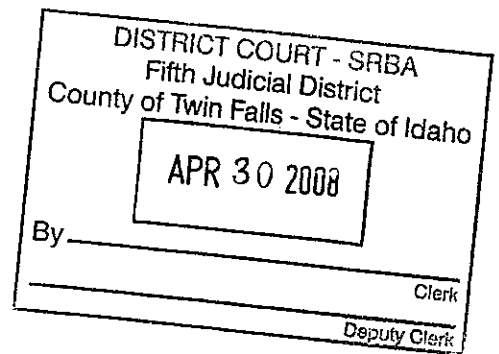


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MAY 02 2008

DEPARTMENT OF
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	)	Subcase No. 63-3174
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

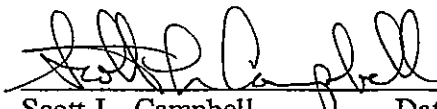
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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 parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

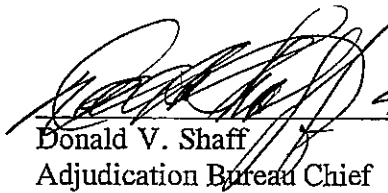
CLAIMANT(s)/OBJECTOR(s):

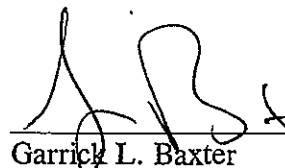
Jerry L. Tlucek
Mary Lou Tlucek

 4/22/08

Scott L. Campbell Date
Attorney for Claimants/Objectors

IDWR Concurrence:

 4-25-08
Donald V. Shaff Date
Adjudication Bureau Chief

 4/24/08
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

04/10/2008

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

RIGHT NUMBER: 63-3174

NAME AND ADDRESS: JERRY L TLUCEK
15188 S CAN-ADA RD
MELBA ID 83641

MARY LOU TLUCEK
15188 S CAN-ADA RD
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.850 CFS
513.00 AFY

This right when combined with Right No. 63-23182 shall provide no more than 1.85 cfs nor more than 900 AF per annum.

PRIORITY DATE: 11/27/1959

POINT OF
DIVERSION:

T01N R01W S22 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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 in ADA County

T01N R01W S22	SESW	40.00	T01N R01W S22	NESE	35.00	40.00
T01N R01W S22	NWSE	40.00	T01N R01W S22	SWSE	39.00	40.00
T01N R01W S22	SESE	40.00				

114 200 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.

CERTIFICATE OF MAILING

I certify that on April 28, 2008, 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 L. TLUCEK
MARY LOU TLUCEK
Represented by:
DYLAN B. LAWRENCE
101 S. CAPITOL BLVD 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

JERRY L. TLUCEK
MARY LOU TLUCEK
Represented by:
SCOTT L. CAMPBELL
101 S. CAPITOL BLVD 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form