

EXHIBIT "A"

TIS, RIW, S29

SWNW, NWSW, S¹/₂SW

TIS, RIW, S30

E¹/₂SE.

TIS, RIW, S31

NENE

TIS, RIW, S32

NWNW

OK

CLAIM 63-7389

TIS RIW S29 - NWSW, SWSW, SESW

S30 - NESE, SESE

S31 - NENE

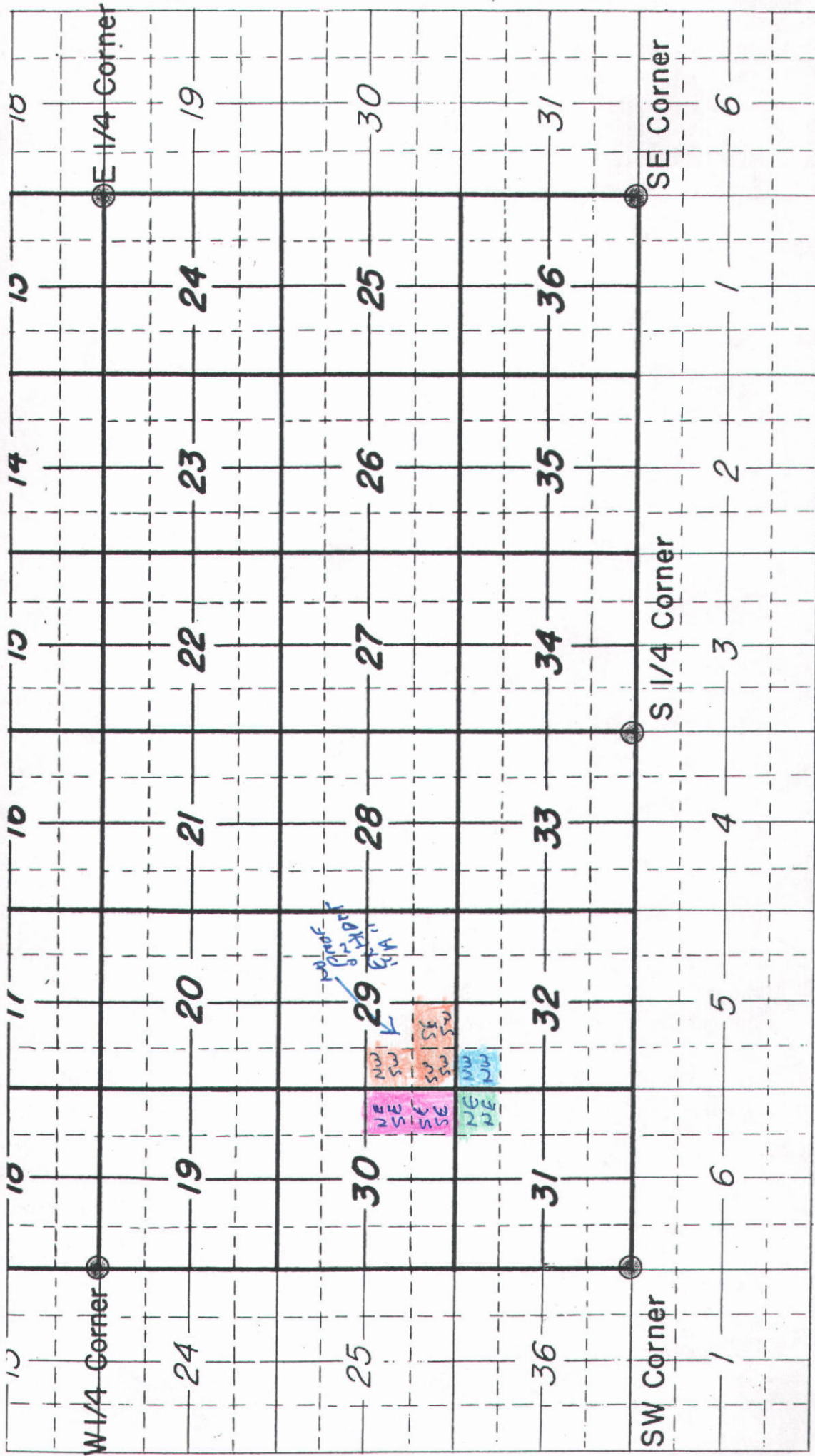
S32 - NWNW

CLAIM 63-31048

TIS RIW S29 NESW ←

*
NO PROOF
ON EXHIBIT "A"
FOR NESW

NO
PROOF



Idaho Department of Water Resources

Claim Number: 63-07389
Legal: T01S, R01W, S29, 30, 31, 32
Reviewed By:

