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Documents
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-07119B**
Date Received: 11/15/1989
Receipt No: C012831
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ADAM SAUER 208-452-4022
Address: 6250 ELMORE
FRUITLAND ID 83619
OR
Name: ZELDA SAUER 208-452-4022
Address: 6250 ELMORE
FRUITLAND ID 83619
2. Date of Priority: OCT 30, 1989
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	01E	31	SE	SE	NW		ADAMS
5. Description of diverting works:
WELL, PUMP AND PIPELINE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	31	SE	SE		DOMEST	

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THIS WELL IS CO-OWNED WITH MAX & MARIE GERLACH.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
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THE SNAKE RIVER BASIN WATER SYSTEM

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Identification No. A67-07119B
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Receipt Number C012831NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Adam or Zelda Sauer Phone 208 452-4022Mailing Address 6250 Elmore Fruitland Idaho Zip 836192. Date of Priority (Only one per claim) 10/30/89 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____4. Location of point of diversion is: Township 19 N Range 1 East W
Section 31, SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of AdamsAdditional points of diversion if any: About 100 feet to dwelling5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well diverted about 100 feet to dwelling for use

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 13,000 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Household

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 19N Range 1 East W
Section 31 : SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: This well is co-owned with Max or Marie Gerlach
Fruit H 6707118

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Cedric O. Sauer Date 11/13/89
Zelda M. Sauer Date 11/13/89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title
that I have signed the foregoing
document in the space below as _____ of _____
Organization Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Payette) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of November 19 89

SEAL

Notary Public [Signature]

Residing at Fruitland, Id.

My Commission Expires 8-29-91

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

ADAM AND ZELDA SAUER

3/1/99

6250 Elmore Road
Fruitland, Idaho 83619
(208) 452-4022

RECEIVED

MAR 15 1999

I do not understand what
is going on in your
Department -

In 1996 we received a
letter and a Water Right
License #1 67-07112 -

There was no instruction that
money was owed - In fact
the lady that inspected the
Site had told us during the
time of the inspection that our
file was all in order and
when I asked her what else
we had to do she answered,
"Nothing" - Her inspection was to
complete the necessary paper
work.

Zelda M Sauer
6250 Elmore Rd
Fruitland Idaho 83619

NOT
THEIR
RIGHT
located
in 13th
2nd
Westing
R

ADAM AND ZELDA SAUER

6250 Elmore Road
Fruitland, Idaho 83619
(208) 452-4022

*This is in regard to a letter
dated 1/25/99 from
Jan Shute*

RECEIVED
MAR 15 1999
WATER RESOURCES
WESTERN DISTRICT

A67-07119B



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Adam Sauer
Zelda Sauer
6250 Elmore
Fruitland ID 83619

Dear Mr. & Mrs. Sauer:

During our review of your Claim No. A67-07119B for domestic use from a well, we discovered an additional water right not yet claimed in your name. Enclosed is a computer generated copy of this right.

This Right No. 67-07118 is for the use of water from Spring Creek tributary to the Weiser River for the irrigation of one-half acre of land. If you wish to file on this right, please contact this office and we can send you a computer generated claim form to sign and return. There is a filing fee for this claim of \$51. Please feel free to call if you have any questions concerning this right. If you no longer use Spring Creek water, then no filing is needed.

We will be sending out information in late February concerning our recommendation of your Right No. A67-07119B to the Snake River Basin Adjudication Court. Only domestic and stockwater rights are being recommended at this time. If you file on the Spring Creek right, it will be recommended in a later report.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jan Shurte', is written over a horizontal line.

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region

JS:db

Enclosures

AJ0749NP
No. R67-071198

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/24/99
PAGE: 2

Comments: Date: 01/24/1999 User-ID: JSHURTE Subject: CHANGE IN PRIORITY & POU
THE PRIORITY WAS CHANGED TO REFLECT THAT ON THE LICENSE - THE
PRIORITY DATE CLAIMED WAS THE DATE THE CLAIM WAS SIGNED. THE
PLACE OF USE WAS CHANGED AS IT WAS FILED IN ERROR ON THE CLAIM.
THE CLAIMANT LISTED THE PT OF DIVERSION AS THE SESEW AND THEN
USED ONLY THE TWO FIRST 1/4'S FOR THE PLACE OF USE (SESE). ON
THE CLAIM THE CLAIMANT STATES THE DWELLING IS 100' FROM THE PT
OF DIVERSION(WELL). THAT LOCATES IT CORRECTLY IN THE SENW, S31
AS LICENSED.

Audit: 01/24/99 JSHURTE

11/13/89

Banni -

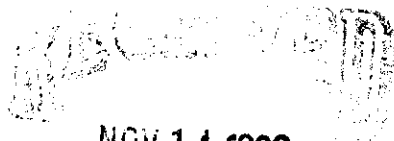
This Claim is also filed
under Max + Marie Gerlach
File # H6707118 -

The Day I called this office
I was told it was Not necessary
for both parties to pay the filing
fee. Someone advised Marie
Gerlach that both parties needed
to pay the fee -

I am enclosing a check for the
amount -

Thanks -

Zelda M Lauer
6250 Elmou Road
Grutland Idaho
83619



NOV 14 1989