

**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. 25-4265

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):
USFS

Demont Crystal 9/13/05
Demont Crystal Date

David L. Negri Date
Dept of Justice
Attorney for USFS

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IDWR Concurrence:

Ernest Carlsen 9-13-05

Ernest Carlsen Date
IDWR Adjudication Supervisor

Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2005, 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 all parties in subcase:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENTAL & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, IDAHO 83724

DEMONT CRYSTAL
197 N. 3300 E.
RIGBY, IDAHO 83442

IDWR REPOSITORY
P.O. BOX 83720
BOISE, IDAHO 83720

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 25-4265

NAME AND ADDRESS:

DEMONT CRYSTAL
197 N 3300 E
RIGBY ID 83442

SOURCE:

Source:
NORTH FORK EAGLE CREEK
~~EAGLE CREEK~~

Tributary:
EAGLE CREEK

QUANTITY: 2.860 CFS

PRIORITY DATE: 02/06/1888

POINT OF DIVERSION:

~~T04S R44E S18 SWSW~~
~~Within BONNEVILLE County~~

T04S R44E S18 Lot 6 SWSW
Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	05/01 10/31	2.860 CFS

EMC
D.C.

PLACE OF USE:

IRRIGATION within BONNEVILLE County
T04S R43E S13 SWSW 16.0
T04S R43E S13 SESW 9.9
T04S R43E S14 Lot 3 NESW 28.0
T04S R43E S14 NWSE 4.9
T04S R43E S14 SWSE 1.2
T04S R43E S14 SESE 14.0
T04S R43E S24 NENW 41.0
T04S R43E S24 NWNW 28.0

143 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 - Beneficial Use