

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: A36-02357
Date Received: 9/21/1989
Receipt No: 5009272
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK SUCHAN
Address: RT. 2 BOX 2472
PAUL, ID 83347
208-438-5084

2. Date of Priority: AUG 18, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	34	NW	NW	NE		MINIDOKA
		35	NE	NW	NW		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.520		

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

8. Total consumptive use is 378.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	34	NE	NE		IRR	20.0
			NW	NE		IRR	35.0

A36-02357

Page 1

Date: 09/21/89

MICROFILMED
OCT 13 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	22E	34	SW	NE		IRR	35.0
			SE	NE		IRR	28.0
						Section Acres	118.0
		35	SW	NW		IRR	8.0
						Section Acres	8.0
						Total Acres	126.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE; OTHER RIGHTS FROM SAME SYSTEM.

14. Remarks:
TRANS. 2330.

15. Basis of Claim: LICENSE
Water Right Number: 27525

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 Mrp

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): Frank Suchan Date: 9-21-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Sept. 19 89
[Signature]
Notary Public

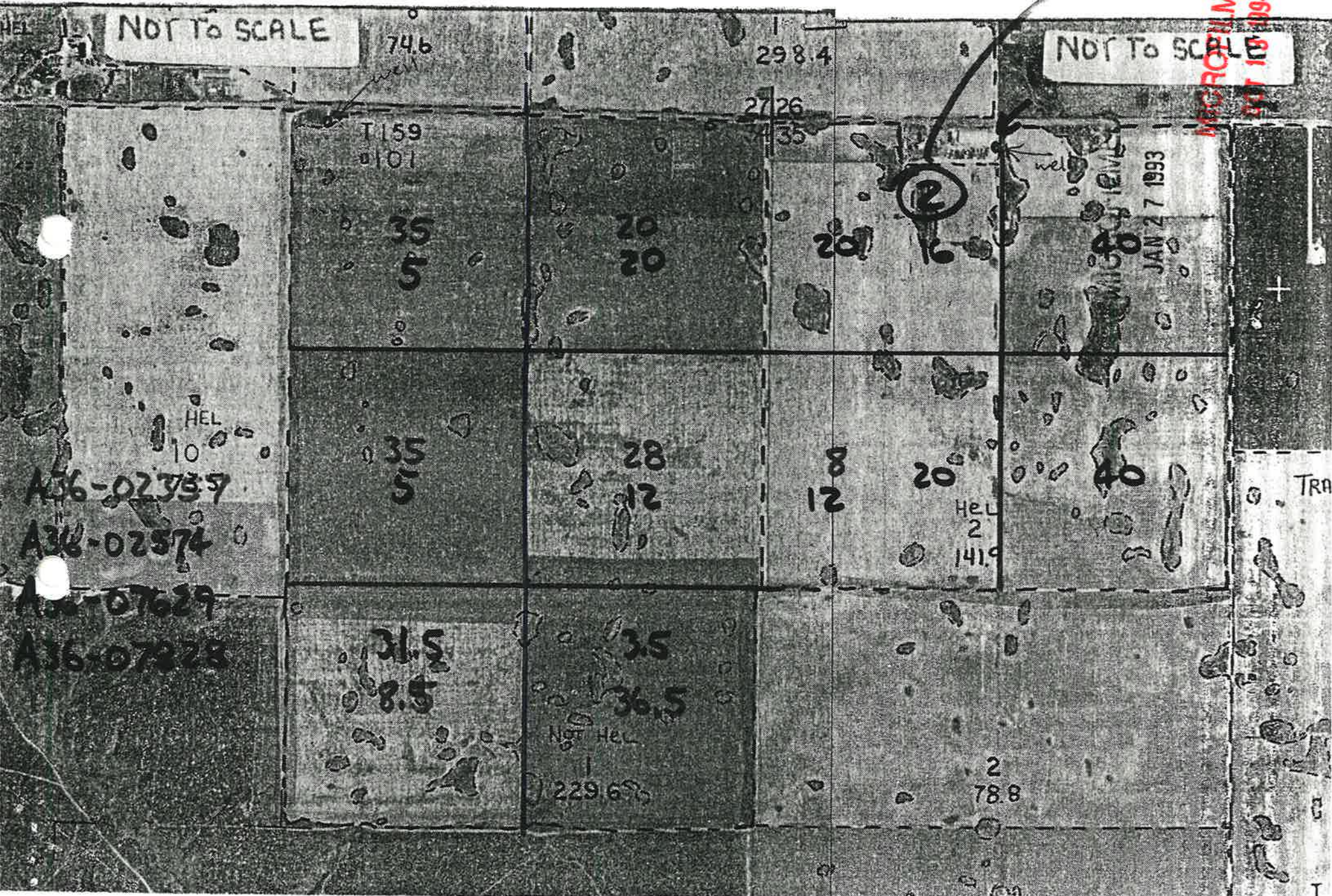
Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

T8S R22E

POOR ORIGINAL

Expanded
MICROFILMED
JAN 19 1994



RECEIVED

JAN 02 2002

**Department of Water Resources
Southern Region**

AMENDED DIRECTOR'S REPORT

Subcase Nos. 36-2357 and 36-7828

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

**Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief**

December 27, 2001

DESCRIPTIVE SUMMARY

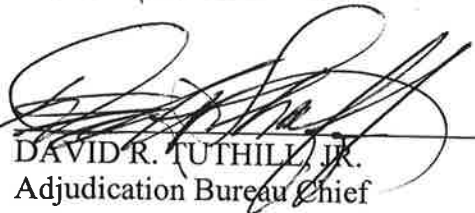
This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources (IDWR).

DISCUSSION

On January 29, 1998, an *Order of Partial Decree* was issued, mistakenly disallowing each of the aforementioned claims. An *Order Rescinding Orders of Partial Decree* was issued June 12, 1998. Unfortunately, IDWR did not include these water rights in its *Supplemental Director's Reports, Reporting Area 3, IDWR Basin 36, Regarding Revision of the Following: Period of Use (for Irrigation Water Uses), Conjunctive Management General Provisions* filed August 5, 1999.

