

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80707**

This is to certify that: **FRANK J SUCHAN**
931 W 500 N
PAUL, ID 83347

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-2357	WR/DECREED	8/18/1958	2.520 cfs	N/A	126.0	240.0	GROUND WATER
36-2574	WR/DECREED	7/22/1963	0.900 cfs	N/A	45.0	240.0	GROUND WATER
36-7629	WR/DECREED	6/24/1976	2.000 cfs	N/A	N/A	240.0	GROUND WATER
36-7828	WR/DECREED	10/23/1978	2.320 cfs	464.0 af	116.0	156.0	GROUND WATER
36-7839	WR/LICENSE	1/19/1979	0.800 cfs	160.0 af	N/A	156.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2357	NO	NO	YES	YES	NO	NO
36-2574	NO	NO	YES	YES	NO	NO
36-7629	NO	NO	YES	YES	NO	NO
36-7828	NO	NO	YES	YES	NO	NO
36-7839	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-2357	36-2357	2.520 cfs	504.0 af	126.0	716.0	N/A	N/A	N/A	N/A	N/A
36-2574	36-2574	0.900 cfs	180.0 af	45.0	716.0	N/A	N/A	N/A	N/A	N/A
36-7629	36-7629	2.000 cfs	960.0 af	240.0	716.0	N/A	N/A	N/A	N/A	N/A
36-7828	36-7828	2.320 cfs	464.0 af	116.0	716.0	N/A	N/A	N/A	N/A	N/A
36-7839	36-7839	0.800 cfs	160.0 af	156.0	716.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.020 cfs	1584.0 af	396.0	716.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 36-2357

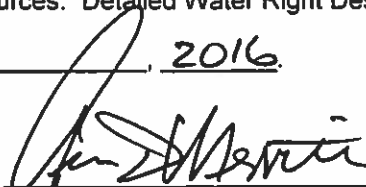
Transfer No. 80707

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80707

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 13th day of April, 2016.



Southern Region Manager



WATER RIGHT NO. 36-7839**As Modified by Transfer No. 80707**

In accordance with the approval of Transfer No. 80707, Water Right No. 36-7839 is now described as follows:

Right Holder: FRANK J SUCHAN
931 W 500 N
PAUL, ID 83347

Priority Date: 1/20/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.800 cfs	160.0 af
			0.800 cfs	160.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 26 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NWNE	Sec 34 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NWNW	Sec 35 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	26						40.0	40.0			40.0	40.0						160.0
08S	22E	27	40.0			40.0									40.0			40.0	160.0
08S	22E	34	40.0	40.0	40.0	40.0									40.0	40.0			240.0
08S	22E	35					38.0	38.0	40.0	40.0									156.0

Right Acre Limit: 156.0

POU Total Acres: 716.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 156.0 acres within the authorized place of use in a single irrigation season.
3. Rights 36-7828 and 36-7839 when combined shall not exceed the irrigation of 156.0 acres.

WATER RIGHT NO. 36-7839

As Modified by Transfer No. 80707

CONDITIONS OF APPROVAL

4. Rights 36-7839, 36-2357, 36-2574, 36-7629 and 36-7828 are limited to the irrigation of a specific 396.0 acres within the 716.0 acre place of use authorized by this right in a single irrigation season. The specific 396.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 396.0 acres to be irrigated within the 716.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 80707, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
12. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-2357**As Modified by Transfer No. 80707**

In accordance with the approval of Transfer No. 80707, Water Right No. 36-2357 is now described as follows:

Right Holder: FRANK J SUCHAN
931 W 500 N
PAUL, ID 83347

Priority Date: 8/18/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.520 cfs	504.0 af
			2.520 cfs	504.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 26 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNE	Sec 34 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNW	Sec 35 Twp 08S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	26						40.0	40.0			40.0	40.0						160.0
08S	22E	27	40.0			40.0									40.0			40.0	160.0
08S	22E	34	40.0	40.0	40.0	40.0									40.0	40.0			240.0
08S	22E	35					38.0	38.0	40.0	40.0									156.0

Right Acre Limit: 126.0

POU Total Acres: 716.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 126.0 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2357, 36-2574, and 36-7629 when combined shall not exceed a total diversion rate of 4.9 cfs, a total annual maximum diversion volume of 960.0 af at the field headgate, and the irrigation of 240.0 acres.

