

COPY

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

Subcase No. 63-3174

Case No 39576

STIPULATION TO PARTIALLY RESOLVE OBJECTION

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The claimants and IDWR agree and stipulate that the place of use element of this water right should be described per the attached. The claimants and IDWR have further indicated their concurrence by initialing each of the attached pages. This stipulation resolves only the claimants' objection to the number of irrigated acres within the place of use. It does not resolve the claimants' objection to the quantity element of this right.

CLAIMANT(s)OBJECTOR(s):

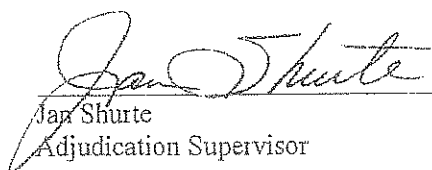
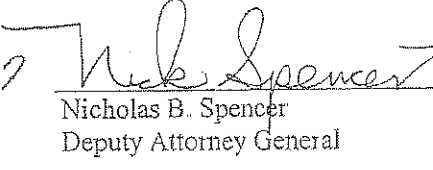
Jerry L and Mary Lou Tlucek

 4/26/07

Scott Campbell Date
attorney

STIPULATION TO PARTIALLY RESOLVE OBJECTION - 63-3174

IDWR Concurrence:

	<u>4-23-07</u>		<u>4-23-07</u>
Jan Shurte	Date	Nicholas B. Spencer	Date
Adjudication Supervisor		Deputy Attorney General	

STIPULATION TO PARTIALLY RESOLVE OBJECTION -- 63-3174

CERTIFICATE OF MAILING

I certify that on May 4, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

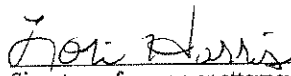
1 Original to:

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

2. Copies to:

Jerry & Mary Lou Thucek
represented by:
Scott L. Campbell
101 S Capitol Blvd, 10th Floor
PO Box 829
Boise, ID 83701-0829
Phone: 208-345-2000

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-3174

NAME AND ADDRESS:

JERRY L ILUCEK
15188 S CAN-ADA RD
MELEA ID 83641

MARY LOU FLUCEK
15188 S CAN-ADA RD
MELEA ID 83641

[Handwritten signature]
SLC
NBS

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

1 850 CFS
513 000 AFY

This right when combined with Right No. 63-23182 shall provide no more than 1.85 cfs
nor more than 513 AF per annum

PRIORITY DATE: 11/27/1959

POINT OF DIVERSION:

101N R01W S22 SESE
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

1 850 CFS 513 00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE: IRRIGATION within ADA County

T01N R01W S22 SESE 40.0

T01N R01W S22 NESE 40.0

T01N R01W S22 NWSE 40.0

T01N R01W S22 SWSE 40.0

T01N R01W S22 SESE 40.0

T01N R01W S22 NESE 35.0

T01N R01W S22 SWSE 39.0

200 ACRES TOTAL

114 ACRES TOTAL

This right is limited to the irrigation of 114 acres within the place of use described above
in a single irrigation season.

This right and Right No. 63-23182 are limited to the irrigation of a combined total of 200
acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-23182 is an enlargement of this right pursuant to Section 42-1426, Idaho
Code.