

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

Case No. 39576

) Subcase No. 27- 12012  
) Previously Disallowed  
)  
)

) 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)

*[Signature]*

7-27-06  
Date

*[Signature]* 07/27/06  
Date

STANDARD FORM 5

RECEIVED

AUG 02 2006

Department of Water Resources  
Eastern Region

**OBJECTOR(s):**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**RESPONDENT(s):**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**IDWR Concurrence:**

*Ernie Carlsen* *7-27-06*  
\_\_\_\_\_  
Ernie Carlsen Date  
IDWR Adjudication Supervisor

*Candice McHugh* *7/27/06*  
\_\_\_\_\_  
Candice McHugh Date  
Deputy Attorney General  
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES  
AMENDED RECOMMENDATION - PREVIOUSLY DISALLOWED

RIGHT NUMBER: 27-12012

NAME AND ADDRESS: CHERYL STONE  
441 EAST 400 N  
BLACKFOOT, ID 83221

GORDON STONE  
441 EAST 400 N  
BLACKFOOT, ID 83221

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.09 CFS

PRIORITY DATE: 03/04/1909

POINT OF  
DIVERSION: T02 R36E S14 NWNE Within BINGHAM County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
0.09 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S14 NENW 3

ACRES TOTAL 3 acres

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

Portion of water right no. 27-2012 in the name of Charles F. Landon.

## CERTIFICATE OF MAILING

I certify that on July 27, 2006, 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 *hand-delivered*  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

GORDON & CHERYL STONE *hand-delivered*  
441 E 400 N  
BLACKFOOT ID 83221

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
IDWR Repository *hand-delivered*  
P.O. Box 83720  
Boise, ID 83720

  
\_\_\_\_\_  
Signature of person or attorney mailing the form