● Point of Diversion



Place of Use



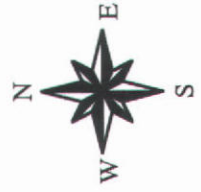
Section Lines



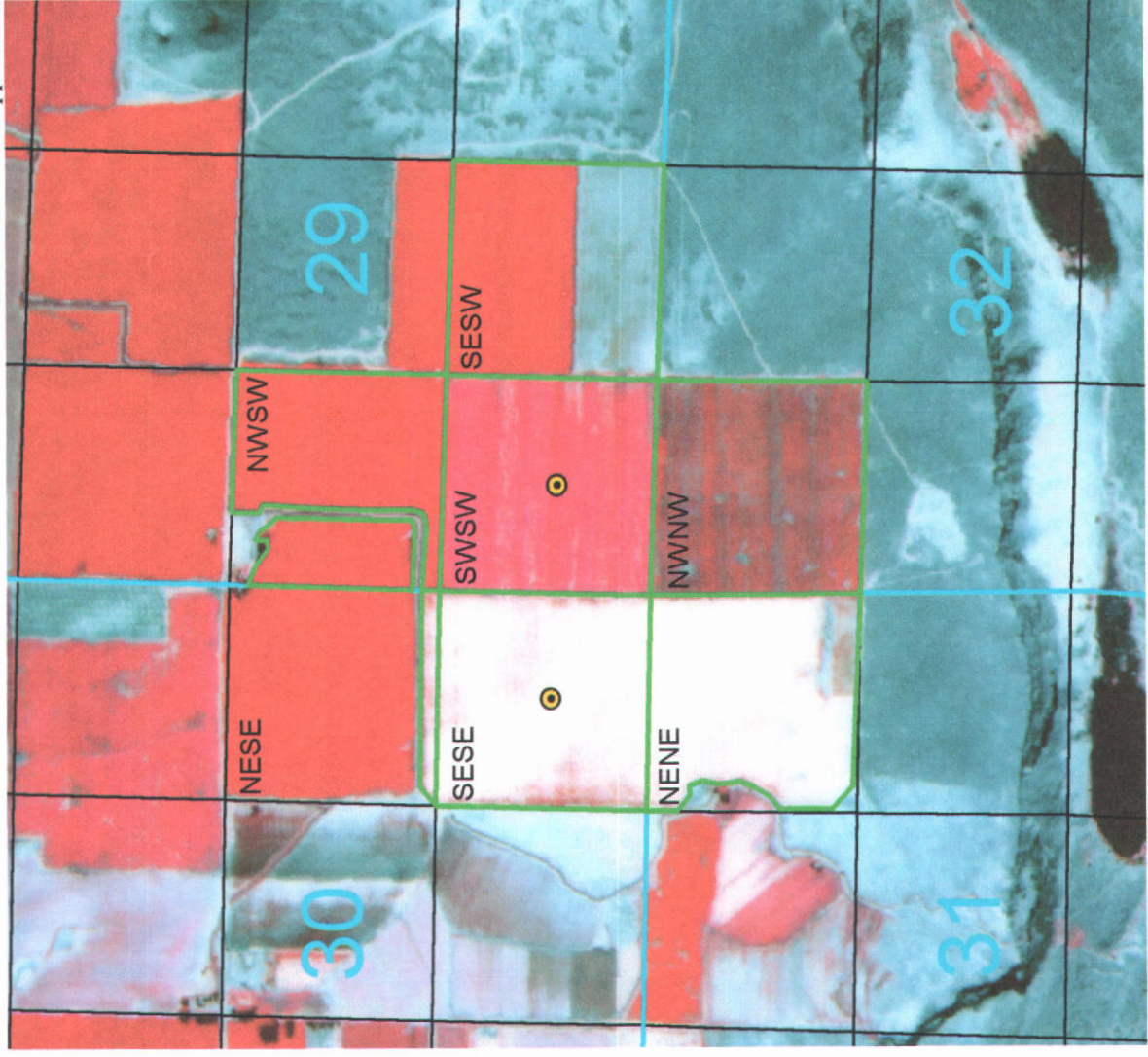
Quarter Quarter Lines



Township/Range Lines



1987 Napp Photo



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-7389
Date Received: 6/15/1999
Receipt No: W025343
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JERRY L TLUCEK
15188 S CAN-ADA RD
MELBA ID USA 83641

Phone: (208)495-2550

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

Phone: (208)495-2550

2. Date of Priority: 01/21/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01S	01W	29	SW	SW		ADA	
01S	01W	30	SE	SE		ADA	

5. Description of diverting works:

WELLS, PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	4.56	1026

7. Total Quantity Appropriated is:
4.56 C.F.S. and/or 1026 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	01W	29	NW	SW		IRRIGATION	30
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
						Section Acres	110
01S	01W	30	NE	SE		IRRIGATION	3
			SE	SE		IRRIGATION	38
						Section Acres	41
01S	01W	31	NE	NE		IRRIGATION	37
						Section Acres	37
01S	01W	32	NW	NW		IRRIGATION	40
						Section Acres	40
						Total Acres	228

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/29/2002

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 APR 17 2002
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-7389					
~~63-3108~~					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. NA
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**. COPY
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

4. New Owner/Claimant(s)

JERRY L. TLUCEK MARY LOU TLUCEK
 Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

15188 SO. CAN-ADA RD.

City, State and ZIP Code

