

Idaho Department of Water Resources

Claim Number: 63-07392

Legal: T01N, R01W, S27

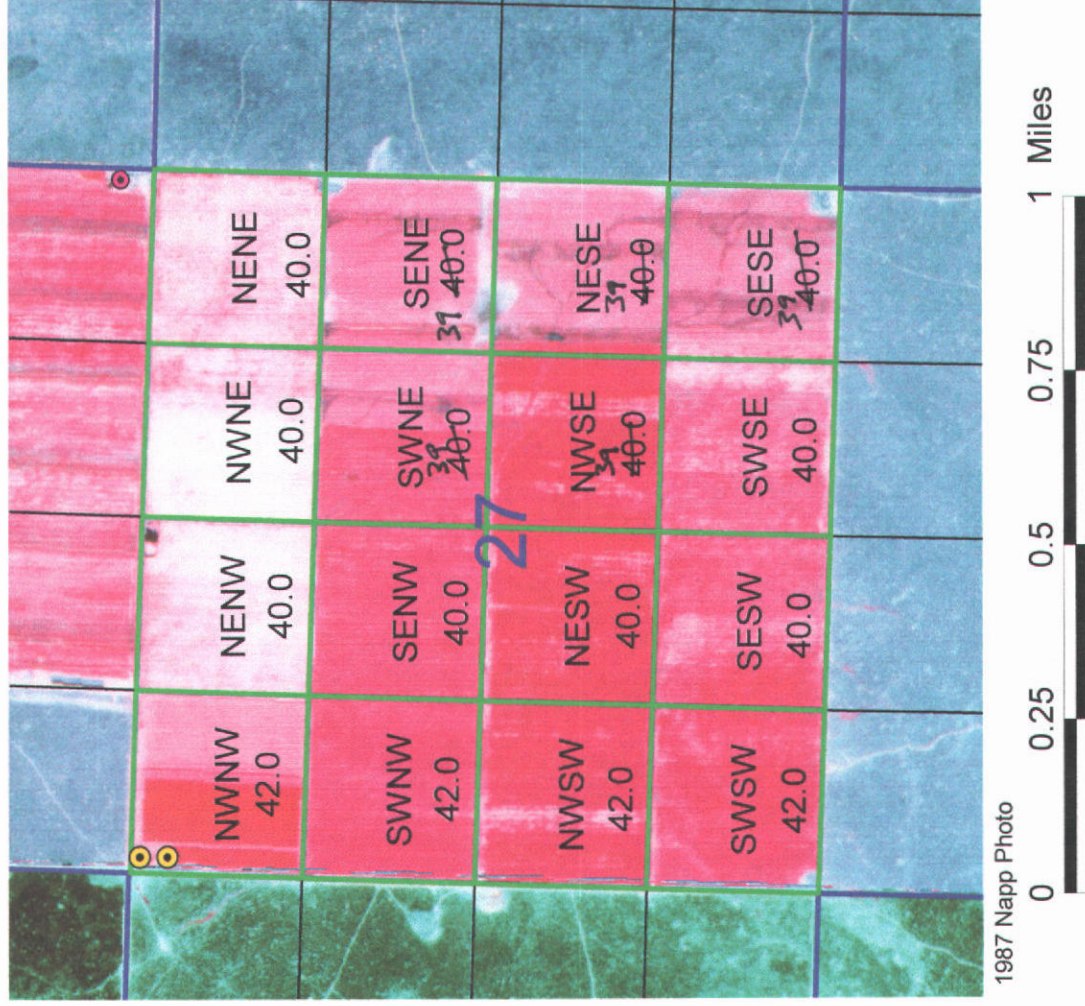
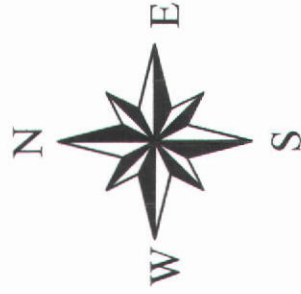
Reviewed By:

● Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



62-7392

Total Average
~~647~~
~~643~~
~~637~~
643 ok

NOT TO SCALE

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: A63-07392
Date Received: 9/08/1989
Receipt No: C011311
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY L. TLUCEK 208-459-2550
Address: RT. 1
MELBA, ID 83641

AND/OR

Name: MARY LOU TLUCEK 208-459-2550
Address: RT. 1
MELBA, ID 83641

2. Date of Priority: MAR 12, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	27	NW	NW	NW	1	ADA

5. Description of diverting works:

2 WELLS 365' & 375' DEEP, 16" CASINGS, 400 & 200 HP PUMPS MAINLIN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.360		

7. Total Quantity Appropriated is:

10.360 C.F.S. (and/or) 2893.50 A.F.A.

8. Total consumptive use is 2250.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	27	NE	NE		IRR	40.0

A63-07392

Page 1

Date: 05/16/90

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AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	01W	27	NW NE		IRR	40.0
			SW NE		IRR	39.0
			SE NE		IRR	39.0
			NE NW		IRR	40.0
			NW NW	1	IRR	42.0
			SW NW	2	IRR	42.0
			SE NW		IRR	40.0
			NE SW		IRR	40.0
			NW SW	3	IRR	42.0
			SW SW	4	IRR	42.0
			SE SW		IRR	40.0
			NE SE		IRR	39.0
			NW SE		IRR	39.0
			SW SE		IRR	40.0
			SE SE		IRR	39.0

Section Acres 643.0

Total Acres 643.0

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:
NONE

14. Remarks:
I-3236 & I-3229.
2 P/D IN NWNW, LT. 01, SEC. 27, T1N, R1W.

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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 AG-07392Date Received 9-08-89Receipt Number CO11311

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Jerry L. and/or Mary Lou Tlucek Phone (208) 495-2550
Mailing Address Route 1, Melba, Idaho Zip 83641

2. Date of Priority (Only one (1) per claim) March 12, 1971

3. Source of water supply (a) groundwater
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 1 N. Range 1 W. Section 27,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, 1 B.M., County of Ada (two points)

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well No. 1 is approximately 365 feet deep, 16-inch casing, 400 h.p. vertical turbine pump, 16-inch diameter discharge pipe, connected to a 26-inch diameter mainline to branch lines for sprinkler irrigation. Well No. 2 is approximately 375 feet deep, 16-inch casing, 200 h.p. vertical turbine pump, 12-inch diameter discharge line, connected to the same 26-inch diameter mainline.

