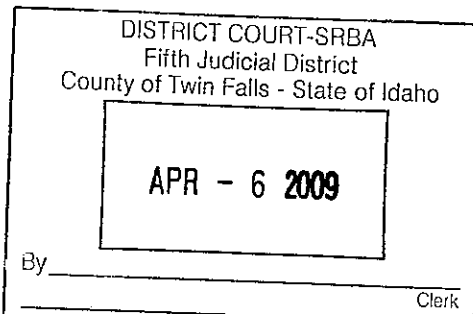




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APR 07 2009

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) **Water Rights: 2-10331 (Split)**
) 2-10346, 2-10347, 2-10348, 2-10349, 2-10351
Case No. 39576) **NOTICE OF COMPLETED**
) **ADMINISTRATIVE**
) **PROCEEDING**

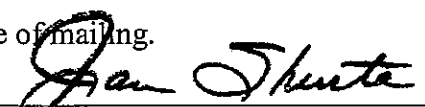
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- XX IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- XX 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: April 3, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 3, 2009, 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:

Vance Van Hall	☐ overnight mail
5552 Willow Ln	☒ regular mail
Nampa ID 83687-8424	☐ hand-delivered
	☐ facsimile

Greg Sims	☐ overnight mail
Susan Sims	☒ regular mail
7530 Riverfront Dr	☐ hand-delivered
Marsing ID 83639	☐ facsimile

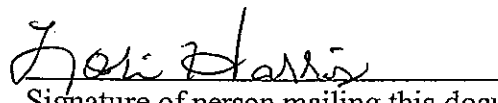
Phillip Warner	☐ overnight mail
Susan Warner	☒ regular mail
7548 Riverfront Dr	☐ hand delivered
Marsing ID 83639	☐ facsimile

Leo Berger
Anita Berger
2321 S San Francisco Ln
Nampa ID 83686

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

Val Shap
Yevgeniya Shaposhnik
7500 Riverfront Dr
Marsing ID 83639

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



Signature of person mailing this document

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IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10331 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 2-10346, 2-10347, 2-10348, 2-10349, 2-10351

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR - 6 2009	
By _____	Clerk
_____	Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10346
NAME AND ADDRESS: VANCE VAN HALL
5552 WILLOW LN
NAMPA ID 83687-8424

SOURCE: SNAKE RIVER
QUANTITY: 1.710 CFS
384.750 AFY

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 NESESW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.710 CFS 384.75 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T02N R04W S23 Lot 4 NESW	15.00	T02N R04W S23 Lot 3 NWSW	36.20
T02N R04W S23 SWSW	33.00	T02N R04W S23 Lot 4 SESW	20.20
T02N R04W S26 Lot 1 NENW	17.00		

121.4 ACRES TOTAL

This right is limited to the irrigation of 85.5 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 2-10331.

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 6 2009

TRIBUTARY: COLUMBIA RIVER

Clerk
Deputy Clerk

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Rights 2-7463 and 2-2077B are also diverted through the point of diversion described above.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUISITION
DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 2-10347
NAME AND ADDRESS: GREG SIMS
7530 RIVERFRONT DR
MARSING ID 83639
SUSAN SIMS
7530 RIVERFRONT DR
MARSING ID 83639

SOURCE: SNAKE RIVER
QUANTITY: 0.040 CFS
8.100 AFY

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 NWSW Lot 3 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS 8.10 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T02N R04W S23 Lot 3 NWSW 1.80

1.8 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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right is a split from former right 2-10331.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by Transfer 75197 within one year of the date of the approval.

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR - 6 2009	
By _____	_____ Clerk
_____ Deputy Clerk	

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DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW
DISTRICT COURT-SRBA
With Judicial District
County of Twin Falls - State of Idaho

APR - 6 2009

By _____ Clerk
Deputy Clerk

RIGHT NUMBER: 2-10348
NAME AND ADDRESS: PHILLIP M WARNER
7548 RIVERFRONT DR
MARSING ID 83639
SUSAN H WARNER
7548 RIVERFRONT DR
MARSING ID 83639

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.020 CFS
4.890 AFY
PRIORITY DATE: 01/19/1949
POINT OF DIVERSION:

T02N R04W S23 NESESW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS 4.89 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County
T02N R04W S23 Lot 4 SESW 1.50

1.5 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 2-10331.

Property is also known as Lot 3, Block 1, Hidden Valley Estates.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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DEPARTMENT OF
WATER RESOURCES

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IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho APR - 6 2009 By _____ Clerk Deputy Clerk
--

RIGHT NUMBER: 2-10349

NAME AND ADDRESS: LEO BERGER
2321 S SAN FRANCISCO LN
NAMPA ID 83686

ANITA BERGER
2321 S SAN FRANCISCO LN
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.040 CFS
8.100 APY

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 SESW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS 8.10 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T02N R04W S23 Lot 4 SESW 1.80

1.8 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 when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right is a split from former right 2-10331.

The right holder shall accomplish the change authorized by Transfer 73806 within one year of the date of the approval.

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 6 2009

RIGHT NUMBER: 2-10351

NAME AND ADDRESS: VAL SHAP
7500 RIVERFRONT DR
MARSING ID 83639

YEVGENIYA SHAPOSHNIK
7500 RIVERFRONT DR
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.040 CFS
9.000 AFY

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 NESESW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.040 CFS

9.00 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T02N R04W S23 NESW 2.00

2 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 when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This right is a split from former right 2-10331.

Property is also known as Lot 1, Block 1, Hidden Valley Estates.