

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: A36-02574
Date Received: 9/21/1989
Receipt No: 5009272
Received By: AD

COPY

**FOR YOUR FILES
DO NOT RETURN**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: FRANK SUCHAN
Address: RT. 2 BOX 2472
PAUL, ID

208-438-5084

83347

2. Date of Priority: JUL 22, 1963

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	04/01	10/31	0.900		

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

A.F.A.

8. Total consumptive use is 135.0 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	SE		IRR	36.5
			NW	SE		IRR	8.5

Section Acres 45.0

A36-02574

Page 1

Date: 09/21/89

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10. Place of Use: Continued

Total Acres 45.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 31278

(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.

OCT 18 1994

RECEIVED

DEC 12 2001

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Department of Water Resources
Adjudication Bureau

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
Down*

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

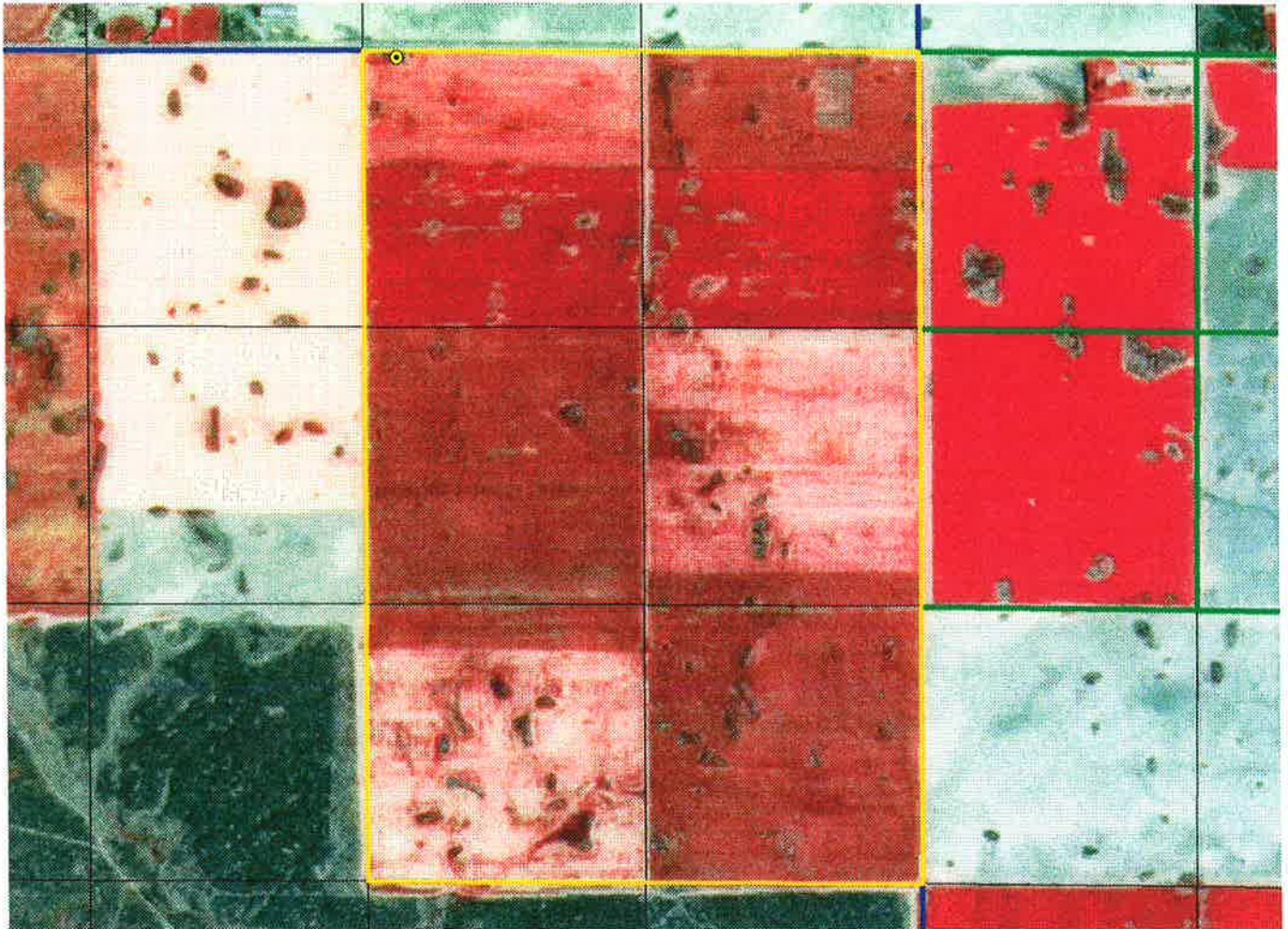
Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