MICROFILMED

AUG 21 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from March 15 to Nov 15 amount 10.36 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 10.36 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2250.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 N.	1 W.	27	40	40	39	39	40	GL1 42	GL2 42	40	40	GL3 42	GL4 42	40	39	39	40	39	643

Total number of acres irrigated 643

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes xx No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

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AUG 21 1992

Last Name Tlucek Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

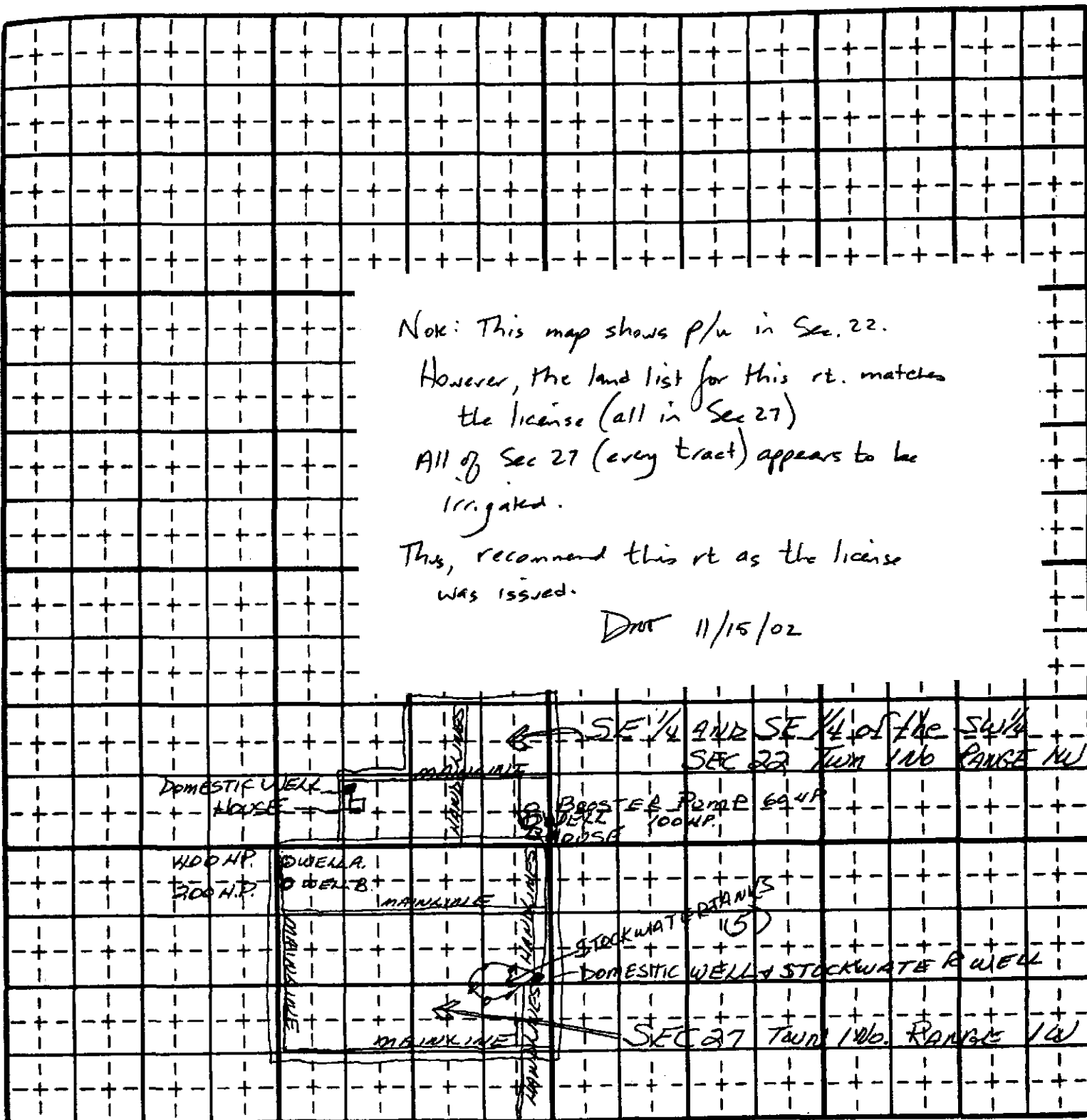
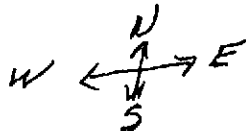
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

GENERAL INFORMATION

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Note: This map shows p/u in Sec. 22.

However, the land list for this rt. matches the license (all in Sec 27)

All of Sec 27 (every tract) appears to be irrigated.

Thus, recommend this rt as the license was issued.

DNR 11/15/02

MICROFILMED

AUG 21 1992

Last Name

TRUCKER

Ident No.