MELBA, IDAHO 83641

New Telephone Number

(208) 495-2550

5. Date you acquired the property

6/09/00

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

July L. Smith
Mary Lou Tuck

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED
APR 17 2002
WATER RESOURCES
WESTERN REGION

BARGAIN AND SALE DEED

LLS
mht

This Indenture made the June 7, 2000, between KeyBank National Association, the party of the first part and JERRY L. TLUCEK and MARY LOU TLUCEK, husband and wife, the party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of **Five HUNDRED EIGHTY-FIVE THOUSAND NONE HUNDRED and no/100 Dollars (\$585,900.00) Dollars**, lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said party of the second part, and to heirs and assigns, forever, all that certain lot, piece or parcel of land situated, lying and being located in the County of **ADA**, and State of Idaho, particularly described as follows, to-wit:

LEGAL DESCRIPTION SEE ATTACHED EXHIBIT "A"

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title interest in said property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

To have and to hold, all and singular the said premises together with the appurtenances, unto the said party(s) of the second part and to their heirs and assigns forever.

In witness whereof, the said party(is) of the first part has hereunto set their hand and seal the day and year first above written.

KeyBank National Association
IDAHO COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

BY: Richard C. Swager, Jr. 2000 JUN -9 PM 4:47
Richard C. Swager, Jr.
Assistant Vice President

PIONEER TITLE
RECORDED-REQUEST OF
FEE 6.00 DEPOSIT 100045316

ACKNOWLEDGMENT - Corporate

STATE OF Idaho,
County of Ada, ss.

