

RECEIVED

MAY 25 2010

Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 24 2010

By _____

Clerk

Deputy Clerk

**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: 63-33149

Case No. 39576

**ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM**

On February 1, 2010, Jerry L. and Mary Louise Tlucek, by and through counsel, Dylan Lawrence, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on May 18, 2010. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated: May 24, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on May 24, 2010, with sufficient first-class postage to the following:

JERRY L TLUCEK
MARY LOUISE TLUCEK

Represented by:

DYLAN B LAWRENCE
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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 63-33149
Date Received:
Receipt No: C 090857
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JERRY L AND/OR MARY LOUISE TLUCEK Phone: (208) 495-2550
15188 S CAN-ADA RD
MELBA, ID 83641

2. Date of Priority: MARCH 1, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	02W	26	NW NW	CANYON	
01N	02W	26	SW NW	CANYON	

5. Description of diverting works:

TWO WELLS, PUMPS, PRESSURIZED IRRIGATION SYSTEM

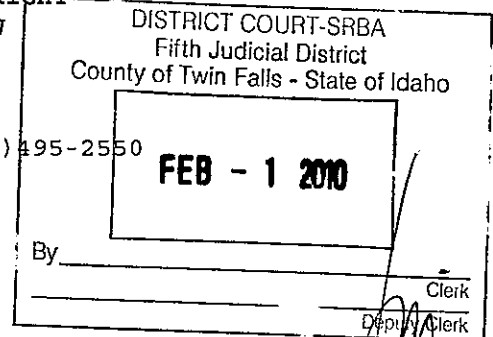
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/1	11/15	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

8. Total consumptive use: N/A

9. Non-irrigation uses: N/A



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	02W	26	NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	39
Section Acres						198
01N	02W	27	NE	NE	IRRIGATION	34
			NW	NE	IRRIGATION	18
			SW	NE	IRRIGATION	4
			SE	NE	IRRIGATION	31
Section Acres						87
Total Acres						285

11. Place of use in counties: CANYON

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

13. Other Water Rights Used: 63-3323, 63-3324

14. Remarks:

THIS CLAIM REPRESENTS AN ENLARGEMENT OF WATER RIGHT NOS. 63-3323 AND 63-3324, PURSUANT TO §42-1426, IDAHO CODE.

THE CLAIMED PLACE OF USE IS LIMITED TO 38 ACRES WITHIN THE 285 ACRES DESCRIBED IN ITEM #10 ABOVE.

15. Basis of Claim: Beneficial Use

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

Number of attachments: 2

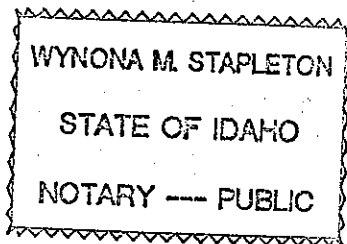
For Individuals:

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

Signature of Claimant(s): Jerry L. Stuck Date: 1/25/10
Mary Lou Stuck Date: 1-25-10

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 25th of January, 2010.



Wynona M. Stapleton
Notary Public

Residing at Melba, Idaho
My commission Expires 9-28-2010