648 ACRES
300 ACRES

Copies: White-State, Yel

EXHIBIT

A

Blumberg No. 5119

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License xx Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-7392

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 xx wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 9/5/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5TH day of SEPTEMBER 19 89

SEAL

Notary Public [Signature]

Residing at BOISE

My Commission Expires 9/15/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

Address P.O. Box 1539, Boise, ID 83701

Date 9/7/89

MICROFILMED

AUG 21 1992

Last Name Tlucek Ident. Number _____

Copies White-State, Yellow-Claimant

OWNER

CODE

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

FROM

TO

DIVERSION

RATE

DIVERSION

VOLUME

C

JERRY L TLUCEK

03/12/1971

IRRIGATION

03-15

11-15

10.360 CFS

C

MARY LOU TLUCEK

RT 1

MELBA ID 83641

(208) 459-2550

TOTAL DIVERSION:

10.360 CFS

2893.50 AFA

CONSUMPTIVE USE:

2250.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

T01N R01W S27 Lot01(NWNW)

ADA County

Place of use Legal Description for: IRRIGATION

	NE	SE	SW	SE
T R S	NENE NWNE SWNE SENE : NENE NWNW SWNW SENW : NENE NWSE SWSE : SUM			
01N 01W 27	40 40 39 39 : 40 01-42 02-42 40 : 40 03-42 04-42 40 : 39 39 40 39 : 643.0			643.0
				TOTAL ACRES
				643.0

POU County: ADA

Other Rights: NONE

Remarks: GEN I-3236 & I-3229.

2 P/D IN NWNW, LT. 01, SEC. 27, T1N, R1W.

Dates: Exam Made Date: 06/03/1985

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Audit: 05/16/90 BAUMHOFF

03/30/95 POST-STD

Presumption Flag:

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: 63-7392

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

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity

2. Describe the changes you wish to make in the proposed recommendation:

Quantity: Delete the volumetric limitation of 2,893.50 acre feet per year.

3. Give a brief explanation as to why you disagree with these portions:

Quantity: There is no basis for inclusion of the acre feet per year volumetric limitation.

> Retain - vol is on
license.
Der
12/9/05

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

DATE: 12/02/05

SIGNATURE: _____

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

11/21/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7392
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: 10.360 CFS
2,893.500 AFY
PRIORITY DATE: 03/12/1971
POINT OF DIVERSION:

T01N R01W S27 NWNW Lot 1 Within ADA County
T01N R01W S27 NWNW Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	10.360 CFS 2,893.50 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 S27	NENE	40.0	T01N R01W S27	NWNE	40.0
T01N R01W S27	SWNE	39.0	T01N R01W S27	SENE	39.0
T01N R01W S27	NENW	40.0	T01N R01W S27 Lot 1	NWNW	42.0
T01N R01W S27 Lot 2	SWNW	42.0	T01N R01W S27	SENW	40.0
T01N R01W S27	NESW	40.0	T01N R01W S27 Lot 3	NWSW	42.0
T01N R01W S27 Lot 4	SWSW	42.0	T01N R01W S27	SESW	40.0
T01N R01W S27	NESE	39.0	T01N R01W S27	NWSE	39.0
T01N R01W S27	SWSE	40.0	T01N R01W S27	SESE	39.0

643 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

Water Right 63-7392

Boise
Idaho Falls
Pocatello
Twin Falls

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas	Michael E. Thomas	Eric M. Barzee
John W. Barrett	Patricia M. Olsson	Valerie N. Charles
R. B. Rock	James C. deGlee	Tyler J. Henderson
Richard C. Fields	Bradley J. Williams	Jason G. Murray
John S. Simko	Lee Radford	Mark C. Peterson
John C. Ward	Michael O. Roe	Andrew J. Waldera
D. James Manning	David S. Jensen	Tyler J. Anderson
Gary T. Dance	James L. Martin	Joel A. Flake, Jr.
Larry C. Hunter	C. Clayton Gill	Russell G. Metcalf
Randall A. Peterman	David P. Gardner	Robert E. Bakes, <i>of counsel</i>
Mark S. Prusynski	John O. Fitzgerald, II	Morgan W. Richards, <i>of counsel</i>
Stephen R. Thomas	Julian E. Gabiola	Willis C. Moffatt, 1907-1980
Glenna M. Christensen	Angela Schaer Kaufmann	Kirk R. Helvie, 1956-2003
Gerald T. Husch	Michael W. McGreaham	
Scott L. Campbell	Kimberly D. Evans Ross	
Robert B. Burns	Jon A. Scaquist	

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: 63-07392

Legal: T01N, R01W, S27

Reviewed By:

