

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

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.

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

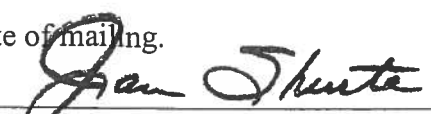
IDWR has completed the following administrative proceeding:

- ☐ 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

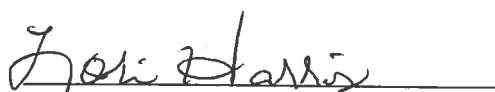
Phillip Warner	☐ overnight mail
Susan Warner	☒ regular mail
7548 Riverfront Dr	☐ hand delivered
Marsing ID 83639	☐ facsimile

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



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

April 3, 2009

VAL SHAP
YEVGENIYA SHAPOSHNIK
7500 RIVERFRONT DR
MARSING ID 83639

Re: Original Water Right No. 2-10331

Renumbered to Water Right Nos. 2-10351

Dear Val & Yevgeniya:

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 2
Adjudication Section
Western Region Office

LH:1
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 2-10331 V1

WATER RIGHT NUMBER: 2-10331 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ESTATE OF ESTHER F ASHE C/O JACK HURT 4470 VEGAS VALLEY #108 LAS VEGAS, NV 89121 (702)457-3477
Current Owner	VANCE VAN HALL 5552 WILLOW LN NAMP, ID 83687-8424 (208)461-2575

Priority Date: 01/19/1949
Basis: License
Status: Disallowed

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.960 CFS	418.61 AF
	<u>Total Diversion:</u>	1.960 CFS	418.61 AF

Location of Point(s) of Diversion

SNAKE RIVER L4 (NE1/4SE1/4SW1/4) Sec. 23, Twp 02N, Rge 04W, B.M.
OWYHEE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N	04W	23										55.0	33.0	23.5					111.5
												L 3		L 4					
02N	04W	26					17.0												17.0
							L 1												

Total Acres: 128.5

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. K06 This right is limited to the irrigation of 92.6 acres within the place of use described above in a single irrigation season.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 2-10331 V1

3. S47 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.
4. C18 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.
5. X36 Rights 2-7463 and 2-2077B are also diverted through the point of diversion described above.
6. P22 Split right: See Right Nos. 2-10346, 63-10347, 2-10348, 2-10349 and 2-10351.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. This right is a split from former right 2-10257.
9. R69 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.

Remarks:

Comments:

1. dshaff 3/19/2007 Change Owner Split
Comment: Split by change in ownership

2. lharris 9/30/2008 Ownership Change
Comment: This right has been split per ownership changes and transfers.

Water Supply Bank:

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 2-10351
Date Received: 12/7/1988
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

VAL SHAP Phone: (208) 949-3481
7500 RIVERFRONT DR
MARSING ID USA 83639

YEVGENIYA SHAPOSHNIK Phone: (208) 949-3481
7500 RIVERFRONT DR
MARSING ID USA 83639

2. Date of Priority: 01/19/1949

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
02N	04W	23	NE	SE	SW	4	OWYHEE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	03/15	11/15	0.04	9

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 9 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
02N	04W	23	NE	SW	IRRIGATION	2
Section Acres						2
Total Acres						2

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

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.

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

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.

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.

15. Basis of Claim: License

RECEIVED

SEP 18 2008

WATER RESOURCES
WESTERN REGION

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	2-10331	YES			

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

- ✓ A. The appropriate **FILING FEE**. See instructions for fee amounts. = N/A
- ✓ 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 on file with the county Planning and Zoning or Recorder's Office). - SEE ATTACHED
- OR**
- D. 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 or equivalent **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)
 VANCE VAN HALL
 RT 1 Box 16
 MARSING, ID 83639
- ✓ 4. New Owner/Claimant(s)
 VAL SHAP
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address
 7500 RIVERFRONT DR.
- City, State and ZIP Code
 MARSING, ID 83639
- New Telephone Number
 (208) 949-3481 Email: VALSHAP@HOTMAIL.COM

✓ 5. Date you acquired the property

February, 2000

✓ 6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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.