A notice of change of address was recently received by IDWR from the claimant. In order to submit the change of address to the Court and to submit its recommendation on the season of use for each of these water rights, IDWR certifies 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 Reports for water rights 36-2357 and 36-7828. The changes in the recommendations are shown in bold face type.

Respectfully submitted this 27 day of December, 2001.

for 
DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

12/27/2001

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

RIGHT NUMBER: 36-2357

NAME AND ADDRESS: FRANK J SUCHAN
931 W 500 N
PAUL ID 83347

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.520 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.90 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 960 AF.
COMBINED RIGHT NOS.: 36-02574 AND 36-07629.

PRIORITY DATE: 08/18/1958

POINT OF
DIVERSION:

T08S R22E S34 NWNWNE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	2.520 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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 MINIDOKA County

T08S R22E S34	NENE	40.0	T08S R22E S34	NWNE	40.0
T08S R22E S34	SWNE	40.0	T08S R22E S34	SENE	40.0
T08S R22E S34	NESE	40.0	T08S R22E S34	NWSE	40.0

240 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 36-02574 AND 36-07629. THIS RIGHT IS LIMITED TO THE IRRIGATION
OF 126 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02574 AND 36-07629.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

1

CERTIFICATE OF SERVICE

I certify that on December 28, 2001, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, in the manner indicated and addressed as follows:

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

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

2. Copies to:

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

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

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

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

Minidoka County Courthouse
715 G St.
Rupert, ID 83350

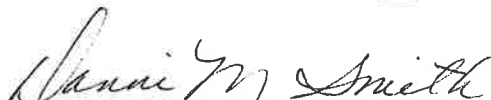
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

William T. Goodman
Goodman Bollar
P.O. Box D
Rupert, ID 83350

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

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

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


Signature of person delivering form

RECEIVED

DEC 12 2001

Department of Water Resources
Adjudication Bureau

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number(s):

NCAP
36-2357 36-2574 36-7052
36-7629 36-7828 36-12454

Previous Mailing Address:

36-7839 36-4262 36-12469

*All of these
plus some
Dorwin*

RT 2 - Box 178-A - PAUL

RT 2 - Box 2472 - PAUL

930W - 500N - PAUL

New Mailing Address:

FRANK SUCHAN

931W 500N

PAUL, ID 83347

Telephone Number:

(208) 438-5084

Signature of Claimant(s):

Frank Suchan

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

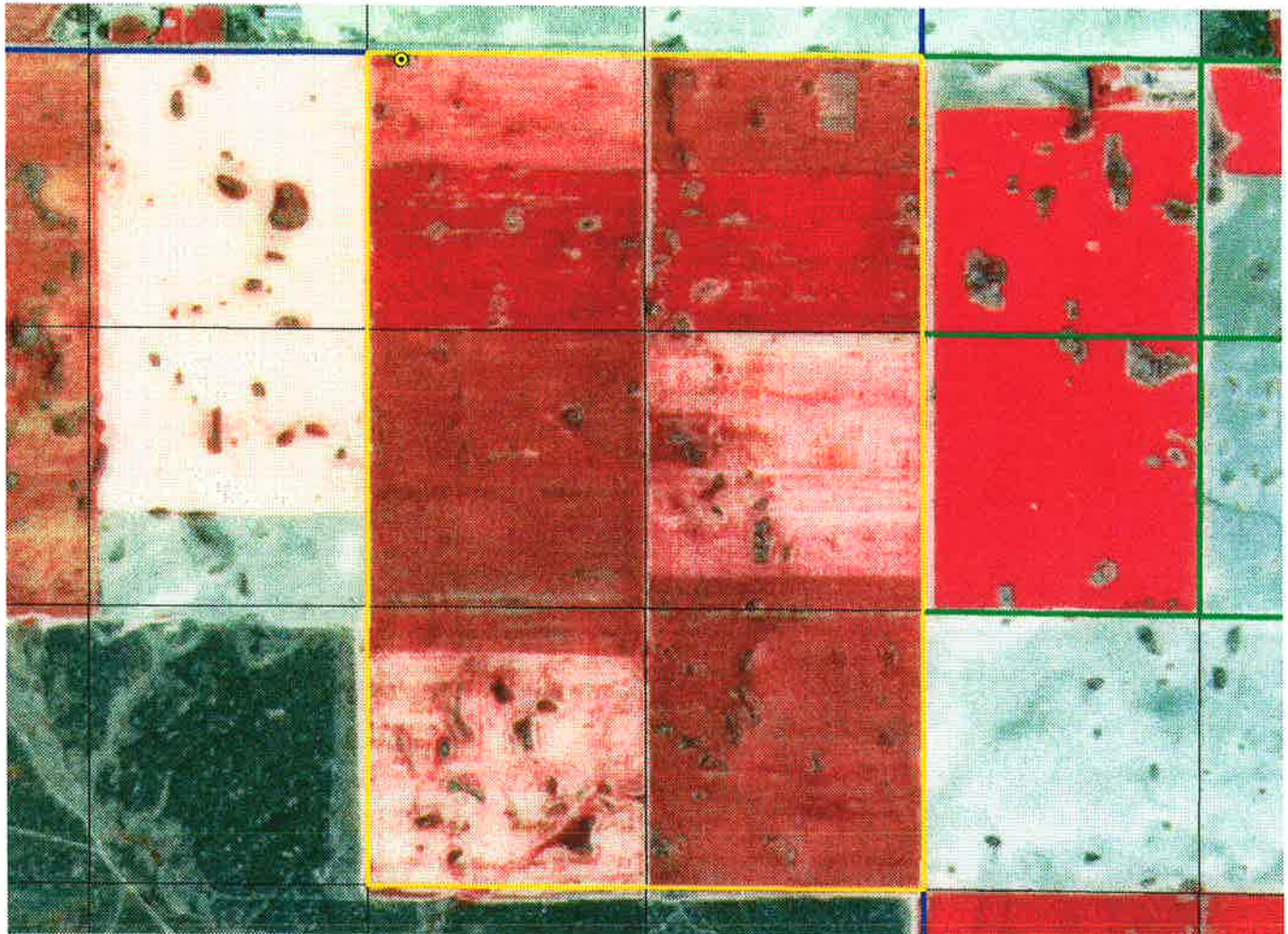
Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