⊙ Point of Diversion



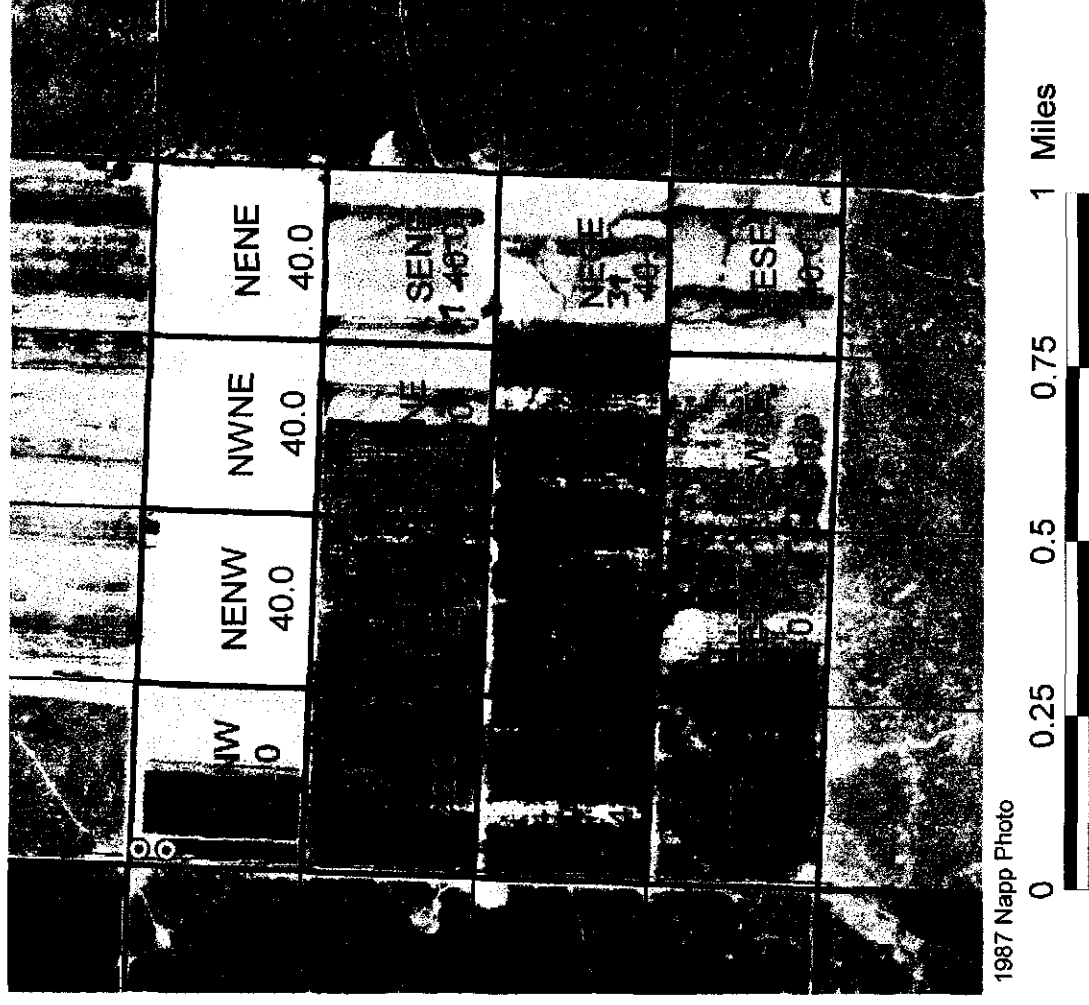
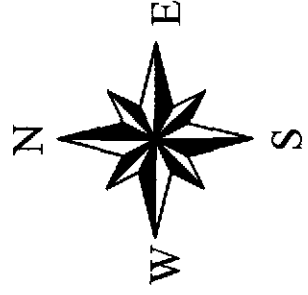
Place of Use



Section Lines



Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-07392 Date: 5-18-00

Overlapping POU Claim #'s: _____

	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	1N	1W	27	40	40	39	39	40	31- 42	32- 42	40	40	03- 42	04- 42	40	39	39	40	39	643
GIS				40	40	40	40	40	42	42	40	40	42	42	40	40	40	40	40	648
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 32

POD_ID #(s): 22, 23 (2 pods)

Total Claimed Acres: 643

Total GIS Acres: 648

COMMENTS:

No County data available. Per license map.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)
License of Water Right No. 63-7392 Priority March 12, 1971 Amount 10.36 cfs

THIS IS TO CERTIFY, that Jerry L. Tlucek & Mary Lou Tlucek
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 63-7392 issued pursuant to Application for Permit dated February 3, 1971,
and has submitted proof to the Department of Water Resources on February 2, 1981,
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 10.36 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
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>10.36 cfs</u> and <u>2893.5 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 10.36 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 confined is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2893.5 acre feet per year, said waters to be diverted within the (2 points) Gov. Lot 1,
(NW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 27, Twp 1N, 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 $\frac{1}{4}$	
1N	1W	27	40	40	39	39	40	42	42	40	40	42	42	40	39	39	40	39	643