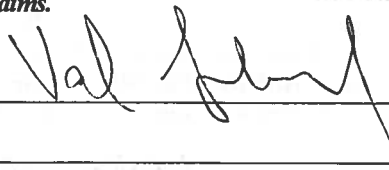
2 ACRES portion at
0.02 cfs @ 4.5 AF
per ACRES

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

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>2-10331</u>		
Irrigation	<u>0.04 cfs / 9.0 AF</u>	<u>2 ACRES</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

✓ 7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by SR Date 9/18/08
 Received by N/A Date _____
 Processed by _____ AJ Date _____

Receipt Amt. N/A
 Receipt No. _____
 WR _____ Date _____

→ SEE VMC WESTERN REGION for details of split right - SR 9/15/08

106735

WARRANTY DEED

FOR VALUE RECEIVED VAL SHAP, WHO ACQUIRED TITLE AS VALERY SHAPOSHNIK, A MARRIED MAN AS HIS SOLE AND SEPERATE PROPERTY

the Grantor, doES hereby grant, bargain, sell and convey unto VAL SHAP and YEVGENIYA SHAPOSHNIK, HUSBAND AND WIFE

the GranteeS, whose address is 7500 RIVER FRONT DRIVE, MARSING, ID 83639

the following described premises, to-wit:

LOTS 1 IN BLOCK 1 OF HIDDEN VALLEY ESTATES SUBDIVISION, OWYHEE COUNTY, IDAHO, ACCORDING TO THE PLAT THEREOF FILED IN FEBRUARY 16, 1995 AS INSTRUMENT NO. 214934, RECORDS OF OWYHEE COUNTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, THEIR heirs and assigns forever. And the said GRANTOR doES hereby covenant to and with the said GranteeS, that he IS the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: April 4, 2005

Val Shap

Instrument # 251485

MURPHY, OWYHEE, IDAHO

2005-04-08

04:32:02 No. of Pages: 1

Recorded for : PIONEER TITLE COMPANY

CHARLOTTE SHERBURN

Fee: 3.00

Ex-Officio Recorder Deputy *B. Evans*

Index to: DEED, WARRANTY

STATE OF IDAHO
COUNTY OF CANYON

On this 4 day of APRIL, 2005, before me, a notary public, personally appeared VAL SHAP, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Robin Aberasturi