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

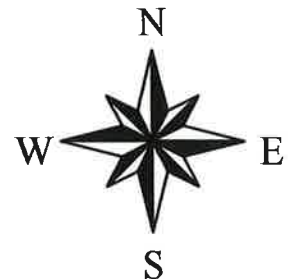
*12-14-01
NCAP cancelled
per Don & Nick.
Will be handled
a different way.*

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

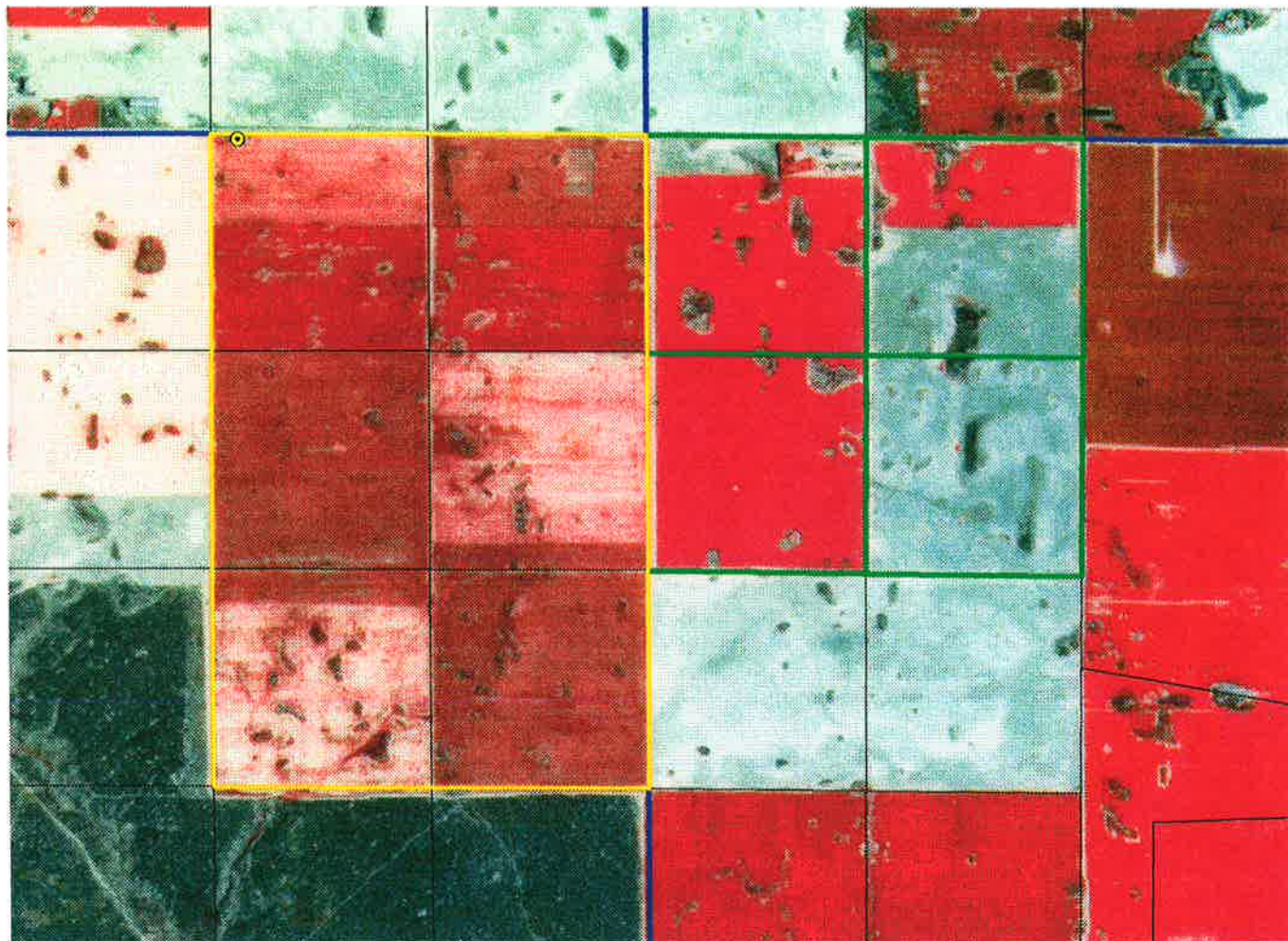
 SECTION LINES

 QUARTER/QUARTER LINES

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

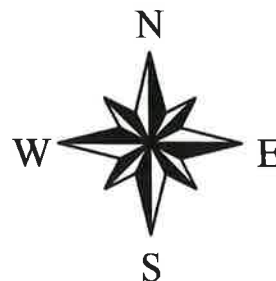
IDAHO DEPARTMENT OF WATER RESOURCES

36-02357, 36-02574, & 36-07629,
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 239.1