On this 7th day of June in the year of 2000, before me, Virginia E. Brumpton, a notary public, personally appeared Richard C. Swager, Jr., known or identified to me to be the Assistant Vice-President of the corporation that executed the

hereunto set their hand and seal the day and year
written.

KeyBank National Association
IDAHO COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

PIONEER TITLE
RECORDED - REQUEST OF

FEE 6.00 DEPOSIT 100045316

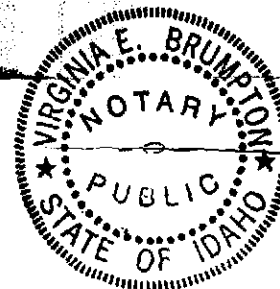
BY: Richard C. Swager, Jr. 2000 JUN -9 PM 4:47
Richard C. Swager, Jr.
Assistant Vice President

ACKNOWLEDGMENT - Corporate

STATE OF Idaho
County of Ada, ss.

On this 7th day of June in the year of 2000, before me, Virginia E. Brumpton, a notary public, personally appeared Richard C. Swager, Jr., known or identified to me to be the Assistant Vice-President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public: Virginia E. Brumpton
Residing at Boise, Idaho
My Commission Expires: 10-25-2000



FILE NO.: P182711

EXHIBIT A

SOUTHWEST QUARTER OF NORTHWEST QUARTER AND NORTHWEST QUARTER OF SOUTHWEST QUARTER AND SOUTH HALF OF SOUTHWEST QUARTER ALL IN SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 WEST, BOISE MERIDIAN, AND THE EAST HALF OF SOUTHEAST QUARTER ALL IN SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 WEST, BOISE MERIDIAN, AND THE NORTHEAST QUARTER OF NORTHEAST QUARTER IN SECTION 31, TOWNSHIP 1 SOUTH, RANGE 1 WEST, BOISE, MERIDIAN, AND THE NORTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 1 WEST, BOISE MERIDIAN, RECORDS OF ADA COUNTY, IDAHO

END OF LEGAL DESCRIPTION

instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public: Virginia E. Brumpton
Residing at Boise, Idaho
My Commission Expires: 10-25-2000

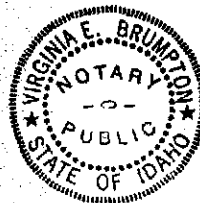


EXHIBIT "A"

TIS, RIW, S29
SWNW, NWSW, S $\frac{1}{2}$ SW

TIS, RIW, S30
E $\frac{1}{2}$ SE.