Total number of acres irrigated 643

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16TH day of

MARCH

19 84

Acting for the Director

Norman C Young

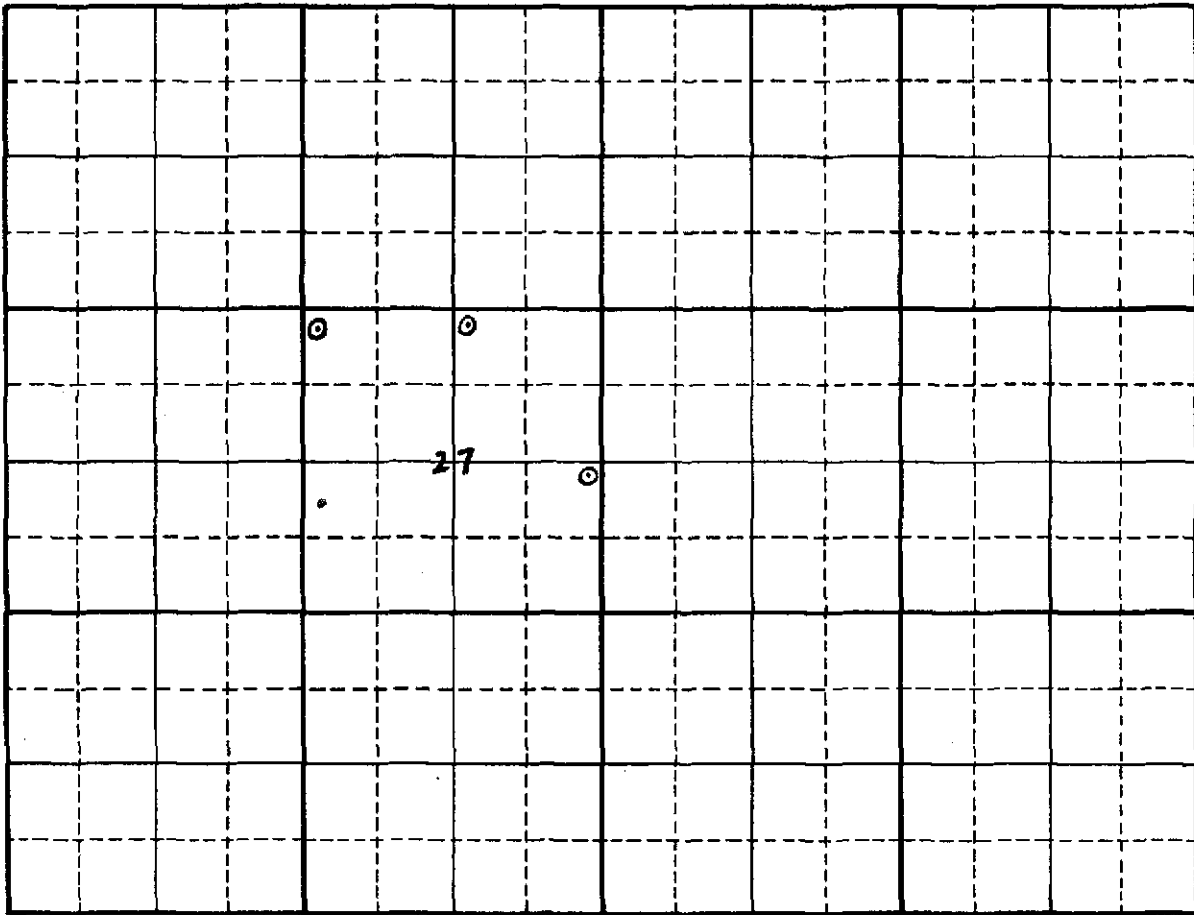
RECEIVED
AUG 25 1976

AUG 25 1976

Department of Water Resources

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, this 25 day of Aug, 19 76

Mary Louise Leuck
(signature) *ok*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, ~~Director~~ of the Department of Water Resources
hereby APPROVE the foregoing Application for Amendment for Permit No. 63-7392.

Witness my hand this 25 day of August, 1976

A. Kenneth Dunn
Administrator, Operations Division

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of Ada)

Permit No. 63-7392

Jerry & Mary Lou Tlucek) of Route #1, Melba, ID)
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 63-7392 *.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before March 1, 1976.

That he has heretofore performed the following work described under said permit:
Constructed two wells on property and have one equipped with pump and
sprinkling system. Land has been cleared and crops were planted during the
1974-75 growing season.

Costing \$230,000

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: See attachment

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to March 1, 1981.

Mary Lou Tlucek Jerry L. Tlucek
(signature) *

Subscribed and sworn before me this 30 day of March, 1976.

seal

A. Glen Nielsen
Notary Public residing at
Rt. 1, Edgewood Ln
Boise, Idaho 83702

My commission expires 4/1/78

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use under Permit No. 63-7392 be
extended to March 1, 1981; IT IS FURTHER ORDERED that said permit be REINSTATED
and the priority advanced to March 12, 1971.

Witness my hand this 12 day of April, 1976.

R. Keith Higginson
R. KEITH HIGGINSON, Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

Identification No. 63-7392

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Faye L. & Jerald Tiffany
post office address Route # 6, Post Office Box # 220, Nampa, Idaho 83651
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 1N
Range 1W B.M. ADA County; additional points of diversion if any: _____
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, T. 1N, R. 1W
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 12.96 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 12.96 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
drilled well, surface irrigation, and pump and motor
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day) (Mo., Day)
- c. Proposed well diameter is 12 inches; proposed depth of well is 400 feet.
(2 wells)
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 20,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	1W	27	40	42	42	40	40	40	40	40	40	42	42	40	40	40	40	40	648

Total number of acres to be irrigated 648 TOTAL

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Desert Land Entry

b. Who owns the land to be irrigated or place of use Desert Land Entry

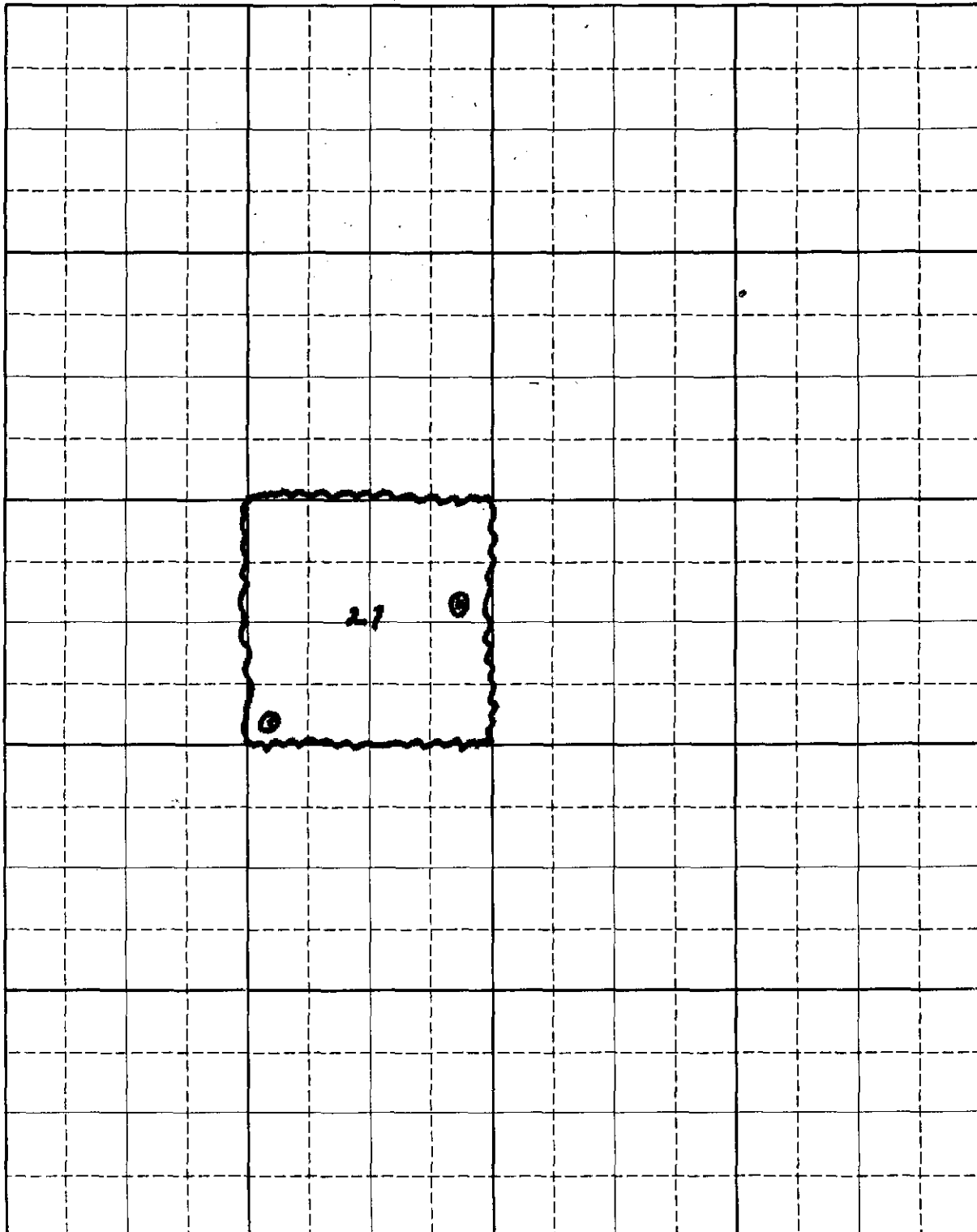
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks A. E. Hosack, 308 N. Midland Blvd., Nampa, Idaho - well driller