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		
GIS				39.8	39.8	39.8	39.9									39.9	39.85		
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 710✓
 B36-DBPOD.DBF 654✓

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. 36-02574

	CLAIM	AMENDED CLAIM	RECOMMENDATION	OBJECTION
NAME	Frank Suchan	N/A	Frank Suchan	Frank Suchan
BASIS OF CLAIM	License		License	
SOURCE	Groundwater		Groundwater	
QUANTITY	0.90 cfs		0.90 cfs	XX - requests that this right and right no 36-07629A be recommended with a quantity of 4.90 cfs
PRIORITY DATE	7/22/1963		7/22/1963	
PURPOSE OF USE	Irrigation		Irrigation	
PERIOD OF USE	4/1 - 10/31		4/1 - 10/31 Re-formatted 6/3/97; (see attached for other re-format changes) ** Irrigation Season	
POINT OF DIVERSION	T08S R22E S34 T08S R22E S35		T08S R22E S34	
PLACE OF USE	T08S R22E S34 45.0 acres		T08S R22E S34 240.0 acres	

remarks			"Right includes accomplished change in place of use pursuant to Idaho Code 42-1416A. This right is limited to the irrigation of 45 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. 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: 36-02357, 36-02574 & 36-07629A. 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.

** See attached copy of re-format for changes in the remarks.

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

36-02574 continued

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

10/31/97 09:03:23

Page 1

Water Right Number - R36-02574

Prefix Translation: RESEARCH

Old (D) Number - 31278

+ - - - - 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 - - - +
07/22/1963 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 0.900

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.900 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.: 36-02357 AND 36-07629.

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

Water right number - R36-02574

Prefix Translation: RESEARCH

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

IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02357 AND 36-07629.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 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.: 36-02357 AND
36-07629.

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

3602574

+ - - - - 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: 07/31/1992 User Id: SCHULTZ Subject: DELETED PORTION OF REMARK
PART DELETED: . . . DESCRIBED ABOVE ", AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 4.17 CFS".
CLAIM VERIFIED 12/23/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 09/24/1992 User Id: MERRITT Subject: NOTICE OF ERROR RECIEVED
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

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 18 1994

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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. 36-02574
(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,

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 18 1994

By filing 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, ID 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 833

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.

3A. Quantity: Water rights with rights Nos. 36-02357 and 36-07629A should be 4.90 cfs per licenses and use.

10. Consumptive Use - Original License had no consumptive use and should be same as diversion use of 4.0 AFY per acre.

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.

3A. Quantity to 4.90 cfs as combined with water rights Nos. 36-02357 and 36-07629A as licensed and used.

10. Consumptive Use - should be same as diversion volume total 960 AFY combined with right No. 36-02357 and 36-07629A.

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.

Marlene L. Andrew
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission expires: 10-5-98

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:

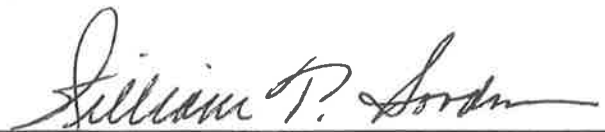
Owner name: Frank Suchan
Owner's address: Rt. #2, Box 2472
Paul, Idaho 83347

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

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. 36-02574 -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)

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.
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 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 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:

(Over)

RECEIVED

No. of
Pages

Notice of Claim No. A36-02574

3

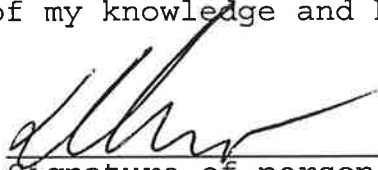
VERIFICATION (Must be Completed)

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.