*12-14-01
NCAP cancelled
per Don & Nick.
Will be handled
a different way.*

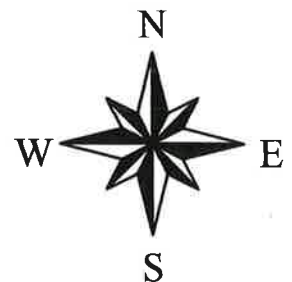
IDAHO DEPARTMENT OF WATER RESOURCES

36-02357 & 36-02574

FRANK SUCHAN



660 0 660 1320 Feet



TNS 8S, RNG 22E, SEC 34

⊙ RECOMMENDED POINT OF DIVERSION

 RECOMMENDED PLACE OF USE

 SECTION LINES

 QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 1997
BY JEANIE ROBERTSON

CLAIM NUMBERS 36-02357 36-02574 DATE 10/30/97
36-07629 AGENT JR

TRANSFER NUMBER _____
 OBJECTION FILED yes
 TOTAL ACRES FROM RECOMMENDATION 240
 GEOGRAPHIC INFO SYSTEM 239.17

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	08S	22E	34	40	40	40	40									40	40		240
GIS				39.81	39.82	39.82	39.9									39.9	39.85		239.16
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 710
 B36-DBPOD.DBF 1654

POLYGON CREATED ON 604 () _____
 ATTRIBUTES OF B36-POU.SHP (710) _____
 ATTRIBUTES OF B36-POD.SHP (654) NWNWNE-34

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

SUBCASE NO. 36-02357

	CLAIM	AMENDED CLAIM	RECOMMENDATION	OBJECTION
NAME	Frank Suchan	N/A	Frank Suchan	Frank Suchan
BASIS OF CLAIM	License		License	
SOURCE	Groundwater		Groundwater	
QUANTITY	2.520 cfs		2.52 cfs	XX - requests that this right and right no. 36-07629A be recommended with a quantity of 4.90 cfs
PRIORITY DATE	8/18/1958		8/18/1958	
PURPOSE OF USE	Irrigation		Irrigation	
PERIOD OF USE	3/15 - 11/15		4/1 - 10/31	XX - requests year round.
POINT OF DIVERSION	T08S R22E S34 T08S R22E S35		T08S R22E S34	
PLACE OF USE	T08S R22E S34 T08S R22E S35 126.0 acres		T08S R22E S34 240.0 acres	

remarks	"Transfer no. 2330"		"Right includes accomplished change in place of use pursuant to Idaho Code 42-1416A. This right is limited to the irrigation of 126 acres within the place of use described above in a single irrigation season. Rights listed below are also diverted through point of diversion described above, and the total combined rate of diversion of these rights is limited to 4.17 cfs. * Other right nos.: 36-02574 & 36-07629A. Use of this right with rights listed below is limited to a total combined diversion rate of 4.17 cfs, a total combined annual diversion volume of 960 af, a total combined annual consumptive use volume of 720 af, and to the irrigation of a combined total of 240 acres in a single irrigation season. Combined right nos.: 36-02574 & 36-07629A."	
Other				

* IDWR recommended 4.17 cfs pursuant to transfer no. 2330 which changed the point of diversion for 8 acres licensed under 36-02357 and 32 acres licensed under right no. 36-07629, which transferred those acres to a different well and added a point of diversion for the 40 acres in Section 35. 4.90 cfs which is claimed equals the total diversion rate for all licenses. In the SRBA recommendations, IDWR split recommendations for licensed right no. 36-07629 into A & B to reflect the separation of the diversion and distribution systems for Sections 34 and Section 35. Therefore, 0.73 cfs of the licensed 4.90 cfs was diverted from a well in Section 35 and is appurtenant to land in Section 35.

Note, the other element which was objected to was consumptive use - N/A.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

April 24, 1997

Mr. Frank Suchan
Route 2, Box 2472
Paul, ID 83347

RE: SRBA Subcase Nos. 36-02357, 36-02574, 36-07629A, 36-07629B, 36-07828

Dear Mr. Suchan:

I represent the Idaho Department of Water Resources in the Snake River Basin Adjudication. I am writing you with the belief that you and IDWR can proactively settle the above-referenced subcases without further SRBA Court hearings. Below, I have listed your objections to IDWR's SRBA water right recommendations and have proposed a resolution to each objection.

Consumptive Use

In each of the above subcases, you objected to IDWR's recommendation of consumptive use. This past session, the Idaho Legislature passed a bill removing consumptive use from the water right elements to be included in a decree. Thus, IDWR is no longer recommending consumptive use as an element of the water right. The new legislation effectively resolves this dispute.

Season of Use

In subcases 36-02357, 36-07629B, and 36-07828, you also objected to the season of use recommended by IDWR. The District Court, in its Basin-wide Issue 5 decision, determined that the season of use would be the "irrigation season," and is to be determined by the irrigator. This decision resolves this dispute. (I would point out that this decision is currently on appeal before the Idaho Supreme Court. The District Court has indicated that if it is reversed, the question of season of use will be re-opened to further litigation.)

Quantity

In subcases 36-02357, 36-02574, and 36-07629A, you objected to the quantity element recommended by IDWR. My understanding is that you specifically objected to the remark limiting the combined use of those rights to 4.17 cfs. Instead, you wish the language to state a combined use of 4.90 cfs, which is the combined diversion rate of the three rights as originally licensed.

As originally licensed, right nos. 36-02357 and 36-07629 covered 240 acres in Section 34, and 40 acres in Section 35; both irrigated from the well in Section 34. You added a point of diversion in Section 35 so that you could irrigate the 40 acres in Section 35 from a well in Section 35. In 1979, you applied for transfer no. 2330 to recognize this new point of diversion for right nos. 36-07629 and 36-02357. IDWR's Allocation Bureau approved the transfer, added the point of diversion in Section 35 to right nos. 36-07629 and 36-02357, and maintained the combined diversion rate limitation of 4.90 cfs for right nos. 36-02357, 36-02574, and 36-07629.

