1  
Adjudication Section  
Western Region Office

LH:l  
Enclosures



**SPF** Water Engineering, LLC  
water resource consultants

RECEIVED  
MAY 11 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