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DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80707

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Frank Suchan

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Frank Suchan Phone 208-431-5084
Mailing address 931 West 500 North Paul, Id 83347 Email fsuchan@hotmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Frank Suchan
Signature of Applicant or Authorized Representative

FRANK SUCHAN, owner
Print Name and Title if applicable

2-9-16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	36-7839	0.8	Irrigation	4/1 to 10/31	Groundwater
☒ ☐	36-7828	2.32	Irrigation	4/1 to 10/31	Groundwater
☒ ☐	36-7629	2	Irrigation	3/15 to 11/15	Groundwater
☒ ☐	36-2574	0.9	Irrigation	4/1 to 10/31	Groundwater
☒ ☐	36-2357	2.52	Irrigation	4/1 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐		8.02 RS		to	

Total authorized under rights ~~8.02~~ cfs and/or 1584 acre-feet.

2. Total amount of water proposed to be transferred or changed ~~8.02~~ cubic feet per second and/or 1584 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	%	%	%	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NE	34	8S	22E	Minidoka	Groundwater	A0003397
			NW	NW	35	8S	22E	Minidoka	Groundwater	A0004023
X			SW	SW	26	8S	22E	Minidoka	Groundwater	Proposed

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	22E	34	40	40	40	40									40	40			240
8S	22E	35					38	38	40	40									156
8S	22E	26						40	40			40	40						160
8S	22E	27	40			40									40			40	160
Total Acres (for irrigation use)																			716

4.9 cfs
 7629, 2574,
 2357

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Water meters are already in place on
points of diversion.

- b. Who owns the property at the point(s) of diversion? Frank Suchan
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☒ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

We have dryland farmground adjacent to irrigated farmland. With the place of use
transfer we will move the water around and dry farm the rest.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

The transfer will include all the water rights associated with the
points of diversion.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☒ ☐ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☒ ☐ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

10.4 acres currently in water bank
101.7 acres currently in crop contract which will be left alone.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-2357

Current Owner: FRANK J SUCHAN

Priority Date: 8/18/1958

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.52 CFS	
	Total Diversion	2.52 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 34, Twp 08S, Rge 22E B.M.

MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T08S R22E S34	NENE	40.00	T08S R22E S34	NWNE	40.00
T08S R22E S34	SWNE	40.00	T08S R22E S34	SENE	40.00
T08S R22E S34	NESE	40.00	T08S R22E S34	NWSE	40.00

Total Acres: 240

Conditions of Approval:

1. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02574 AND 36-07629.
2. USE OF THIS RIGHT WITH RIGHTS LISTED ~~BELOW~~ IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 36-02574 AND 36-07629.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02574 AND 36-07629. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Decreed Date: 3/21/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 38-2574

Current Owner: FRANK J SUCHAN

Priority Date: 7/22/1963

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 10/31

0.9 CFS

Total Diversion

0.9 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 34, Twp 08S, Rge 22E B.M.

MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T08S R22E S34	NENE	40.00	T08S R22E S34	NWNE	40.00
T08S R22E S34	SWNE	40.00	T08S R22E S34	SENE	40.00
T08S R22E S34	NESE	40.00	T08S R22E S34	NWSE	40.00

Total Acres: 240

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02357 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.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02357 AND 36-07629.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 960 AF. COMBINED RIGHT NOS.: 36-02357 AND 36-07629.

Decreed Date: 7/21/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7629

Current Owner: FRANK J SUCHAN

Priority Date: 6/24/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

2 CFS

Total Diversion

2 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 34, Twp 08S, Rge 22E B.M.

MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T08S R22E S34	NENE	40.00	T08S R22E S34	NWNE	40.00
T08S R22E S34	SWNE	40.00	T08S R22E S34	SENE	40.00
T08S R22E S34	NESE	40.00	T08S R22E S34	NWSE	40.00

Total Acres: 240

Conditions of Approval:

1. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02357 AND 36-02574.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 960 AF. COMBINED RIGHT NOS.: 36-02357 AND 36-02574.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02357 AND 36-02574.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 12/13/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7839

Current Owner: FRANK J SUCHAN

Priority Date: 1/19/1979

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.8 CFS	160 AF
	Total Diversion	0.8 CFS	160 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4 Sec. 35, Twp 08S, Rge 22E B.M.

MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T08S R22E S35	NENW	40.00	T08S R22E S35	NWNW	36.00
T08S R22E S35	SWNW	40.00	T08S R22E S35	SENW	40.00

Total Acres: 156

Conditions of Approval:

1. Rights 36-07828 is also diverted through the point of diversion described above.
Rights 36-07828 and 36-07839 when combined shall not exceed the irrigation of 156 acres.
2. SF2 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.
3. R26 This right when combined with all other rights shall provide no more than 4.0 afa per acre for irrigation of the lands above.