Desert Entry #I-3236 (Mr. Jerald Tiffany)

Desert Entry #I-3229 (Mrs. Faye L. Tiffany)

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Faye L. Tiffany
(Applicant)
Faye L. Tiffany

63 7372

Received by LA Date 2-3-71 Time 3:30 PM

Preliminary check by SLR Fee \$80 + 1 Per BLM

Receipted by LA Date 2/3/71

Rec'd #5581

Publication prepared by dg Date 2-9-71

Published in Idaho Statesman

Publication dates 2-18 & 2-25, 71

Publication approved LA Date 3-3-71

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Deputy BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7392, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1976.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works measuring devices at the points of diversion of a type approved by this Department.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18th day of March, 1971.


Deputy Director

110000, Jerry + Mary Ann
FD: NAME, DESE, NWNW
Sec. 87, T1N, R1W
irrigation: 648 acres.

Permit No.

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	2/11/81	WRA	no appt. made.
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION 12/3/81 - JKN
Date 10/3/81 - 3rd Chapman Accompanied by Foreman Total Q measured 10.36
If source is surface water, estimate total flow of source _____
Methods of measurement collins viscometer Meets Permit requirements? _____

055 rec certified water measurement report by Ideal Chapman

Feb 11 6.65 ✓ HF = 0.41 acres $\times$ 4.5 HF/A = 2.885

Hell # 2 3.75

$10.36 \text{ A} \times 55 \text{ V} = 570 \text{ W}$ $V = 643 \text{ A} \times 4.5 \text{ HF} = 2893.5$

$$V = 10.36 \times 1.9835 \times 245 = 5034.5$$

~~NOT~~
~~ATTACHED~~

See
attached
certified
measurement

System Description Well #1 16" casing - 365' deep; Well #2 16" casing - 371' deep - Both wells
flow into a common 26" manhole - Sprinkler irrigation
 $1643 \times .02 = 12.86$

**Code with map on reverse side. Disregard code if only one.*

USE	Q (cfs)	V (afa)	FROM	TO
Navigation ✓	OK 10.36	2893.5 ✓ OK		
		~~2885~~	3/15	11/15
		~~2875.5~~		ok per m.u. no w.k.
		2875.5		
		2893.5 ✓ OK		
		~~2885~~	3/15	11/15
Total	OK 10.36			

Remar

63-9215 $\xrightarrow{\text{no overlap p/c}}$ different P/O use condition R16 (0.02.45)
 4183 App. $\xrightarrow{\text{overlap p/c}}$
 7064 A.N. $\xrightarrow{\text{no overlap p/c}}$ different P/O use

No P/D overlap as per micron-fische ok

Jim
1-12-84

[illegible]

(Include distance from pump to measuring device, if applicable.)

*PP is corresponding
w/ amendment of 8/25/76.

Point(s) of diversion: HNW(L1) Sec 27 TIN RIV (2 pts)

Place(s) of Use ☒ corresponds w/aerial photo same place as permit.

[illegible]

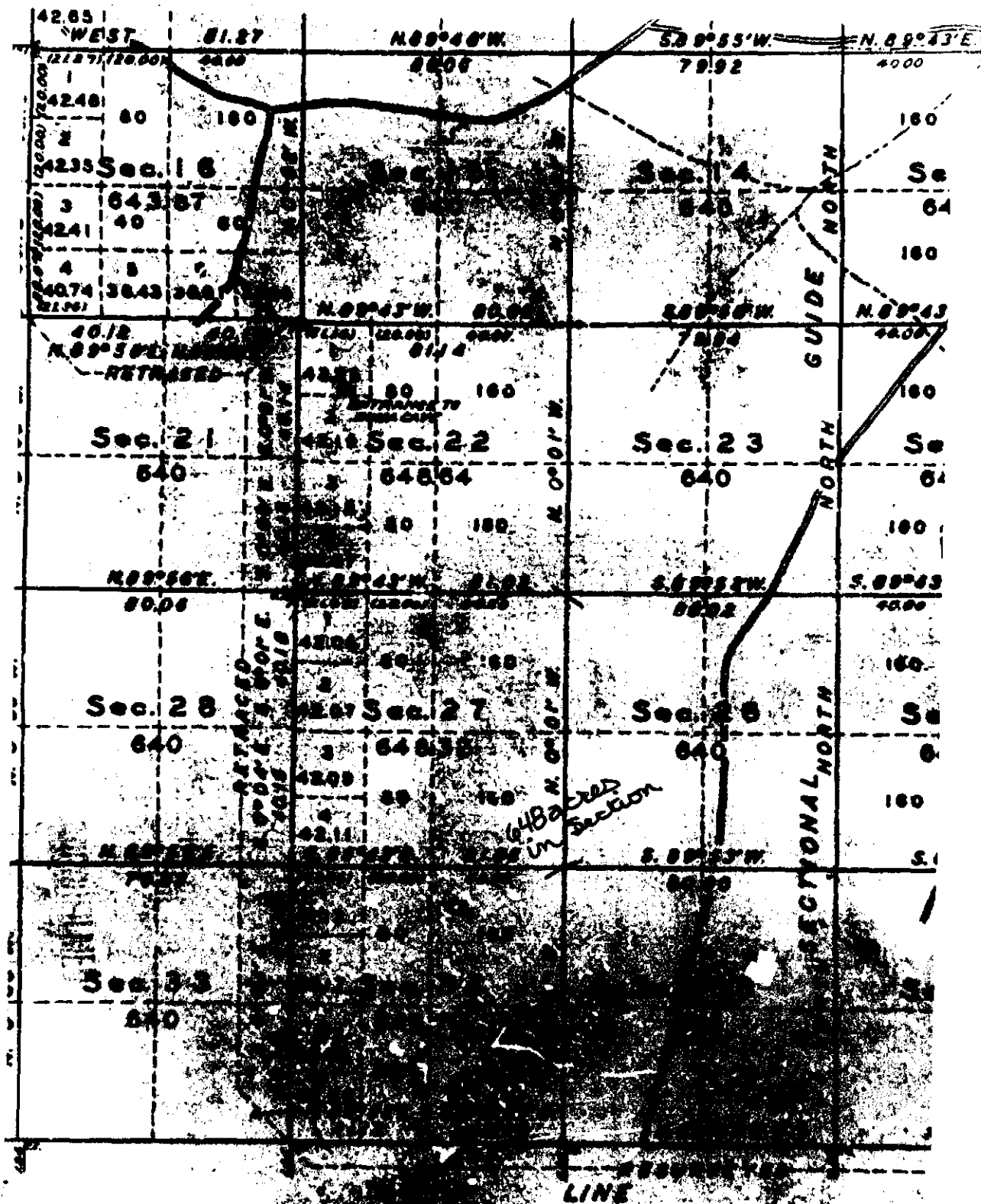
☐ Change P.D. as reflected above
☒ Change P.U. as reflected above

☒ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature John K. Noyes
Checked by DAS
Approved by _____

Date 12/18/81
Date 4/21/82
Date _____



Sec. 4.

Sec. 2

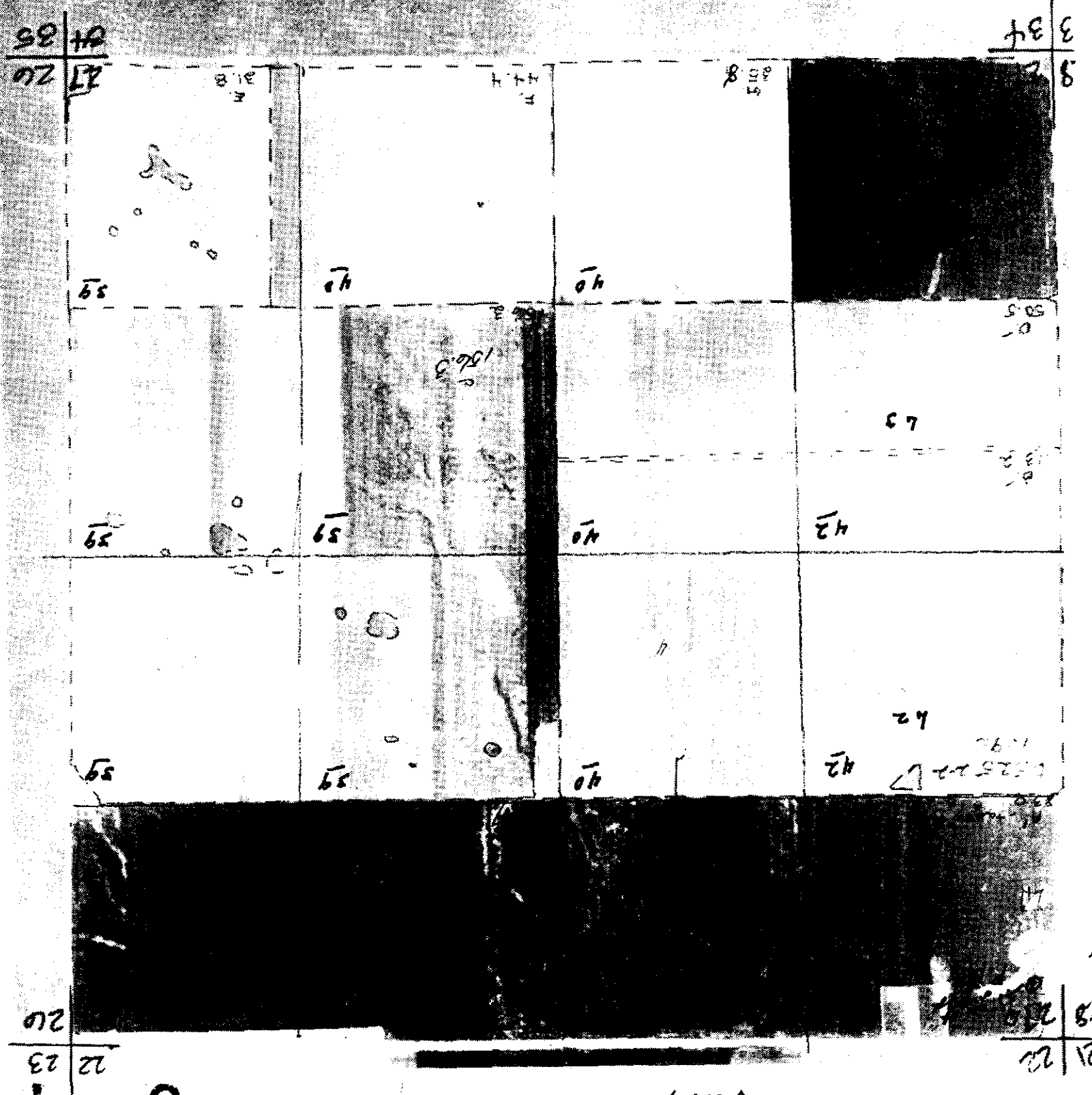
S

COMPILED FROM THE OFFICIAL RECORDS OF THE PUBLIC LAND

MICROFILMED

NOT TO SCALE

6430
Total Area



Jeffrey T. Luck
62-7392

ade

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

SCOTT L. CAMPBELL

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-354-5544

CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
Nampa, IDAHO 83653
TELEPHONE 208-466-2222

September 8, 1989

RECEIVED

SEP 08 1989

Carter Fritschle
Sr. Water Resource Agent
Adjudication Bureau
Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

HAND DELIVERED

Department of Water Resources

Re: Jerry L. and/or Mary Lou Tlucek/Water Right Filings in
Snake River Basin Adjudication

Dear Carter:

I have enclosed four Notices of Claim for Water Right for filing as adjudication claims. I have also enclosed a check in the amount of \$1,056. Please note that the amount of \$1,056 is more than the required amount for filing fees for these claims. Mr. and Mrs. Tlucek will be filing two more claims in the near future; consequently, please either issue a refund check or indicate that a credit is due the Tluceks.

Please return to me the carbon copies of the claim forms, together with a receipt reflecting acceptance of the monies and claims by the Department of Water Resources.

If you have any questions regarding this matter, please contact me.

Very truly yours,

ELAM, BURKE & BOYD

Scott L. Campbell
Scott L. Campbell

SLC:jc
Enclosures
cc Jerry L. Tlucek

MICROFILMED

AUG 21 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME TUCEIL CLAIM IDENT. NO. AL23-6352

DATE RECEIVED 9-8-89 CK # 1011381 AMOUNT \$ 693

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	<u>N/A</u>	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	<u>N/A</u>	☐	
Is the consumptive use correct?	<u>N/A</u>	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>N/A</u>	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>N/A</u>	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	<u>N/A</u>	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	<u>Exempt</u>	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	<u>N/A</u>	☐	
22. Should this claim be data entered?	☒	☐	

MICROFILMED

AUG 21 1992

Claim checked by: JB Date: 5/15/90Claim must be returned to claimant: (Yes) ✓ (No)Claimant must be notified of modifications: (Yes) ✓ (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: Notice of AppearanceCopy Sent to Atty 5/16/90 JB

Water Right Number - 63-07392 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TLUCEK

JERRY L.
1 - RT. 1
2 -
3 -
City- MELBA State- ID Zip- 83641
Phone -
1 - RT. 1
2 -
3 -
City- MELBA State- ID Zip- 83641
Phone -

TLUCEK

MARY LOU

*** O - ORIGINAL OWNER ***
TIFFANY

FAYE L.

TIFFANY

JERALD

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/12/1971 14 WESTERN L - LICENSE

+ - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

01N 01W 27 NW NW 1 (1) ADA

+ - - - - - - - - - - - - - Water Use - - - - - - - - - - - - - - - - +
Code Description Period from Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 10.360 2893.50

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Div. Capacity - - +
10.360 2893.50

+ - - - - - - - - - - - - - Place of Use - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|----|----|------|----|------------|-----------|
| 01N | 01W | 27 | NE | NE | 40.0 | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 27 | NW | NE | 40.0 | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 27 | SW | NE | 39.0 | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 27 | SE | NE | 39.0 | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 27 | NE | NW | 40.0 | 01 | IRRIGATION | (1) ADA |

WATER RIGHT

Total Acres: 643.0

+ - - Other Rights for Same Use -

2 P/D IN NUNW, LT- 01, SEC. 27, T1N, R1W.

| | |
|-------------|----------------------------------|
| + ... | - - Conditions of Approval - - |
| | No Conditions of Approval found. |

0000/00/00

+ + + + + Comments + + + + +

+ - - Audit Fields - 06/03/85 05/01/88

Water Rights Dates and Flags Area

| | | | | | |
|--------------------|--------------|-----------------|--------------|--------------------|-----|
| Proof Due Date | - 03/01/1981 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 03/18/1971 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Exam Made Date | - 01/01/1900 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Proof to S.O. Date | - 00/00/0000 | Verified Date | - 06/03/1985 | DLE/Carey Act | - D |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 04/10/1984 | Appl Received | - 00/00/0000 | Transfer/Amended | - A |
| Decree Date | - 00/00/0000 | Name Connector | - | POU Ownership Flag | - |
| Presumption Flag | - | | | | |