

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

SUBCASE NO.: 65-22500

Case No. 39576

STANDARD FORM 5
AMENDED CLAIM

For Domestic and Stockwater Rights

This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. 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 decreed as described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

IDWR CONCURRENCE:

Billy A. Elam 8/15/02
Billy Elam date

Roxanne Brown 8/18/02
Roxanne Brown date
Sr. Water Resource Agent
Idaho Dept. of Water Resources

Joan Elam date

Standard Form 5/Amend
Subcase No. 65-22500

August 8, 2002

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

RIGHT NUMBER: 65-22500

NAME AND ADDRESS: BILLY ELAM
JOAN ELAM
301 WALNUT AVE.
KUNA ID 83634

SOURCE: UNNAMED STREAM

TRIBUTARY: SOUTH FORK PAYETTE

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-11331A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.04 CFS.

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 05/21/1916

POINT OF DIVERSION:

TOWN ROSE S36 SEC 10 1 WALNUT HOUSE COUNTRY

PURPOSE AND
PERIOD OF USE:

QUANTITY PURPOSE OF USE

PERIOD OF USE

STOCKWATER

01/01 12/31

0.02 CFS

PLACE OF USE:

STOCKWATER WALNUT HOUSE COUNTRY

TOWN ROSE S36 SEC 10 1 NESE

TOWN ROSE ROSE S31 SEC 2 NESH

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 UNLIT DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DESCRIBED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - PARTIAL

ASSOCIATED WITH 65-11331A

Standard Form 5/Amend
Subcase No. 65-22500

August 8, 2002

CERTIFICATE OF MAILING

I certify that on August 19, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

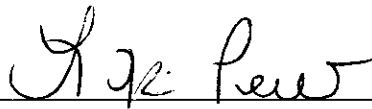
IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
☐ regular mail
☒ hand-delivered
☐ facsimile

Billy & Joan Elam
301 Walnut
Kuna, ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

**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.: 65-22500

**STANDARD FORM 5
AMENDED CLAIM**

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CLAIMANT/OBJECTOR:

IDWR CONCURRENCE:

Billy Elam date

Joan Elam date


Roxanne Brown date
Sr. Water Resource Agent
Idaho Dept. of Water Resources

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

RIGHT NUMBER: 65-22500

NAME AND ADDRESS: BILLY ELAM
JOAN ELAM
301 WALNUT AVE
KUNA ID 83634

RB

SOURCE: UNNAMED STREAM
RIVER

TRIBUTARY: SOUTH FORK PAYETTE

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-11391A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .09 CFS.

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 05/21/1916

POINT OF DIVERSION:

T09N R05E S36 SENE Lot 1 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>QUANTITY</u>	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	
	STOCKWATER	01/01 12/31	0.02 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T09N R05E S36 Lot 1 NESE

T09N ~~R05E~~ R06E S31 Lot 2 NESW

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 - Decreed
ASSOCIATED WITH 65-11391A