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DEPARTMENT OF
WATER RESOURCES

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WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 63-03174

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jerry L. Tlucek and Mary Lou Tlucek

Address: 15188 S. Can-Ada Road

Melba, Idaho 83641

Daytime Phone: (208) 495-2034

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas Barrett Rock & Fields

PO Box 829, Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Jerry L. Tlucek and Mary Lou Tlucek

Address: 15188 S. Can-Ada Road

Melba, Idaho 83641

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 1.850 cfs without any afa limitation
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Please see Attachment A attached hereto.

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Concerning quantity, there is no basis for inclusion of the acre feet per year volumetric limitation. This is a licensed water right and the license did not contain the acre feet per year volumetric limitation.

Concerning place of use, claimant has claimed an additional 86 irrigated acres to increase the permissible place of use from 114 acres to 200 acres, as such 200 acre place of use is set forth in Attachment A. This expansion in the amount of irrigated acres is made pursuant to Idaho Code § 42-1416B.

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Ada)ss.

Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Scott L. Campbell
(Attorney signing in representative capacity)

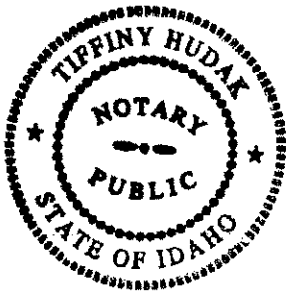
Subscribed and sworn to before me on:

April 18th
Tiffany Hudak

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 18th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

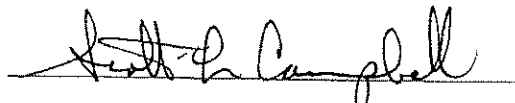
Name: Jerry L. Tlucek and Mary Lou Tlucek
Address: 15188 S. Can-Ada Road
Melba, Idaho 83641

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


mailing on Objector's behalf

**ATTACHMENT A TO
STANDARD FORM 1 – OBJECTION FOR SUBCASE 63-03174**

Jerry L. Tlucek and Mary Lou Tlucek are objecting to the place of use of 114 irrigated acres for the reason set forth in the Objection. The correct place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Acres
1N	1W	22	SE	SW	40
			NE	SE	40
			NW	SE	40
			SW	SE	40
			SE	SE	40
TOTAL ACRES					200