

**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.: 37-2321
(Formerly Disallowed)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 AUG 17 AM 10:28

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 / OBJECTOR:

Roy E. Crawford 8-10-2009
Date

CLAIMANT:

for The McGrath 1998 Trust 8/12/09
Date

IDWR CONCURRENCE:

Steve Clelland 8/6/09
Date
Steve Clelland
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 8-6-09
Date
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

08/05/2009

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

RIGHT NUMBER: 37-2321

NAME AND ADDRESS: THE MC GRATH 1998 TRUST
180 MONTGOMERY ST 25TH FLOOR
SAN FRANCISCO CA 94104

ROY E CRAWFORD
165 PHILLIP RD
WOODSIDE CA 94062

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 08/04/1936

POINT OF
DIVERSION:

T01S R20E S36 SWNNWN Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S35	NWNE	23.00	T01S R20E S35	SWNE	34.00
T01S R20E S35	SENE	20.00	T01S R20E S35	SENE	32.00
T01S R20E S35	NESE	30.00	T01S R20E S35	SWSE	28.00
T01S R20E S35	SESE	30.00			

197 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 197 acres in a single irrigation season. Combined Right Nos.: 37-1213 & 37-2321.

This right is limited to the irrigation of 50 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on Aug 14th, 2009, 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

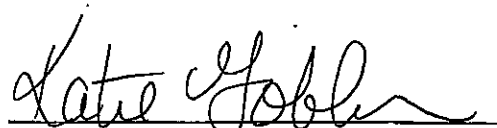
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Roy E. Crawford
165 Phillip Rd
Woodside, CA 94062

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

The McGrath 1998 Trust
180 Montgomery St. 25th Floor
San Francisco, CA 94104

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



Signature of person or attorney mailing the form