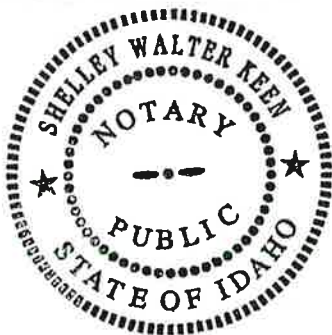
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



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

(Over)

NOT RECORDED

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: A36-02574
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: JUL 22, 1963

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	04/01	10/31	0.900		

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

8. Total consumptive use is 135.0 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	SE		IRR	36.5
			NW	SE		IRR	8.5

Section Acres 45.0

A36-02574

Page 1

Date: 09/21/89

MICROFILMED
JAN 28 1993
OCT 18 1994

10. Place of Use: Continued

Total Acres 45.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 31278

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JAN 28 1993

MICROFILMED

OCT 18 1994

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: See Mzp A36-02357

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, Idz
My Commission Expires 6/30/92

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 28 1993

~~MICROFILMED~~

~~REF ID: A11111~~

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 28 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:

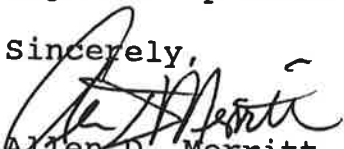
This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above.

Your NOE indicates that you would like the recommendations to show a longer season of use for irrigation. For the reasons stated 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 28 1993

Water Right Number - R36-02574

Prefix Translation: RESEARCH

Old (D) Number - 31278

+ - - - - 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 - - - +
07/22/1963 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 0.900+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.900 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 45 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.

MICROFILMED

JAN 28 1993

Water right number - R36-02574

Prefix Translation: RESEARCH

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

OTHER RIGHT NOS.: 36-02357 & 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.: 36-02357 & 36-07629A.

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

3602574

+ - - - - 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: 07/31/1992 User Id: SCHULTZ Subject: DELETED PORTION OF REMARK
PART DELETED: . . . DESCRIBED ABOVE ", AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 4.17 CFS".
CLAIM VERIFIED 12/23/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 09/24/1992 User Id: MERRITT Subject: NOTICE OF ERROR RECIEVED
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

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JAN 28 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: 36-02574

2. Name: Frank Suchan

Address: Route 2, Box 2472
Paul, Idaho 83347

Weekday Telephone Number: (208) 438-5084

RECEIVED

SEP 24 1992

Department of Water Resources
Southern Region Office

JAN 28 1993

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:
Limitations set out in remarks under this license and two other licenses limits use to 4.17 cfs

4. Describe the changes you wish to have made in the proposed recommendation:
This right and other rights nos. 36-02357 and 36-07629A is limited to 4.90 cfs

5. Describe why you disagree with the proposed recommendation:
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

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JAN 28 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)12/23/91 11:28:18
Page 1

VERIFIED BY

Jee

Water Right Number - R36-02574

Prefix Translation: RESEARCH

Old (D) Number - 31278

+ - - - - 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 - - - +
07/22/1963 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 0.900

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.900 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 45 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

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JAN 28 1993

Water right number - R36-02574

Prefix Translation: RESEARCH

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

THESE RIGHTS IS LIMITED TO 4.17 CFS.
OTHER RIGHT NOS.: 36-02357 & 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.: 36-02357 & 36-07629A.

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

3602574

+ - - - - 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 - - - - - +

No Comments Found

+ - - Audit Fields - - +

12/23/91 CLELLAND

VERIFIED BY

+ - - - - 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	- 12/23/1991	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	-

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JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/11/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02574

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			~~7/05~~ 02/01/91	N		See 12-4-91	See 12-4-91	
POINT OF DIV	Y			N	126			
SOURCE		N						
PLACE OF USE	Y	N						
DIV. AMOUNT CFS/VOLUME		Y		1246				
CONSUMPTIVE USE		Y		6				
PURPOSES	-	Y		6				
PERIOD OF USE		N						
BASIS OF CLAIM		N						
REMARKS		N		Y	6.			