In its SRBA recommendations, IDWR's Adjudication Bureau did not recommend a reduction in the licensed total combined diversion rate for the three rights. Instead, it split the recommendations for licensed right no. 36-07629 into 36-07629A and 36-07629B to reflect the separation of the diversion and distribution systems for Sections 34 and 35. By recommending a total combined diversion rate limitation of 4.17 cfs for right nos. 36-02357, 36-02574, and 36-07629A, and a diversion rate of .73 cfs for right no. 36-07629B, IDWR has simply recognized that 0.73 cfs of the licensed 4.9 cfs is now diverted from a well in Section 35 and is appurtenant to land in Section 35.

In early 1995, you spoke with Shelley Keen of IDWR's Allocation Bureau about amending your permit no. 36-07839 to cover additional irrigated acreage in Section 34. Shelley has proposed a solution that may meet your needs, satisfy the Allocation Bureau's requirements for licensing right no. 36-07839, and resolve the SRBA dispute over the combined use limitation remark. The proposed solution is as follows:

You will withdraw your outstanding application for amendment of permit no. 36-07839. In its place, you will submit a new application for amendment of the permit to reflect your water use on the 40 acres in Section 35 not covered by right no. 36-07828. (The same area that is currently irrigated pursuant to recommended right no. 36-07629B). Shelly Keen has indicated he will prepare the form if asked. You will abandon the diversion of a portion of right no. 36-07629 from the well in Section 35. You and IDWR will then file a Standard Form Five (a stipulated agreement resolving SRBA subcases) recognizing that right no. 36-07629 has a 2.00 cfs diversion rate and is appurtenant to 109 acres within Section 34 (not Section 35). You and IDWR will also

file Standard Forms Five resolving subcase nos. 36-02357 and 36-02574. After the approved amendment of permit and the acceptance of the Standard Forms Five by the SRBA court, your rights will be described as follows:

36-02357	2.52 cfs	126 ac./240 ac. PPU*	T8S R22E S34
36-02574	0.90 cfs	45 ac./240 ac. PPU*	T8S R22E S34
36-07629	2.00 cfs	109 ac./240 ac. PPU*	T8S R22E S34
36-07828	2.32 cfs	116 ac./156 ac. PPU*	T8S R22E S35
36-07839	0.80 cfs	156 ac./156 ac. PPU*	T8S R22E S35

Right nos. 36-02357, 36-02574 and 36-02379 would be limited to a combined total of 240 acres and a combined diversion rate of 4.80 cfs. This proposed solution will concentrate your most senior rights on your land in Section 34 and eliminate the split of right no. 36-07629. It will also result in a diversion rate of an inch per acre for both the 240 acres in Section 34 and the 156 acres in Section 35.

If you agree that this matter can be resolved by this proposal, I ask that you contact either Shelley Keen or myself so that we can work out the details. If you have any questions, please contact either one of us for discussion.

Subcase 36-07828

In subcase 36-07828, the only objections were to the consumptive use and season of use elements. Thus, because of the court's rulings, no objections remain. We should be able to sign a Standard Form Five resolving this subcase. Please let me know your wishes with regard to this subcase.

Thank you for your help in resolving these matters.

Sincerely,

Charles L. Honsinger
Charles L. Honsinger
Deputy Attorney General

cc: Shelley Keen

* PPU - Permissible Place of Use

R PROOF

CVR

MAPS

PHOTOS

MISC

OCT 13 1994

Water Right Number - R36-02357

Prefix Translation: RESEARCH

Old (D) Number - 27525

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SUCHAN

FRANK

1 - RT 2 BOX 2472
2 -
3 -
City- PAUL
Phone - 208-438-5084

State- ID Zip- 83347

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/18/1958 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
08S 22E 34 NW NW NE (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.520+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.520 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 22E 34 NE NE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 34 NW NE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 34 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 34 SE NE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 34 NE SE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 34 NW SE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 240.0

+ - - Diversion Means - WELL AND PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 960 AF.
COMBINED RIGHT NOS.: 36-02574 AND 36-07629.

POU1 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE

Water right number - R36-02357

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02574 AND 36-07629.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02574 AND
36-07629.

+ - - - - Old Water Right Numbers - - - - - +

3602357

+ - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - Audit Fields - 03/15/95 CFRITSCH 03/30/95 POST-STD 06/03/97 CFRITSCH

+ - - - - Comments - - - - - +

Date: 12/04/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
TRANS. 2330. OTHER WR'S FROM SAME SYSTEM.
Date: 09/24/1992 User Id: MERRITT Subject: NOTICE OF ERROR RECEIVED
Date: 10/09/1992 User Id: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/9. NO CHANGE.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S009272	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	- B

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-02357 -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED

OCT 13 1994

2. Person who filed objection:

Name: FRANK SUCHAN
Address: ROUTE 2 BOX 2472
PAUL ID 83347

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.a., and all allegations of the objection regarding those items, IDWR responds as follows: The quantity objected to by the claimant is the combined diversion rate of 4.17 cfs for water right nos. 36-02357, 36-02574, and 36-07629A listed in the remarks to this water right. The claimant contends that the combined diversion rate should be 4.90 cfs per the licenses upon which these rights are based. IDWR responds that the 4.90 cfs is the total of the three diversion rates for water right nos. 36-02357, 36-02574,

and 36-07629 as originally licensed. It is based upon the measured pump capacity of the well which supplied these three rights. However, Transfer No. 2330 changed the point of diversion for the water used on eight acres licensed under right no. 36-02357 and 32 acres licensed under right no. 36-07629 to a different well. This transfer has reduced the combined diversion rate for the three rights from 4.90 cfs to 4.17 cfs.