TIS, RIW, S31
NENE

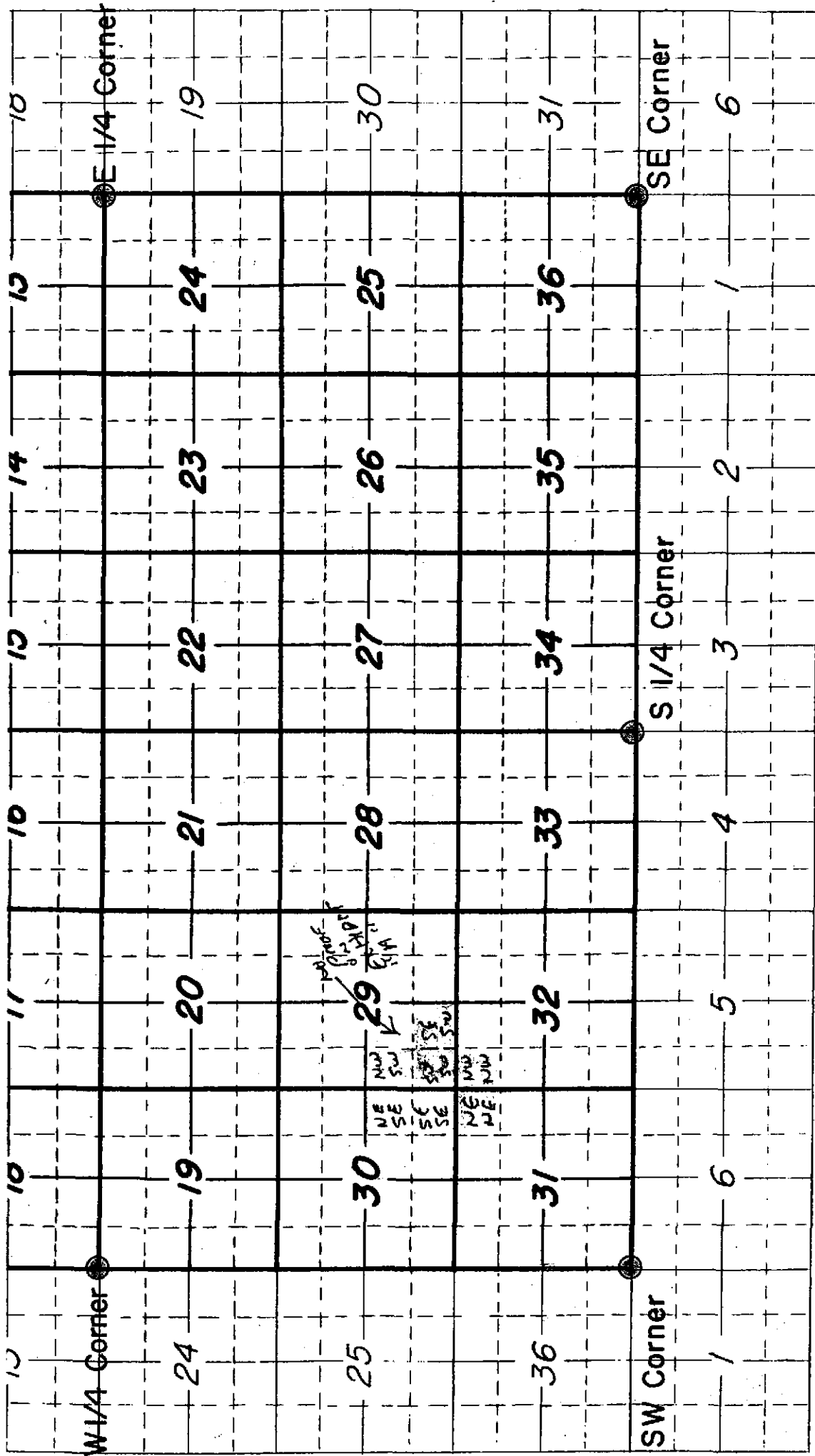
TIS, RIW, S32
NWNW

OK CLAIM 63-7389
TIS RIW S29 - NWSW, SWSW, SESW
S30 - NESE, SESE
S31 - NENE
S32 - NWNW

CLAIM 63-31048
TIS RIW S29 NESW ←

*
NO PROOF
ON EXHIBIT "A"
FOR NESW

NO
PROOF



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07389
Date Received: 6/15/1999
Receipt No: W025343
Received By: g

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEYBANK 208-364-8623
Address: ATTN: RICHARD SWAGER JR.
PO BOX 2757
BOISE ID 83701

2. Date of Priority: JAN 21, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	01W	29	SW	SW			ADA
		30	SE	SE			ADA

5. Description of diverting works:
WELLS, PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.560		1026.00

7. Total Quantity Appropriated is:
4.560 C.F.S. (and/or) 1026.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	01W	29	NW	SW		IRR	30.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	110.0
		30	NE	SE		IRR	3.0
			SE	SE		IRR	38.0
						Section Acres	41.0
		31	NE	NE		IRR	37.0
						Section Acres	37.0
		32	NW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	228.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