Licensed Date: 12/12/1997

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7828

Current Owner: FRANK J SUCHAN

Priority Date: 10/23/1978

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From...To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.32 CFS	464 AF
	<u>Total Diversion</u>	2.32 CFS	464 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4NW1/4

Sec. 35, Twp 08S, Rge 22E B.M.

MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T08S R22E S35	NENW	40.00	T08S R22E S35	NWNW	36.00
T08S R22E S35	SWNW	40.00	T08S R22E S35	SENW	40.00

Total Acres: 156

Conditions of Approval:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Decreed Date: 3/21/2002

Part 1A.2.

February 9, 2016

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DEPT OF WATER RESOURCES
SOUTHERN REGION

The purpose of this transfer is to change the water rights to a permissible place of use. This farm consists of 720 acres of which Frank Suchan owns 400 acres with 396 acres of water rights south of 500 north and Russell Suchan owns 320 acres of dryland farm ground north of 500 north. With a permissible place of use we will be able to rotate the water around and dryfarm the following year. Of the 396 acres of water right, 101.7 acres are committed to the crep program and will remain there until completion of the contract. Another 10.4 acres are currently enrolled in the water bank. This will leave 283.9 acres available to be irrigated until the crep contract is completed.

TRANSFER 80707

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80707

FEB 23 2016

DEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an Application to Lease a Water Right to the Water Supply Bank form, or they can request early termination of their lease contracts by completing a Request to Release a Water Right from the Water Supply Bank form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
36-7828	12-31-2018	.21	41.6	10.4	Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.

☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

Additional Information:

These acres consisted of rock outcroppings inside of the crop contract area of our place of use.

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment #9 (WSB)

February 9, 2016

RECEIVED

FEB 23 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

25 I, Russell Suchan give permission to Frank Suchan to use his water rights to irrigate lands I own in sections 26 & 27 T8S 22E. I acknowledged a well might be placed on my property and all right, title, and interest of the water rights will remain in Frank Suchan's name.

Signed



Russell Suchan

TRANSFER 80707





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

March 10, 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

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS** on **3/17/2016** and **3/24/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 4, 2016**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 10, 2016 11:45 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on March 17th & 24th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 10, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17064

RE: Transfer No. 80573
Water Right No(s): 36-2257, 36-7517

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

RE: Transfer No. 80727
Water Right No(s): 47-17654, 47-17655

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 4, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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 283.9 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/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 10, 2016

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

Via hand delivery

RE: Application For Permit No. 36-17064

RE: Transfer No. 80573
Water Right No(s): 36-2257, 36-7517

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

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MORANDUM

Date: February 29, 2016
To: Transfer 80707 – Frank Suchan - File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

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 283.9 acres currently available to be irrigated within the proposed 716.0 acre PPU.

Eastern Snake Plain Aquifer modeling is not necessary for the transfer as the addition of the new well is in an adjacent ESPA grid cell. The application will be advertised.

- **Authority to File:**

The Department's database indicates that the water rights involved are owned by the applicant, Frank Suchan. Application was signed by Frank Suchan. Tax lot data shows Frank Suchan to be the owner of the property which is the subject of the transfer. The owner of the additional ground that will be covered by the PPU, Russ Suchan, has provided a letter agreeing to allow Frank Suchan to use his water rights on his (Russ Suchan) property and further agrees that the ownership of the rights will remain in Frank Suchan's name. Russ Suchan also agreed to allow the additional well to be drilled on his property.

- **Water Right Validity:**

Water right 36-7839 was licensed in December of 1997, rights 36-7828 and 36-2357 were decreed in March of 2002, right 36-2574 was decreed in July of 2000, and right 36-7629 was decreed in December of 2000. Aerial imagery shows the lands covered by the rights have been recently irrigated or enrolled in Federal set-aside programs, protecting them from forfeiture.

- **Injury to Other Water Rights:**

None anticipated or foreseen.

- **Enlargement of Use:**

None anticipated. No increase in irrigated acreage is sought in the application.

- **Local Public Interest:**

No issues anticipated. The application will be advertised.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated

- **Effect of the Agricultural Base of the Area:**

None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

FEE MEMORANDUM

Date: February 29, 2016
To: Frank Suchan, transfer #80707 file
From: Jim Bitzenburg
Re: Receipting of fees paid

Transfer #80707 was filed on February 23, 2016 along with a check (#3246) for \$1140.00 from Frank J. or Joyce Suchan. The transfer involves changing the place of use and adding points of diversion (including a new POD) for five water rights with a combined flow rate of 8.02 cfs. This would fall under the 8.01 to 9.0 cfs range in the transfer fee schedule, which amounts to a fee of \$1140.00.

February 23, 2016

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FEB 23 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

We intend to implement the proposed change in place of use in 2017. We are not certain when the new well in SWSW Section 26 may be drilled, but will make that decision within the next few years.

Accordingly, I would like to request a five-year development period to accomplish changes proposed by this transfer.

A handwritten signature in cursive script, appearing to read "Frank Suchan".

Frank Suchan