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

IDWR further responds that the objection seeks a longer season of use than claimed. By now seeking a year-round season of use for irrigation, the claimant improperly seeks to use the objection process to amend the notice of claim. A claimant must obtain leave of court to amend a notice of claim after the director's report is filed just as a party must obtain leave of court to file a late claim after the director's report is filed. Once leave is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: The license upon which the claimant's claim is based does not set an annual volume of consumptive use for this water right. Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. IDWR has developed uniform standards of consumptive use

(Over)

for various climatic areas throughout the state, based upon the definition of consumptive use contained in Idaho Code Sec. 42-1401A(2), which is the maximum volume of water consumed by "the most water consumptive crop that can be grown in the area during the period of year when water is used for irrigation." The consumptive use recommended for this water right is based upon the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the irrigation season. Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-222, Idaho Code." Therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings, and not as a limitation on the quantity of water that the claimant may divert pursuant to this recommended right. As consumptive use volume and diversion volume are two different elements of the water right, the diversion volume cannot properly be substituted for the consumptive use volume of this recommended water right.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02357

4

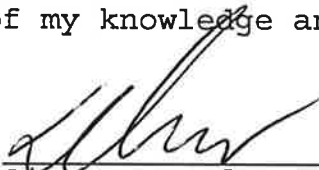
VERIFICATION (Must be Completed)

State of IDAHO

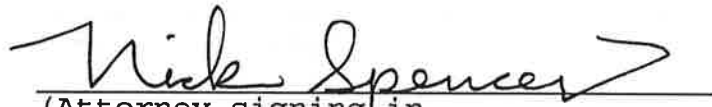
County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

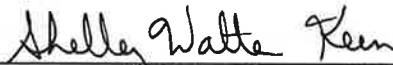

Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 9th day of September,
1993.




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of SEPTEMBER, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed 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

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: FRANK SUCHAN
Address: ROUTE 2 BOX 2472
PAUL ID 83347

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02357
Date Received: 9/21/1989
Receipt No: 5009272
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK SUCHAN
Address: RT. 2 BOX 2472
PAUL, ID 83347
208-438-5084

2. Date of Priority: AUG 18, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	34	NW	NW	NE		MINIDOKA
		35	NE	NW	NW		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.520		

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

8. Total consumptive use is 378.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	34	NE	NE		IRR	20.0
			NW	NE		IRR	35.0

A36-02357

Page 1

Date: 09/21/89

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JAN 27 1993
OCT 13 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	22E	34	SW	NE		IRR	35.0
			SE	NE		IRR	28.0
					Section Acres		118.0
		35	SW	NW		IRR	8.0
					Section Acres		8.0
					Total Acres		126.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE; OTHER RIGHTS FROM SAME SYSTEM.

14. Remarks:
TRANS. 2330.

15. Basis of Claim: LICENSE
Water Right Number: 27525

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JAN 27 1993
MICROFILMED
OCT 13 1989

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: 1 M2P

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): Frank Suchan Date: 9-21-89

Date: _____

State of Idaho)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Sept. 19 89

[Signature]
Notary Public

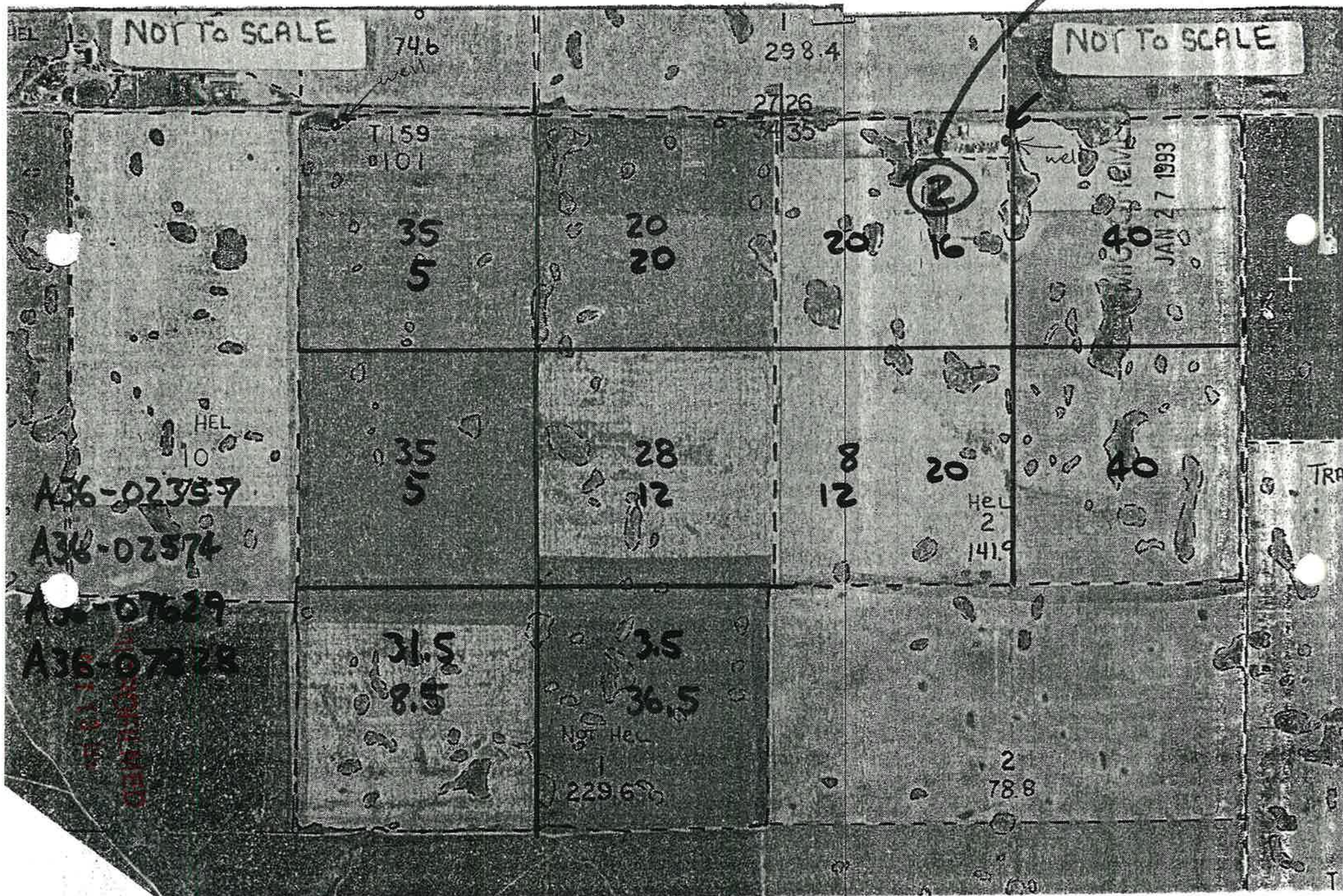
Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

POOR ORIGINAL

T8S R22E

Expanded.



RECEIVED

APR 29 1993

Department of Water Resources
Adjudication Bureau

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)

Case No. 36-02357
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

OBJECTION

Petitioner,

36-02357 -0001/
93-04-0201

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

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OCT 13 1994

By filing an objection form, you are certifying that the objection 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 that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Frank Suchan

Address: Rt. #2, Box 2472

Paul, Idaho 83347

Briefly describe your interest in this water right:

Owner

2. Owner of the water right:

Name: Frank Suchan

Address: Rt. #2, Box 2472

Paul, ID 83347

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8. Period of Year - Original license does not limit period of use, irrigation of crops as necessary.

10. Consumptive Use - Original license has no consumptive use, consumptive use should be same as diversion of 4.0 AFY per acre.

3A. Quantity: This right and other rights Nos. 36-02574 and 36-07629A should be 4.9 cfs per water licenses, use is per license.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

8. Change period of use to 1-1 to 12-31.

10. Consumptive Use - should be same as diversion volume of 960 AFY.

3A. This right and other rights Nos. 36-02574 and 36-07629A combined should be 4.9 cfs.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of IDAHO

County of Minidoka

Frank Suchan, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Frank Suchan
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of April,
1993.

Marilyn L. Andrew
Notary Public for Idaho
Residing at: Reupert, Id.
My Commission expires: 10-3-98

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed 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

2. One copy to the owner of the water right, and you must fill in the following information:

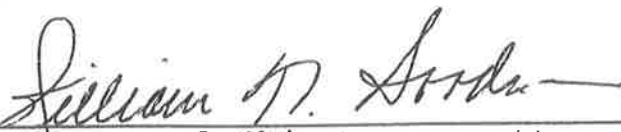
Owner name: Frank Suchan
Owner's address: Rt. #2, Box 2472
Paul, ID 83347

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 27 1993

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

RECEIVED

October 27, 1992

OCT 28 1992

Department of Water Resources
Southern Region Office

Marci Sterling
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Recommendation of Department of Water Resources on Water
Right Numbers:
Warren Shillington: 36-04122 & 36-14844
Crestview Farms: 36-02351, 02387, 02397, 10030 &
07784 A & B
Frank Suchan: 36-02357, 36-02574, 36-07828, 36-07629 A &
36-07629 B

Dear Ms. Sterling:

This letter is to notify you that our above listed clients
disagree with the Departments position set out in your letter
of October 8 and 9, 1992.

Please note that each Water Right holder will file appropriate
objections upon receipt of the information referred to in the
last paragraph of your letter.

Very truly yours,

GOODMAN & DUFF


Larry R. Duff

LRD:jn
cc: Client

MICROFILMED

JAN 27 1993

Water Right Number - R36-02357

Prefix Translation:

RESEARCH

Old (D) Number - 27525

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SUCHAN

FRANK

1 - RT 2 BOX 2472

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5084

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/18/1958 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 22E 34 NW NW NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 2.520

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.520 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	22E	34	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	34	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	34	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	34	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	34	NE SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	34	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 240.0

+ - - Diversion Means - WELL AND PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF

MICROFILMED

JAN 27 1993

Water right number - R36-02357

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

THESE RIGHTS IS LIMITED TO 4.17 CFS.
OTHER RIGHT NOS.: 36-02574 & 36-07629A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.17 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 960 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 720 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-02574 & 36-07629A.

+ - - - - - Old Water Right Numbers - - - - - +

3602357

+ - - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 12/04/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
TRANS. 2330. OTHER WR'S FROM SAME SYSTEM.
Date: 09/24/1992 User Id: MERRITT Subject: NOTICE OF ERROR RECEIVED
Date: 10/09/1992 User Id: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/9. NO CHANGE.

+ - - Audit Fields - - +

10/09/92 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/09/1992	Old Judicial District	-
Claim Received Date	- 09/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009272	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- B

MICROFILMED

JAN 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

09-Oct-1992 15:52

R. KEITH HIGGINSON
Director

Frank Suchan
Rt 2 Box 2472
Paul, ID 83347

RE: Response to Notice of Error for Rights Nos: 36-02357, 36-02574,
36-07828, 36-07629A and 36-07629B

Dear Mr. Suchan:

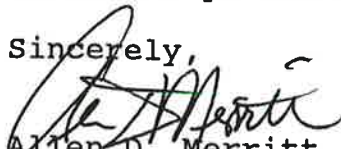
This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above.

Your NOE indicates that you would like the recommendations to show a longer season of use for irrigation. For the reasons states below, the season of use that will be recommended in the Director's Report will remain as proposed. The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost. In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

Additionally your NOE questioned the combined use limit language on your rights which limit your west well to 4.17 cfs and your east well to 3.05 cfs. These limits are imposed based on our interpretation of approved transfer #2330 of water right 36-07629. The proposed recommendation does not appear in error and will remain as proposed.

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,


Allen D. Merritt, P.E.
Water Rights Supervisor

MICROFILMED

JAN 27 1993

NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02357

2. Name: Frank Suchan

Address: Route 2, Box 2472
Paul, Idaho 83347

Weekday Telephone Number: (208) 438-5084

RECEIVED

SEP 24 1992

MICROFILMED

JAN 27 1993

Department of Water Resources
Southern Region Office

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Period of use and limitation set out in remarks under this license and two other licenses limiting to 4.17 cfs

4. Describe the changes you wish to have made in the proposed recommendation:

Period of use 03-15 to 11-15

This right and other rights nos 36-02574 and 36-07629A is limited to 4.90 cfs

5. Describe why you disagree with the proposed recommendation:

Period of use - license has 365 day use actual use 03-15 to 11-15

Remarks - Water license as well as use under these three rights total 4.90 cfs

6. Date: September 24, 1992

SIGNATURE

Frank Suchan

R PROOF



CVR



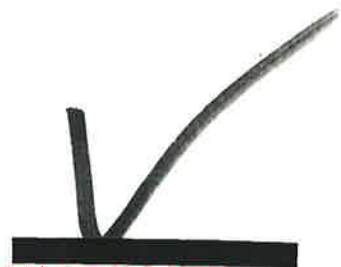
MAPS



PHOTOS



MISC



MICROFILMED

JAN 27 1993

VERIFIED BY SC

Water Right Number - R36-02357 Prefix Translation: RESEARCH Old (D) Number - 27525

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SUCHAN FRANK
1 - RT 2 BOX 2472
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-438-5084

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/18/1958 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 22E 34 NW NW NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.520

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.520 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 22E 34 NE NE 40.0 01 IRRIGATION (67) MINIDOKA
NW NE 40.0 (67) MINIDOKA
SW NE 40.0 (67) MINIDOKA
SE NE 40.0 (67) MINIDOKA
NE SE 40.0 (67) MINIDOKA
NW SE 40.0 (67) MINIDOKA

Total Acres: 240.0

+ - - Diversion Means - WELL AND PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF

MICROFILMED

JAN 27 1993

Water right number - R36-02357

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

THESE RIGHTS IS LIMITED TO 4.17 CFS.
OTHER RIGHT NOS.: 36-02574 & 36-07629A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.17 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 960 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 720 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-02574 & 36-07629A.

+ - - - - - Old Water Right Numbers - - - - - +

3602357

+ - - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - - +

Date: 12/04/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
TRANS. 2330. OTHER WR'S FROM SAME SYSTEM.

+ - - Audit Fields - - +

12/23/91 CLELLAND

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 09/21/1989

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 12/23/1991
Last Amended Date - 00/00/0000
Receipt Number - S009272
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag - C
Notice of Error Flag -

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/11/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02357

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE	
PRIORITY DATE			<i>NOB</i> <i>02/01/91</i>	<i>N</i>		<i>SW</i> <i>12-4-91</i>			
POINT OF DIV	<i>Y</i>	<i>Call to Claimant 12-4-91 SW</i>	<i>Red arrow pointing down</i>	<i>N</i>	<i>1,2,6</i>	<i>Blue arrow pointing down</i>			
SOURCE				<i>N</i>					
PLACE OF USE	<i>Y</i>			<i>N</i>	<i>(Y)</i>		<i>1246</i>		
DIV. AMOUNT CFS/VOLUME				<i>(Y)</i>	<i>6.</i>				
CONSUMPTIVE USE	<i>-</i>			<i>(Y)</i>	<i>6.</i>				
PURPOSES				<i>N</i>					
PERIOD OF USE				<i>N</i>					
BASIS OF CLAIM			<i>N</i>						
REMARKS	<i>Y</i>			<i>(Y)</i>	<i>6.</i>				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/11/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02357

~~LAST: COMSTOCK
ADDRESS:
CITY: TWIN FALLS
PHONE NUMBER: 208-000-0000
OWNER CODE: O~~

FIRST: HORACE
STATE: ID ZIP: XXXXX

LAST: SUCHAN
ADDRESS: RT. 2 BOX 2472
CITY: PAUL
PHONE NUMBER: 208-438-5084

FIRST: FRANK
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 2330. _____ OTHER WR'S FROM SAME SYSTEM.

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CONTACT PERSON: _____

DATE OF FIELD EXAM: 02/01/91

APPOINTMENT MADE: Y() N(☒)

PHONE NUMBER: () - -

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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JAN 27 1993

A. AJ CLAIM: # A36-02357 PRIORITY DATE: 08-18-1958 STAGE: L

B. WR RECORD: # 36-02357 PRIORITY DATE: 08-18-1958 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
08-18-1958

REVIEWED BY

[Signature]

DATE

02/01/91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02357	08S	22E	34	NW	NW	NE		MINIDOKA
A36-02357	08S	22E	35	NE	NW	NW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07629 NONE
A36-02574
A36-07828
A36-12468

WR RECORDS IN SAME 40 ACRE TRACT

36-02574
36-07629
36-07828

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02357	08S	22E	34		NW	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02574
36-07629

A36-07629 NONE
A36-02574
A36-07828

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N
N

003

REMARKS:

~~Changes in POD had occurred by 1976~~
~~as evidenced by license 36-7629.~~

Not by 1977

12-4-91 SC
I called Frank Suchan to
get the date of the combined system
* Separate Systems = Split operation.
12-23-91
SC

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	---	---	~~SAME~~	~~SAME~~	see p. 4	---
---	---	---	---	~~SAME~~	~~SAME~~	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

02/01/91

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A. ROOT WATER RIGHT NUMBERS: A36-02357

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	22E	34	NE	NE		SUCHAN, FRANK	A36-02357 /20.0	36-02357 /20.0	39.0	39	20
						SUCHAN, FRANK	A36-07629 /20.0	36-07629 /20.0			20
08S	22E	35	SW	NW		SUCHAN, FRANK	A36-02357 / 8.0	36-02357 / 8.0	42.0	39	8
						SUCHAN, FRANK	A36-07828 /20.0	36-07828 /20.0			8
						SUCHAN, FRANK	A36-07629 /12.0	36-07629 /12.0			
08S	22E	34	NW	NE		SUCHAN, FRANK	A36-02357 /35.0	36-02357 /35.0	41.0	39	35
						SUCHAN, FRANK	A36-07629 / 5.0	36-07629 / 5.0			35
08S	22E	34	SW	NE		SUCHAN, FRANK	A36-02357 /35.0	36-02357 /35.0	42.0	40	35
						SUCHAN, FRANK	A36-07629 / 5.0	36-07629 / 5.0			35
08S	22E	34	SE	NE		SUCHAN, FRANK	A36-02357 /28.0	36-02357 /28.0	39.0	39	28
						SUCHAN, FRANK	A36-07629 /12.0	36-07629 /12.0			28
TOTAL ACRES							A36-02357	126.00	126.00	203.00	126

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y (X) N (✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

Combined into P.P.U. w/ other rights
see addition of sheet on POU review

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

~~126/396~~ P.P.U.
N.D.B.