WATER RIGHT NO. 36-2357

As Modified by Transfer No. 80707

CONDITIONS OF APPROVAL

4. Rights 36-7839, 36-2357, 36-2574, 36-7629 and 36-7828 are limited to the irrigation of a specific 396.0 acres within the 716.0 acre place of use authorized by this right in a single irrigation season. The specific 396.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 396.0 acres to be irrigated within the 716.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/21/2002.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 80707, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-2574**As Modified by Transfer No. 80707**

In accordance with the approval of Transfer No. 80707, Water Right No. 36-2574 is now described as follows:

Right Holder: FRANK J SUCHAN
931 W 500 N
PAUL, ID 83347

Priority Date: 7/22/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.900 cfs	180.0 af
			0.900 cfs	180.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 26 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNE	Sec 34 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNW	Sec 35 Twp 08S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	26						40.0	40.0			40.0	40.0						160.0
08S	22E	27	40.0			40.0									40.0			40.0	160.0
08S	22E	34	40.0	40.0	40.0	40.0									40.0	40.0			240.0
08S	22E	35					38.0	38.0	40.0	40.0									156.0

Right Acre Limit: 45.0

POU Total Acres: 716.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 45.0 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2357, 36-2574, and 36-7629 when combined shall not exceed a total diversion rate of 4.9 cfs, a total annual maximum diversion volume of 960.0 af at the field headgate, and the irrigation of 240.0 acres.

WATER RIGHT NO. 36-2574

As Modified by Transfer No. 80707

CONDITIONS OF APPROVAL

4. Rights 36-7839, 36-2357, 36-2574, 36-7629 and 36-7828 are limited to the irrigation of a specific 396.0 acres within the 716.0 acre place of use authorized by this right in a single irrigation season. The specific 396.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 396.0 acres to be irrigated within the 716.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/21/2000.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 80707, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-7629**As Modified by Transfer No. 80707**

In accordance with the approval of Transfer No. 80707, Water Right No. 36-7629 is now described as follows:

Right Holder: FRANK J SUCHAN
931 W 500 N
PAUL, ID 83347

Priority Date: 6/24/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	2.000 cfs	960.0 af
			2.000 cfs	960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 26 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNE	Sec 34 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNW	Sec 35 Twp 08S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	26						40.0	40.0			40.0	40.0						160.0
08S	22E	27	40.0			40.0									40.0			40.0	160.0
08S	22E	34	40.0	40.0	40.0	40.0									40.0	40.0			240.0
08S	22E	35					38.0	38.0	40.0	40.0									156.0

Right Acre Limit: 240.0

POU Total Acres: 716.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 240.0 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2357, 36-2574, and 36-7629 when combined shall not exceed a total diversion rate of 4.9 cfs, a total annual maximum diversion volume of 960.0 af at the field headgate, and the irrigation of 240.0 acres.

WATER RIGHT NO. 36-7629

As Modified by Transfer No. 80707

CONDITIONS OF APPROVAL

4. Rights 36-7839, 36-2357, 36-2574, 36-7629 and 36-7828 are limited to the irrigation of a specific 396.0 acres within the 716.0 acre place of use authorized by this right in a single irrigation season. The specific 396.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 396.0 acres to be irrigated within the 716.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to the diversion and use of water under Transfer approval 80707, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-7828**As Modified by Transfer No. 80707**

In accordance with the approval of Transfer No. 80707, Water Right No. 36-7828 is now described as follows:

Right Holder: FRANK J SUCHAN
931 W 500 N
PAUL, ID 83347

Priority Date: 10/23/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.320 cfs	464.0 af
			2.320 cfs	464.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 26 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNE	Sec 34 Twp 08S Rge 22E	MINIDOKA County
GROUND WATER	NWNW	Sec 35 Twp 08S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	26						40.0	40.0			40.0	40.0						160.0
08S	22E	27	40.0			40.0									40.0			40.0	160.0
08S	22E	34	40.0	40.0	40.0	40.0									40.0	40.0			240.0
08S	22E	35					38.0	38.0	40.0	40.0									156.0

Right Acre Limit: 116.0

POU Total Acres: 716.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 116.0 acres within the authorized place of use in a single irrigation season.
3. Rights 36-7828 and 36-7839 when combined shall not exceed the irrigation of 156.0 acres.

WATER RIGHT NO. 36-7828

As Modified by Transfer No. 80707

CONDITIONS OF APPROVAL

4. Rights 36-7839, 36-2357, 36-2574, 36-7629 and 36-7828 are limited to the irrigation of a specific 396.0 acres within the 716.0 acre place of use authorized by this right in a single irrigation season. The specific 396.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 396.0 acres to be irrigated within the 716.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/21/2002.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 80707, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 80707

Rights: 36-2357, 36-2574, 36-7629, 36-7828 & 36-7839

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.3 0.6 1.2 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 14, 2016

FRANK J SUCHAN
931 W 500 N
PAUL ID 83347

Re: Transfer No: 80707
Water Right No(s): 36-2357, 36-2574, 36-7629, 36-7828, 36-7839

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a distinct "M".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

NATHAN ERICKSON WATER MASTER
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80707

Water Right No(s): 36-2357, 36-2574, 36-7629, 36-7828, 36-7839

FRANK J SUCHAN

931 W 500 N

PAUL ID 83347

NATHAN ERICKSON WATER MASTER

Via e-mail

WATER DISTRICT 130

650 ADDISON AVE W STE 500

TWIN FALLS ID 83301

A handwritten signature in cursive script, reading "Denise Maline", is written over a solid horizontal line.

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

RECEIVED

MAR 31 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

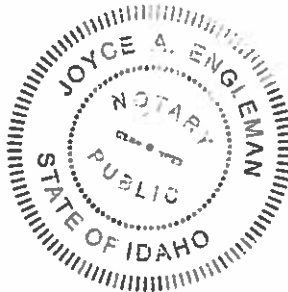
ORDER NUMBER 20171

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 25th day of March in the year of 2016 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6/28/19



PUBLISHED ON: 03/17/2016, 03/24/2016

TOTAL AD COST: 250.53
FILED ON: 3/24/2016

RECEIVED

MAR 31 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓
36-17064
HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN, ID 83332
Point of Diversion L3(NESE) S16 T07S R13E GOODING County
Source GROUND WATER Tributary
Use DOMESTIC 01 01 to 12 31 0 04 CFS
Total Diversion: 0 04 CFS
Date Filed: 2/22/2016
Place Of Use: DOMESTIC
T07S R13E S16 L3(NESE)

Application proposes diverting up to 0 04 cfs for domestic uses associated with a home. An existing well will service the home that is located approximately 1 5 miles west of the City of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80573

✓
VANDERVEGT DAIRY LLC, 4098 HIDDEN LAKES DR, KIMBERLY, ID 83341, has filed Application No. 80573 for changes to the following water rights within MINIDOKA County(s): Right No(s): 36-2257, 36-7517. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving portions of two irrigation ground water rights for use in a new place of use using two existing wells on an existing farm located approximately 4 4 to 4 6 miles north and 6 3 to 6 9 miles west of Paul. The total allowed diversion for the moved portions will be 0 25 cfs for the irrigation of 14 5 acres. The current place of use and points of diversion are located approximately 3 8 to 4 8 miles north and 5 2 to 6 2 miles west of Paul.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80707

✓
FRANK J SUCHAN, 931 W 500 N, PAUL, ID 83347, has filed Application No. 80707 for changes to the following water rights within MINIDOKA County(s): Right No(s): 36-2357, 36-2574, 36-7629, 36-7828, 36-7839. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes the creation of a 716 0 acre Permissible Place of Use (PPU) consisting of five ground water rights totaling 8 02 cfs that allow for the irrigation of 396 0 acres. The rights are currently appurtenant to ground located approximately 5 3 to 6 0 miles north and 3 0 to 4 0 miles west of Paul. The proposed PPU will be located approximately 5 3 to 7 0 miles north and 3 0 to 4 0 miles west of Paul. The transfer will also identify two existing wells and a new well to be drilled as authorized points of diversion for the five rights with all three wells being located within the proposed PPU. The transfer proposes allowing for the irrigation of 396 0 acres within the proposed 716 0 acre PPU. Note that portions of some of the rights are currently enrolled in the Conservation Reserve Enhancement Program (CREP) and the Water Supply Bank resulting in 263 9 acres currently available to be irrigated within the proposed 716 0 acre PPU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80727

✓
MICHAEL ZOBOTT and HATTIE ZOBOTT, 19950 HWY 30, BUHL, ID 83316, has filed Application No. 80727 for changes to the following water rights within TWIN FALLS County(s): Right No(s): 47-17654, 47-17655. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the authorized point of diversion of two ground water rights to a new well to be drilled located approximately 5 6 miles north and 3 5 miles west of the city of Buhl. The two water rights allow for the diversion of 0 04 cfs and 9 2 af for domestic, heating and recreation uses.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033, or for a full description of the rights & or proposed transfer, please see www.idwr.idaho.gov/apps/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301, together with a protest fee of \$25.00 for each application on or before April 4, 2016. The protestant must also send a copy of the protest to the applicant, GARY SPACKMAN, Director.

Published on March 17th & 24th, 2016

✓ OK DM 4/4/2016

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: T# 80707
Water Right No: 36-2357, etc.
Applicant Name: Frank Suchan

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: March 18, 2016

Water District 130



Nathan Erickson, Watermaster

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 20171

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	250.53
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	250.53
Fax			
Section	Legals	Start/End Dates	03/17/2016 - 03/24/2016
SubSection		Insertions	2
Category	50 Legal	Size	166
Ad Key	20171-1	Salesperson(s)	Ruby Aufderheide
Keywords	1 application permit & 3 water transfers	Taken By	Ruby Aufderheide
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
36-17064
HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN, ID 83332
Point of Diversion L3(NESE) S16 T07S R13E GOODING County
Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 2/22/2016
Place Of Use: DOMESTIC
T07S R13E S16 L3(NESE)
Application proposes diverting up to 0.04 cfs for domestic uses associated with a home. An existing well will service the home that is located approximately 1.5 miles west of the City of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80573
VANDERVEGT DAIRY LLC, 4098 HIDDEN LAKES DR, KIMBERLY, ID 83341; has filed Application No. 80573 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2257, 36-7517. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving portions of two irrigation ground water rights for use in a new place of use using two existing wells on an existing farm located approximately 4.4 to 4.6 miles north and 6.3 to 6.9 miles west of Paul. The total allowed diversion for the moved portions will be 0.25 cfs for the irrigation of 14.5 acres. The current place of use and points of diversion are located approximately 3.8 to 4.8 miles north and 5.2 to 6.2 miles west of Paul.

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✓ OK DM 3/15/2016
E-mail sent to newspaper.

**Proof of legal notice received
from Times News on 3/15/2016
(4 total pages)**

Customer Ad Proof

#Error

Enhancement Program (CREP) and the Water Supply Bank resulting in 283.9 acres currently available to be irrigated within the proposed 716.0 acre PPU.

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Published on March 17th & 24th, 2016

✓ OK BM
3/15/2016

Customer Ad Proof

#Error

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	250.53
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	250.53
Fax			
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