Notary Public

Residing at HOMEDALE, IDAHO

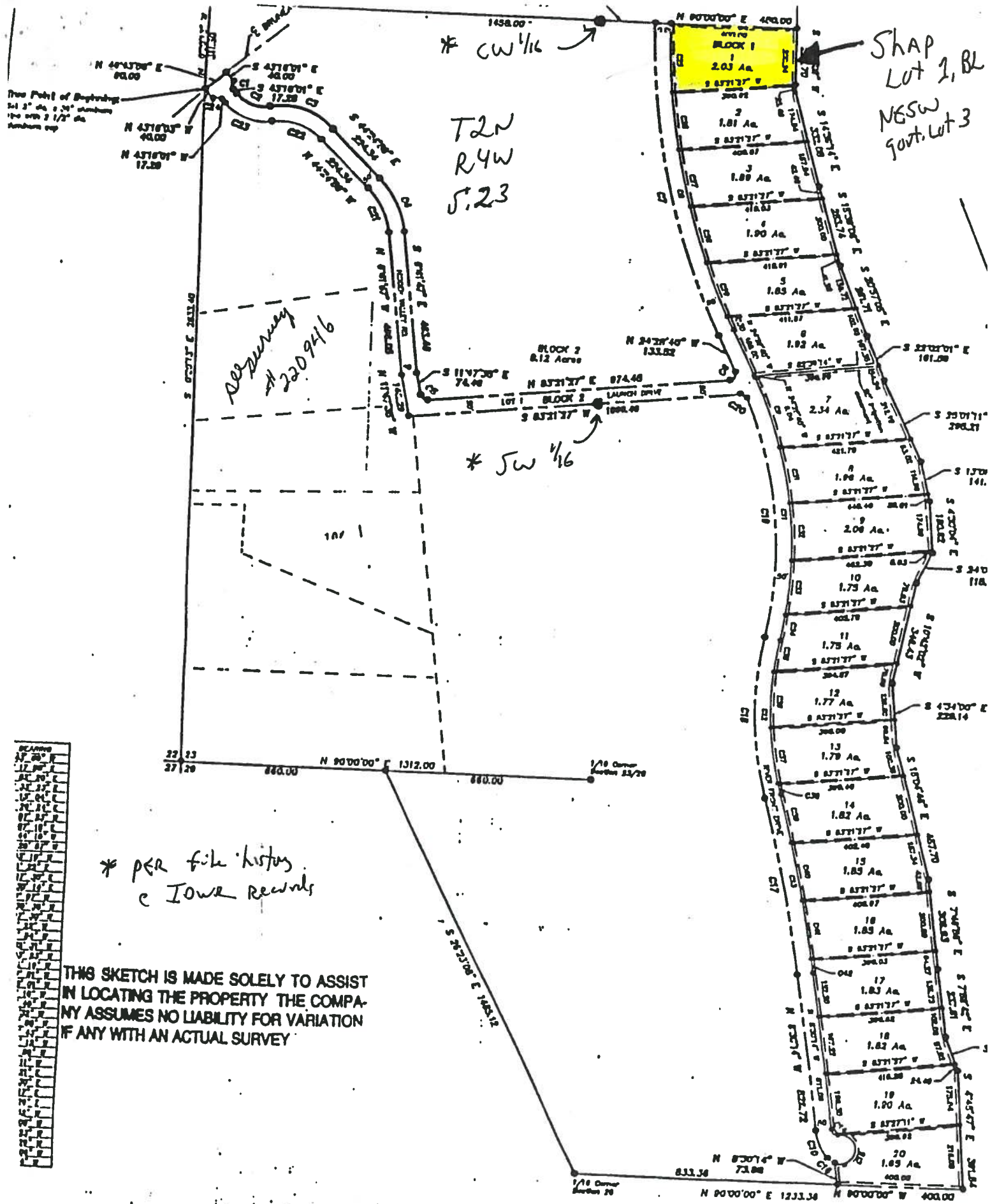
My commission expires: 03-26-2010



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605



HIDDEN VALLEY ESTATES

A PORTION OF GOVT. LOTS 3&4 AND THE SW1/4SW1/4 OF SECTION 23
 ALSO GOVT. LOT 1 OF SECTION 26
 TOWNSHIP 2 NORTH RANGE 4 WEST ILLINOIS

BRENDA RICHARDS TAX COLLECTR				BILL#	3925	PARCEL NUMBER		RP00840001001
P.O. BOX 128				CODE AREA	5-0000	L	75,00	
MURPHY, ID 83650				BANK CODE	FBSF	I	201,21	
208-495-1158 OR 337-5522								
1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	276,21	
TAX	989.50	TAX	989.50	TAX	1,979.00	HM	75,00	
LATE		LATE		LATE				
INT		INT		INT		NET MV	201,21	
COST		COST		COST				
TOT		TOT		TOT		TOT ACS	2.03	

2006 TAX BILL/RECEIPT

SHAP VAL
& SHAPOSHNIK YEVGENIYA H/W
7500 RIVER FRONT DR
MARSING ID 83639

LOT 1 BLOCK 1
HIDDEN VALLEY ESTATES SUB
23 2N 4W

7500 RIVER FRONT DR

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.003378621	679.8
SCHOOL 363	.000912027	183.5
SCHOOL 363 BOND	.004095878	824.1
GEM H/W 3	.000362387	72.9
MARS-HOME CEM	.000099028	19.9
MARSING FIRE	.000588797	118.4
LIZ/BUTTE LIB	.000200005	40.2
DISTRICT TOTAL	.009636743	1,939.0
SOLID WASTE FEE		40.0
AMOUNT DUE		1,979.0

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

SHAP, VAL

SHAP, VAL

2006
3925

20
39

2ND HALF

1ST HALF

FULL

AMOUNT DUE 989.50

AMOUNT DUE 989.50 1,979.0

OWYHEE COUNTY
RP008400010018A
5-0000 FBSF

LATE
INT
COST
TOTAL

OWYHEE COUNTY
RP008400010018A
5-0000 FBSF

LATE
INT
COST
TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2007

DECEMBER 20, 200

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10331

WATER RIGHT NUMBER: 2-10331

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ESTATE OF ESTHER F ASHE C/O JACK HURT 4470 VEGAS VALLEY #108 LAS VEGAS, NV 89121 (702)457-3477
Current Owner	VANCE VAN HALL 5552 WILLOW LN NAMPA, ID 83687-8424 (208)461-2575

Priority Date: 01/19/1949

Basis: License

Status: Parent

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.980 CFS	423.50 AF
	<u>Total Diversion:</u>	1.980 CFS	423.50 AF

Location of Point(s) of Diversion

SNAKE RIVER	L4 (NE1/4SE1/4SW1/4)	Sec. 23, Twp 02N, Rge 04W, B.M.
OWYHEE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	23									8.3	40.0	10.0	25.4					83.7
											L 3	L 3		L 4					
02N	04W	26					10.4												10.4
							L 1												

Total Acres: 94.1

Conditions of Approval:

1. This right is a split from former right 2-10257 .
2. P22 Split right: See Right Nos. 2-10346, 63-10347, 2-10348, 2-10349 and 2-10351.

Remarks: