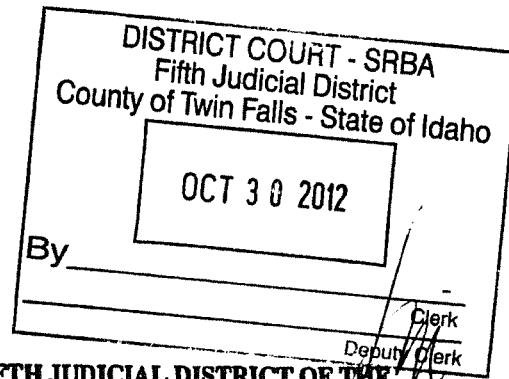




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

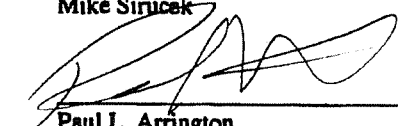
In Re SRBA	)	SUBCASE NO: 36-2034
	)	(Uncontested Overlap;
	)	Now Split into Rights
	)	36-16960 and 36-16961)
Case No. 39576	)	
	)	STANDARD FORM 5
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. 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.

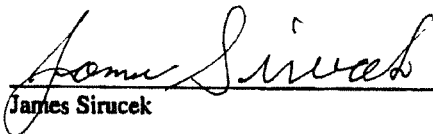
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions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

To resolve the objection, the parties agree and stipulate that the whole of water right 36-2034 shall be split into two water rights and renumbered as 36-16960 and 36-16961. Water rights 36-16960 and 36-16961 now supersede water right 36-2034, and the recommendation of right 36-2034 should be disallowed. The parties and IDWR have further have indicated their concurrence to these renumbered water rights by signing below and initialing the attached pages.

CLAIMANT/OBJECTOR:
Mike Sirucek


Paul L. Arrington
Attorney for Mike Sirucek
10/30/12
Date

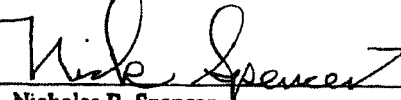
CLAIMANT:
James Sirucek


James Sirucek
Date

IDWR CONCURRENCE:


Doug Jones
Technical Engineer
10/30/12
Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR
10-30-12
Date

10/29/2012

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

36-2034 MIKE SIRUCEK
472 S 1000 E
JEROME ID 83338

JAMES SIRUCEK
1254 STATE HWY 25
JEROME ID 83338

DISALLOWED - PARENT RIGHT SPLIT INTO 36-16960 & 36-16961

Handwritten: DJ NBS PLAD-S.

10/29/2012

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

RIGHT NUMBER: 36-16960

NAME AND ADDRESS: MIKE SIRUCEK
472 S 1000 E
JEROME ID 83338

SOURCE: WASTE WATER

TRIBUTARY: SINKS

QUANTITY: 0.410 CFS

PRIORITY DATE: 05/19/1918

POINT OF
DIVERSION:

T09S R18E S11 NENESW Within JEROME County
T09S R18E S11 NWSWSE Within JEROME County
T09S R18E S15 NENWNE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.410 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in JEROME County

T09S R18E S15	NENE	37.00	T09S R18E S15	NWNE	34.00
T09S R18E S15	SWNE	35.00	T09S R18E S15	SENE	40.00
T09S R18E S15	NESE	24.00	T09S R18E S15	NWSE	34.00

STOCKWATER same as IRRIGATION

204 ACRES TOTAL

This right is limited to the irrigation of 20.5 acres within the place of use described above in a single irrigation season.

Right Nos. 36-16956 and 36-16960 are limited to the irrigation of a combined total of 51.5 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 204 acres in a single irrigation season. Combined Right Nos.: 36-16960, 36-4193, 36-8569, 36-16956 & 36-16958.

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

The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

This right is a split from former right 36-2034 .

Handwritten: 2 PLASS NBS

10/29/2012

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

RIGHT NUMBER: 36-16961

NAME AND ADDRESS: MIKE SIRUCEK
472 S 1000 E
JEROME ID 83338

JAMES SIRUCEK
1254 STATE HWY 25
JEROME ID 83338

SOURCE: WASTE WATER

TRIBUTARY: SINKS

QUANTITY: 0.390 CFS

PRIORITY DATE: 05/19/1918

POINT OF
DIVERSION:

T09S R18E S11 NENESW Within JEROME County
T09S R18E S11 NWSWE Within JEROME County
T09S R18E S15 NENWNE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.390 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in JEROME County

T09S R18E S11	SWSE	22.00	T09S R18E S14	NWNE	18.00
T09S R18E S14	NENW	26.00	T09S R18E S14	NWNW	37.00
T09S R18E S14	SWNW	33.00	T09S R18E S14	SENE	3.00
T09S R18E S14	NESW	18.00	T09S R18E S14	NWSW	34.00

STOCKWATER same as IRRIGATION

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 36-16961, 36-16959 & 36-16957.

This right is limited to the irrigation of 19.5 acres within the place of use described above in a single irrigation season.

Right Nos. 36-16957 and 36-16961 are limited to the irrigation of a combined total of 48.5 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.

The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 36-2034 .

PLA-8,
NBS

CERTIFICATE OF SERVICE

I certify that on Oct. 30, 2012, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

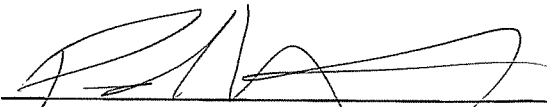
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Paul L. Arrington
Barker, Rosholt & Simpson, LLP
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3029

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

James Sirucek
1254 State Hwy 25
Jerome, ID 83338

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form