

116

**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	)	STANDARD FORM 5
	)	
	)	
Case No. 39576	)	SUBCASE NO: 34-04189
	)	
	)	
	)	PROPOSED ELEMENTS OF A
_____	)	WATER RIGHT

This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic 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 have appeared, prosecuted and defended their positions with regard to this water right dispute.

Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

1. The name and address of the claimant is:

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2500

Required Statement: As recommended in the director's report.

2. The source of the water is:

Source: Marsh Canyon Creek Tributary: Antelope Creek

Required Statement: As recommended in the director's report.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

.09 CFS

Required Statement: As recommended in the director's report.

4. The priority date is: 06/28/1934

Required statement: As recommended in the director's report.

5. The legal description of the point(s) of diversion is; if claim is for instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

POINT OF DIVERSION: T05N R25E S06 NESW (B)
T05N R25E S20 NESW (E)

Required Statement: As recommended in the director's report.

6. The purpose of use is:

Non-irrigation Use: Stockwater,
310 Range Cattle; Wildlife, variable amounts

Required statement: As recommended in the director's report.

7. The period of the year when the water is to be used is:

01-01 to 12-31

Required Statement: As recommended in the director's report.

8. The legal description of the place of use or of the reservation is:

T05N R25E S06 NESW, SWSW, SESW
T05N R25E S07 NENW, Lot 1(NWNW), Lot 2(SWNW), SENW,
NESW, Lot 3(NWSW), SESW, SWSE
T05N R25E S17 SWSW, SESW
T05N R25E S18 NENE, NWNE, SENE, NESE, SESE
T05N R25E S20 NENW, SENW, NESW

Required Statement: As recommended in director's report.

9. The annual volume of consumptive use is: De minimis

Required Statement: The term "de minimis" is added to describe the annual consumptive use.

This right and other rights common to the same grazing allotment shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

10. Other matters necessary to define this water right. Not Applicable

These matters are necessary because: Not Applicable

These matters do not fall within the 9 elements listed above because: Not Applicable

Signatures and Address of the Parties and their Attorney of Record

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name: Alvin & Sherrie G. Crawford
Address: P.O. Box 218
City/State/Zip: Darlington, ID. 83231

✓ Alvin & Sherrie G. Crawford 25 Oct 1995
Party's Signature Date

Name: United States through
Address: Dept. of Justice for BLM
601 Pennsylvania Ave NW
City/State: Washington, D.C. 20004
Attorney of Record: R. Lee Leininger/
Daria Zane
William M. Ferry

William M. Ferry 10-5-95
Attorney's Signature Date

AJ5856MP

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

DATE: NOV-17-1992
PAGE: A-162

RIGHT NUMBER	NAME & ADDRESS	PRIORITY		PERIOD OF USE		MAXIMUM QUANTITY	BASIS OF CLAIM
		DATE	PURPOSE OF USE	FROM	TO		

SOURCE: MARSH CANYON CREEK TRIBUTARY: ANTELOPE CREEK

34-04189	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01	12-31	.09	CFS	BENEFICIAL USE
----------	--	------------	------------	-------	-------	-----	-----	----------------

FROM-IRRIGATION-USES:

STOCKWATER, 310 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:

105M R25E S06	SESM (B)
S20	SESM (E)

PLACE OF USE: STOCKWATER

TOTAL QUANTITY: .09 CFS

105M R25E S06	SESM	Lot 1 (ANNU)	Lot 2 (SESM)	SESM
S07	SESM	Lot 3 (ANNU)	SESM	SESM
S17	SESM	SESM	SESM	SESM
S18	SESM	SESM	SESM	SESM
S20	SESM	SESM	SESM	SESM

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403A8B154

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on Nov 3, 19995, 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:

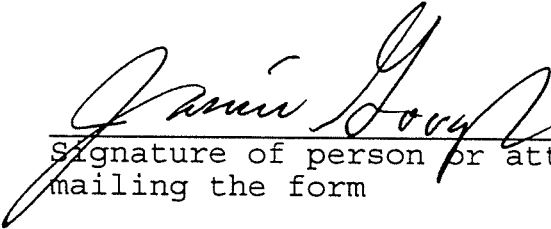
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Alvin & Sherrie Crawford
P.O. Box 218
Darlington, ID 83231



Signature of person or attorney
mailing the form