126/240 P.P.U.
02/01/91

12-23-91

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P.P.U.

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02357 IRRIGATION	FROM 03-15 TO 11-15	2.520 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.520 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02357 IRRIGATION	FROM 03-15 TO 11-15	2.520 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.520 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

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JAN 27 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.520 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.520 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y ☒

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? ☒ (Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~A36-02574, A36-07629, A36-07828~~

See Remarks

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02357	GROUNDWATER	SUCHAN , FRANK	2.520	0.020 ☒		
A36-07629	GROUNDWATER	SUCHAN , FRANK	2.000	0.018		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 126 x 0.02 CFS/ACRE = 2.52 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 378.0 AF/A

ACRES 126 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 378 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 126 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 504 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

$396 \times 0.02 = 7.92 \text{ cfs}$
limited by licenses to 7.74 cfs

- 7629 = 2.00
- 7828 = 2.32
- 2357 = 2.52
- 2574 = 0.90
7.74 cfs

Limit of transfer
 $4.9 + 2.32$

Total
Combined
Rate =
7.22 cfs

~~$396 \times 3 = 1188 \text{ AF cfs.}$~~
 ~~$\times 4 = 1584 \text{ AF Vol.}$~~

See attached
Review
dated 12-4-91
su

$240 \times 3 = 720$
 $\times 4 = 960$

Sec 34 well #1 = 4.17 cfs combined limit

Sec 35 well #2 = 3.05 cfs combined limit

Revised
12-23-91
su
Separate
Systems

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 2.520 ✓	DATABASE EXAMINER 378.0 ~~504~~	DATABASE EXAMINER 378.0 ~~378.0~~
TOTAL FOR THIS RIGHT		2.520 2.52	378.0 504	378.0 378.0
REVIEWED BY: <u>Not Crown</u>		DATE: <u>02/01/91</u>		

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K06
E08
E04

C03
C05

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02357

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.520

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02357	2.520	-		36-02357	2.520
TOTAL CFS		2.520				2.520

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Steve Allen 12-4-91
Steve Allen 12-23-91

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JAN 27 1993

CLAIM A36-02357 INIT _____

T. R. S. Q/Q
P/D 8S 22E 34+35

PHOTO BB28 SW

DT.&ID. C. 1984

TOTAL ACRES = 396

NW1/4 NE 27
WELL
POD

R 22 E

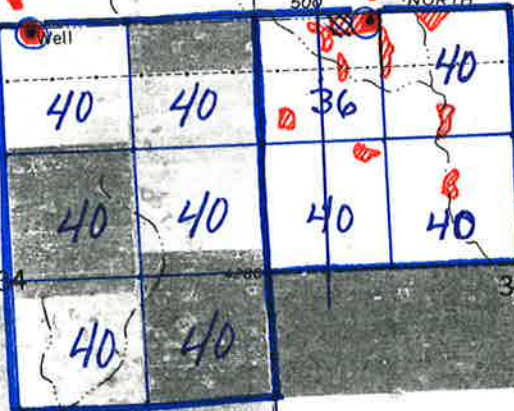
WELL
POD

SEPARATE
WELL
SYSTEMS

T
8
S

3269 III NW
(BURLEY NW)

34



35

T
9
S

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RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-02357
A36-07629

A36-02574
A36-07828

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
Acres Found		8S	22E	34	39	39	40	39									39	39			235	
P.P.U.					40	40	40	40									40	40			240	240
R36-02357																						
R36-02574																						
R36-07629A																						

* SEPARATE SYSTEMS *

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
Acres Found		8S	22E	35					37	36	39	38									150	
P.P.U.									40	36	40	40									156	156
R36-07629B																						
R36-07828																						

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

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TOTAL ACRES = 396

~~X3 = 1188 AF CU~~
~~X4 = 1584 AF VOL~~

~~TOTAL CFS = 7.74 cfs~~

Limited Diversion Rate Review

12-4-91

See

GIVEN:

WELL # 1 - T8S, R22 E, S34, NWNWNE

WELL # 2 - T8S, R22 E, S35, NENWNW

Well capacity: #1 = 4.90 cfs
 #2 = 3.45 cfs
8.35

Licensed rates:

36-02357 2.52 cfs

36-02574 0.90

36-07629 < A

36-07828

2.00 < 1.27

2.32

7.74 cfs

Combined Rates:LIMITED BY TRANSFER
#2330 TO 4.90 cfs

0.73

2.32

7.22 cfs

RESOLVED:

The three early rights were developed from well #1 and transfer #2330 confirms that the combined rate of these rights is limited to 4.90 cfs. The latest right was developed from well #2. ~~The wells were tied together to form one system and the total combined rate of all rights is 7.22 cfs.~~

See memo
12-5-91

A36-07629 is split to recognize each well is operated as a separate system. The combinations of all the parts under the original system are still limited to 4.90 cfs. (therefore 4.17 + 0.73 = 4.90)

Steve Calland

12-4-91

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JAN 27 1993

Steve Calland

12-23-91

Acres Found: 385

T8S R22E

$$396 \text{ Ac.} - 5\% = 376.2$$

* Within Tolerance *

no expansion found

HEL 1. NOT TO SCALE

NOT TO SCALE

SEPARATE
SYSTEMS

JAN 27 1993

Microfilmed

46-02373-5

A31-02374

A36-07629

A36-07328

this trust is cause to - I have
sues, but the POI on a whole
in with: telegram - 2000/01/01

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-02357

RE: P.P.U. & connected wells

DATE 12-5-91

NAME OF PARTY

FRANK SUCHAN

He returned my call. I explained the system and licenses and asked if the two wells are connected by a common mainline? He said NO, they are separate systems and the transfer was filed to include a switch in irrigated acres.

I told him that was no problem I would adjust the records to show that the systems are separate.

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