"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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JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/11/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02574

LAST: COMSTOCK
ADDRESS:
CITY: RUPERT
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: LUCILLE C.
STATE: ID ZIP: XXXXXX

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?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
✓

RECORDED
JAN 28 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____ - ____

DATE OF FIELD EXAM: 02/01/91

APPOINTMENT MADE: Y(____) N(✓)

TIME: ____ : ____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____ - ____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
JAN 28 1993

A. AJ CLAIM: # A36-02574 PRIORITY DATE: 07-22-1963 STAGE: L

B. WR RECORD: # 36-02574 PRIORITY DATE: 07-22-1963 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:
07-22-1963

REVIEWED BY

J. D. Brown

DATE

02/01/91

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JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02574	08S	22E	34	NW	NW	NE		MINIDOKA
A36-02574	08S	22E	35	NE	NW	NW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07629 NONE
A36-07828
A36-02357
A36-12468

WR RECORDS IN SAME 40 ACRE TRACT

36-02357
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
36-02574	08S	22E	34		NW	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02357
36-07629

A36-07629 NONE
A36-07828
A36-02357

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

REMARKS:

only one well used in Sec 34

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JAN 28 1993

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:

NOT

DATE:

02/01/91

See 12-23-91

RECORDED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02574

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	SE		SUCHAN, FRANK	A36-02574 / 36.5	36-02574 / 36.0	39.0	40	37
						SUCHAN, FRANK	A36-07629 / 3.5	36-07629 / 4.0			36.5
08S	22E	34	NW	SE		SUCHAN, FRANK	A36-02574 / 8.5	36-02574 / 8.0	40.0	40	8
						SUCHAN, FRANK	A36-07629 / 31.5	36-07629 / 32.0			8.5
TOTAL ACRES							A36-02574	45.00	44.00	79.00	45

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG: C

REMARKS:

Both of above 1/4, 1/4 sections appear fully irrigated
on NAPP Infrared aerial photography.

combined w/ other
rights into a P.P.U. system.
See added POU review.

RECOMMENDATIONS:

TOTAL ACRES:

~~45/396~~ PPU

45/240 P.P.U.

REVIEWED BY:

NAB

DATE:

02/01/91

12-24-91 see
12-23-91 see

NOT RECORDED

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02574 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.900 CFS

.900 CFS

B. WR RECORDED USES:

PURPOSES
36-02574 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.900 CFS 180.00 AF/A

.900 CFS 180.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE
N
N
N

FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

MICROFILMED
JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.900 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?

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

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JAN 28 1993

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: ~~NONE; OTHER RIGHTS FROM SAME SYSTEM.~~

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
A36-02574 ✓	GROUNDWATER	SUCHAN , FRANK	0.900	0.020 ✓		
A36-07629 ✓	GROUNDWATER	SUCHAN , FRANK	2.000	0.018 ✓		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 45 x 0.02 CFS/ACRE = 0.9 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() ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 135.0 AF/A

ACRES 45 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 135 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 45 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 180 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

See Review
in A36-2357
& added sheet

12-4-91
sa

MICROFILMED
JAN 28 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~04-01~~ 3-15 11-15 10-31	DATABASE EXAMINER 0.900 ✓	DATABASE EXAMINER ~~180~~ 150	DATABASE EXAMINER ~~135.0~~ 135.0 ✓
TOTAL FOR THIS RIGHT		0.900 0.9	~~180~~ 150	~~135.0~~ 135
REVIEWED BY: <u>W. J. [Signature]</u>		DATE: <u>02/01/91</u>		

See 12-4-91

K06

E08

E04

C03

C05

RECEIVED

JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
(<i>N/A</i>)	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02574

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.900

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-02574

0.900

-

36-02574

0.900

TOTAL CFS

0.900

0.900

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:

N. D. Brown

DATE:

02/01/91

NAME OF FIELD EXAMINER:

N. D. Brown

TITLE:

W. R. Agent

Steve Chell 12-4-91

See 12-23-91

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CLAIM A36-02574 INIT SW

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

PHOTO BB28 SW

DT.&ID. C. 1984

TOTAL ACRES = 396

Pod
240 Ac.
NW 1/4 NE 27

R 22 E

WELL
POD

WELL
POD

Substation

40	40	36	40
40	40	40	40
40	40		

T
8
S

3269 III NW
(BURLEY NW)

34

35

36

S
S

T
9
S

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JAN 28 1993

RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-02357

A36-02574

A36-07629

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	

R36-07629A

R36-02357

R36-02574

	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	

	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		

TOTAL ACRES = 396

X 3 = 1188 AF CU

TOTAL CFS = 7.74 cfs

X 4 = 1584 AF VOL

RECORDED
JAN 28 1993

Limited Diversion Rate Review

12-4-91

See

GIVEN:

WELL # 1 - T8S, R22E, S34, NWNWNE

WELL # 2 - T8S, R22E, 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 2.00 ^B ^{1.27} ^{0.73}

36-07828 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.

Steve Chelland

12-4-91

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Acres Found: 385

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

* Within Tolerance *

no expansion found