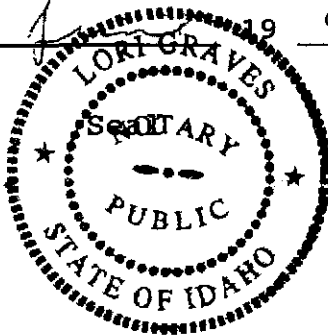
I do solemnly swear or affirm that I am Assistant Vice President of
Title
Key Bank, that I have signed the foregoing
Organization
document in the space below as Assistant Vice President of
Title
Key Bank and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Assistant Vice President
Title and Organization

06-15-99
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of June 1999
[Signature]
Notary Public



Residing at Bain
My Commission Expires 6/18/04

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7389 Priority Jan. 21, 1971 Amount 4.56 cfs

THIS IS TO CERTIFY, that Edwin P. Good
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 63-7389 issued pursuant to Application for Permit dated Jan. 21, 1971,
and has submitted proof to the Department of Water Resources on Jan. 26, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.90 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>Mar. 15</u> to <u>Nov. 15</u>	at <u>4.56</u> cfs and	<u>1026 acre feet</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 4.56 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1026 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 1S,
Rge. 1W and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 1S, Rge. 1W in the County of Ada.

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	1W	29									30	40	40						110
		30													3			38	41
		31	37																37
		32					40												40
																			228

Total number of acres irrigated 228

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
December, 19 77.


Director

RECEIVED

DEC 02 2005

DEPARTMENT OF
WATER RESOURCES

11/22/2005

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

Water right number: 63-7389

JERRY L. TLUCEK
15188 S CAN-ADA RD
MELBA ID 83641
Telephone Number: (208) 495-2550

MARY LOU TLUCEK
15188 S CAN-ADA RD
MELBA ID 83641
Telephone Number: (208) 495-2550

ORIGINAL

please deliver
to Dave Tuthill

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/02/05 SIGNATURE: Scott L. Campbell

Please print your name: Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 8729
Boise, Idaho 83701

Counsel of record for Jerry and Mary Lou Tlucek

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

Dr9 ft ✓ Dms 11/20/05

11/01/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7389
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: 4.560 CFS
1,026.000 AFY
PRIORITY DATE: 01/21/1971
POINT OF DIVERSION:

T01S R01W S29 SWSW Within ADA County
T01S R01W S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	4.560 CFS 1,026.00 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

T01S R01W S29	NWSW	30.0	T01S R01W S29	SWSW	40.0
T01S R01W S29	SESW	40.0	T01S R01W S30	NESE	3.0
T01S R01W S30	SESE	38.0	T01S R01W S31	NENE	37.0
T01S R01W S32	NWNW	40.0			

228 ACRES TOTAL

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

Boise
Idaho Falls
Pocatello
Twin Falls

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
David P. Gardner
John O. Fitzgerald, II
Julian E. Gabiola
Angela Schaer Kaufmann
Michael W. McGreaham
Kimberly D. Evans Ross
Jon A. Stenquist

Eric M. Barzee
Valerie N. Charles
Tyler J. Henderson
Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Joel A. Flake, Jr.
Russell G. Metcalf

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

October 26, 2005

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED

OCT 28 2005

WATER RESOURCES
WESTERN REGION

Lori Graves
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

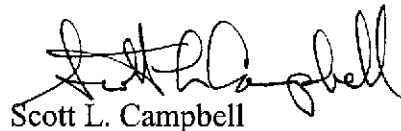
Re: Notice of Appearance on Behalf of Jerry Tlucek
MTBR&F File No. 22377.1

Dear Lori:

Please take notice that the undersigned attorney, Scott L. Campbell of the firm of MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED, represents Jerry Tlucek concerning his water right matters, including, without limitation, water right nos. 63-03174, 63-07068, 63-07389, 63-07392, 63-23182, and 63-32184. Please direct all notices, correspondence, pleadings, filings or other communication me at the address and telephone number listed above.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Scott L. Campbell

