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OCT 16 2006

Department of Water Resources
Eastern Region

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- 12044

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):

Ralph E. Stoor 10-12-06
Ralph E. STOOR Date

Linda Lee Stoor
LINDA LEE STOOR Date
10-12-06

STANDARD FORM 5

OBJECTOR(s):

Franklin Wolfley 10/12/06
Date
for Shoshone-Bannock Tribes

Date

RESPONDENT(s):

David J. Barber 2/12/2007
Date
State of Idaho

Date

IDWR Concurrence:

Ernie Carlsen 10-12-06
Ernie Carlsen Date
IDWR Adjudication Supervisor

J. B. t 2/19/07
~~Candice McHugh~~ Date
Deputy Attorney General
Attorney for IDWR
GARRICK BAXTER

11/09/2005

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

RIGHT NUMBER: 27-12044
NAME AND ADDRESS: RALPH E STOOR
3804 WAYAN LOOP S
WAYAN ID 83285-5120

LINDA LEE STOOR
3804 WAYAN LOOP S
WAYAN ID 83285-5120

SOURCE: CHIPPY CREEK TRIBUTARY: LANES CREEK

QUANTITY: 0.020 CFS (1.41 AFY)
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION: T05S R44E S21 NWSW Begin of Stream Flow Within CARIBOU County
T05S R44E S21 SESE Begin of Stream Flow Within CARIBOU County
T05S R44E S29 NWNWSE End of Stream Flow Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	04/01 12/01	0.020 CFS (1.41 AFY)

PLACE OF USE: STOCKWATER Within CARIBOU County

T05S R44E S20	SESE ✓	T05S R44E S21	NWSW ✓
T05S R44E S21	SWSW ✓	T05S R44E S21	SWSE ✓
T05S R44E S21	SESE ✓	T05S R44E S28	NENE ✓
T05S R44E S28	NWNE ✓	T05S R44E S28	NENW ✓
T05S R44E S28	NWNW ✓	T05S R44E S29	NENE ✓
T05S R44E S29	NWNE ✓	T05S R44E S29	SWNE ✓
T05S R44E S29	SENE ✓	T05S R44E S29	NWSE ✓

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

150 cow-calf x 20 gallons/pair x 154 days x 1 Acre-ft $\Rightarrow$ 1.41 AFY
325,850 gallons

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

RIGHT NUMBER: 27-12044

NAME AND ADDRESS: RALPH E STOOR
3804 WAYAN LOOP S
WAYAN ID 83285-5120

LINDA LEE STOOR
3804 WAYAN LOOP S
WAYAN ID 83285-5120

SOURCE: CHIPPY CREEK

TRIBUTARY: LANES CREEK

QUANTITY: 0.020 CFS
1.410 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION:

T05S R44E S21 NWSW Begin of Stream Flow Within CARIBOU County

T05S R44E S21 SESE Begin of Stream Flow Within CARIBOU County

T05S R44E S29 NWNWSE End of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 12/01	0.020 CFS <u>1.41 AFY</u>

PLACE OF USE: STOCKWATER in CARIBOU County

T05S R44E S20	SESE	T05S R44E S21	NWSW
T05S R44E S21	SWSW	T05S R44E S21	SWSE
T05S R44E S21	SESE	T05S R44E S28	NENE
T05S R44E S28	NWNE	T05S R44E S28	NENW
T05S R44E S28	NWNW	T05S R44E S29	NENE
T05S R44E S29	NWNE	T05S R44E S29	SWNE
T05S R44E S29	SENE	T05S R44E S29	NWSE

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on February 12, 200⁷6, 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
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Linda Lee Stoor
Ralph E. Stoor

3804 Wagon Loop S

WAMAN, ID 83285-5120

State of Idaho

Represented by:

Natural Resources Div. Chief

State of Idaho

ATTORNEY GENERAL'S OFFICE

P.O. Box 44449

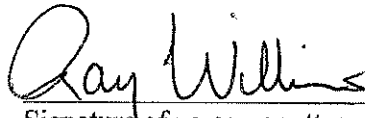
BOISE, ID 83711-4449

IDWR Repository

P.O. Box 83720

Boise, ID 83720

Shoshone-Bannock Tribes
Represented by:
Jeanette Wolfley
Special Counsel
Shoshone-Bannock Tribe
202 N. Arthur
Pocatello, ID 83202



Signature of person or attorney mailing the form