SLC/tmh

cc: Jerry Tlucek

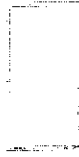
Idaho Department of Water Resources

Claim Number: 63-07389
Legal: T01S, R01W, S29, 30, 31, 32
Reviewed By:

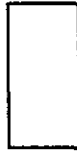
⊙ Point of Diversion



Place of Use



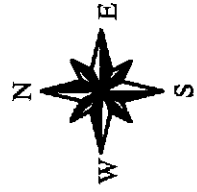
Section Lines



Quarter Quarter Lines



Township/Range Lines



1987 Napp Photo



Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7389 V1

WATER RIGHT NUMBER: 63-7389 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HERSHEL S JENSEN
	GRAND VIEW, ID 83624
Original Owner	EDWIN P GOOD
	PO BOX 354
	GRAND VIEW, ID 83624
Original Owner	KEY BANK NA
	C/O RICHARD C SWAGER JR
	702 W IDAHO STE 505
	PO BOX 2757
	BOISE, ID 83701
	(208)334-7222
Current Owner	JERRY L TLUCEK
	15188 S CAN-ADA RD
	MELBA, ID 83641
	(208)495-2550
Current Owner	MARY LOU TLUCEK
	15188 S CAN-ADA RD
	MELBA, ID 83641
	(208)495-2550

Priority Date: 01/21/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.560 CFS	1,026.00 AF
	<u>Total Diversion:</u>	4.560 CFS	1,026.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 29, Twp 01S, Rge 01W, B.M.
ADA County		
GROUND WATER	SE1/4SE1/4	Sec. 30, Twp 01S, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	01W	29									30.0	40.0	40.0					110.0	

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01S 01W 30					3.0	38.0	41.0
01S 01W 31		37.0					37.0
01S 01W 32			40.0				40.0

Total Acres: 228

Conditions of Approval:

1. C18 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.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, 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.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/7/2004 8:34:34 AM	awarntje			Active
Priority Date	12/7/2004 8:35:11 AM	awarntje			Active
Source	12/7/2004 8:35:34 AM	awarntje			Active

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POU	12/7/2004 9:07:20 AM	awarntje	Active
POD	12/7/2004 9:33:10 AM	awarntje	Active
Use	12/7/2004 9:33:34 AM	awarntje	Active
Season	12/7/2004 9:34:52 AM	awarntje	Active
Quantity	12/7/2004 9:35:32 AM	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	12/7/2004 8:35:34 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/7/2004 8:52:46 AM	awarntje	Edited shape boundary
POU	12/7/2004 8:59:39 AM	awarntje	Edited shape boundary
POU	12/7/2004 9:00:35 AM	awarntje	Edited shape boundary
POU	12/7/2004 9:05:28 AM	awarntje	Edited shape boundary
POD	12/7/2004 9:32:37 AM	awarntje	Edited point location
POD	12/7/2004 9:33:10 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Contacts	12/7/2004 8:34:35 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
Priority Date	12/7/2004 8:35:12 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	12/7/2004 8:53:19 AM	awarntje	Edited shape boundary
POU	12/7/2004 8:53:40 AM	awarntje	Edited shape boundary

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Use	12/7/2004 9:33:34 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Quantity	12/7/2004 9:35:32 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Shown on license
Season	12/7/2004 9:34:53 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
POD	12/7/2004 9:14:27 AM	awarntje	Edited point location
POD	12/7/2004 9:16:01 AM	awarntje	Edited point location
POU	12/7/2004 9:07:21 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 43-07389

Date: 9-25-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	1W	29									30	40	40						110
GIS												36	40	40						116
Claim			30													3			38	41
GIS																3			40	43
Claim			31	37																37
GIS				37																37
Claim			32					40												40
GIS								40												40

Number of POD's 2

Total Claimed Acres: 228

Overlapping FOU Claim #'s:

Total GIS Acres: 236

COMMENTS:

There is no ownership data available in the county data for these parcels. Per claim map.

POD I placed in the middle of gg since they were not included on the map.