

11/14/2006

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-7119A

JIM VAUGHN

3360 HWY 30 W

NEW PLYMOUTH ID 83655

Telephone Number: (208)278-3549

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

\_\_\_\_ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: Jim Vaughn  
Please print your name: Jim Vaughn

IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

11/17/06

10/28/2006

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

---

RIGHT NUMBER: 67-7119A

NAME AND ADDRESS: JIM VAUGHN  
3360 HWY 30 W  
NEW PLYMOUTH ID 83655

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS  
1.200 AFY

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

PRIORITY DATE: 11/17/1972

POINT OF DIVERSION:

T19N R01E S31 NENESW Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 04/01 11/01          | 0.040 CFS<br>1.20 AFY |

PLACE OF USE: DOMESTIC Within ADAMS County

T19N R01E S31 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License  
PARCEL NO. RP003800004851A



# Idaho Department of Water Resources

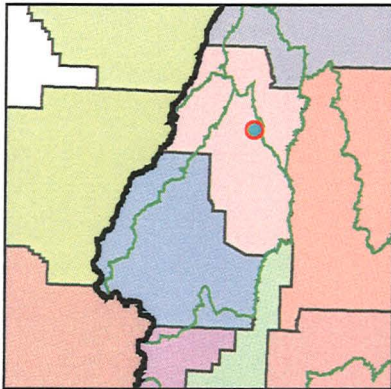
SRBA Recommendation:

**67-7119A**

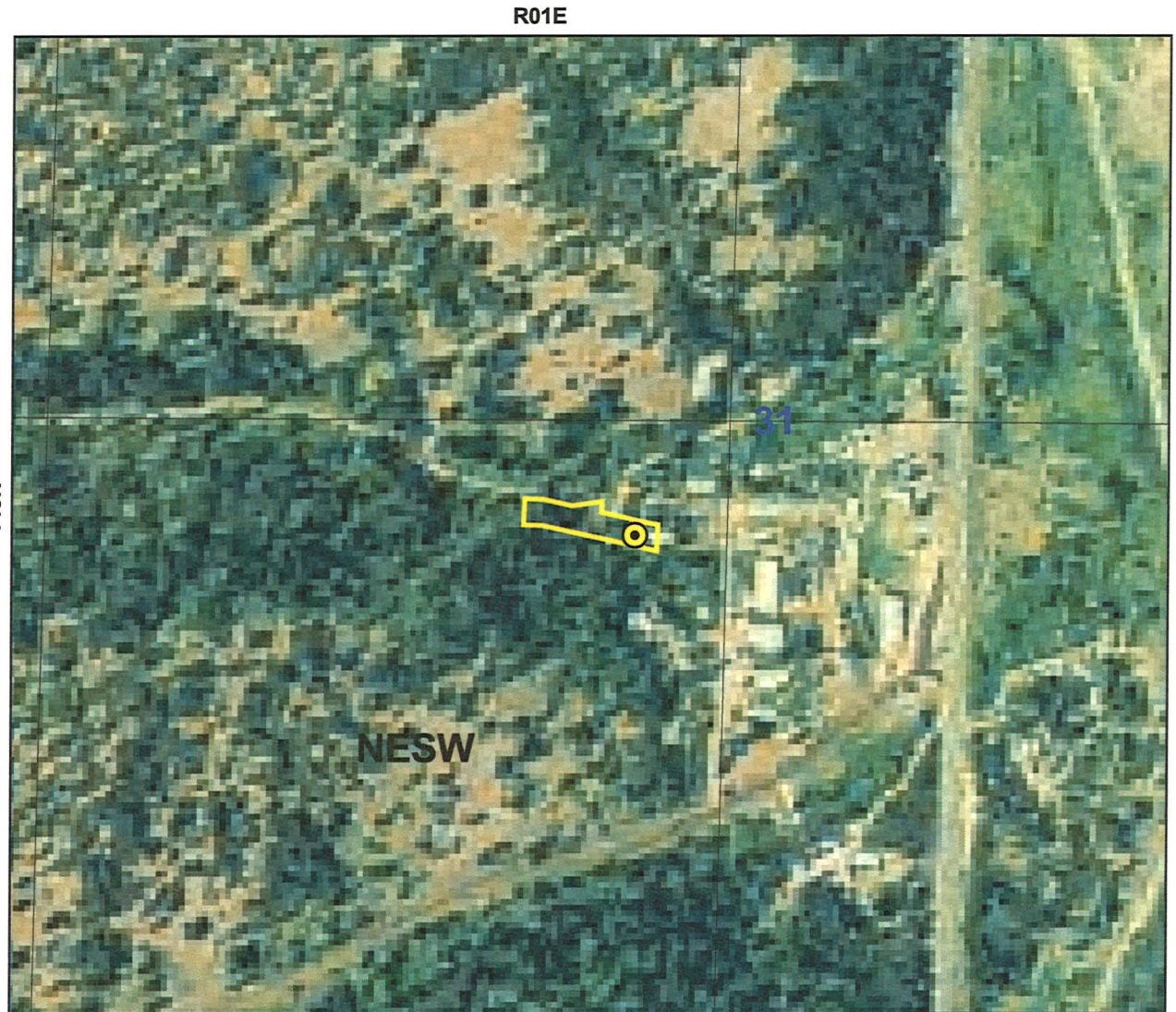
(Domestic)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County  
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton  
On Saturday, October 28, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7119A V1

WATER RIGHT NUMBER: 67-7119A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Original Owner    | MAX G GERLACH<br>7882 DUTCH LN<br>PAYETTE, ID 83661<br>(208)642-2049       |
| Original Owner    | MARIE IRENE GERLACH<br>7882 DUTCH LN<br>PAYETTE, ID 83661<br>(208)642-2049 |
| Current Owner     | JIM VAUGHN<br>3360 HWY 30 W<br>NEW PLYMOUTH, ID 83655<br>(208)278-3549     |

Priority Date: 11/17/1972

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 04/01 to 11/01          | 0.040 CFS             | 1.20 AF              |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 1.20 AF              |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| GROUND WATER | NE1/4NE1/4SW1/4 | Sec. 31, Twp 19N, Rge 01E, B.M. |
| ADAMS County |                 |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 19N | 01E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      |

Conditions of Approval:

1. C18 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. RP003800004851A

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-7119A V1

Remarks:Comments:

1. JSHURTE 1/24/1999 COPIED FROM REMARKS

Comment: ADAM OR ZELDA SAUER SHARE THE WELL NUMBER CHANGE THE ORIGINAL CLAIM FILED WAS FILED AS LICENSE 67-07118, HOWEVER, THAT LICENSE WAS FOR SPRING CREEK AND THE CLAIM FILED WAS FOR A GROUNDWATER SOURCE. RIGHT NO. 67-07119 WAS IN GERLACHS NAME AND IS FOR GROUNDWATER. THEREFORE, THIS CLAIM WAS RENUMBERED TO A67-07119A. 67-07118 IS FOR THE SAUERS WHO SHARE THIS WELL WITH THE GERLACHS AND THEY WILL BE NOTIFIED THAT NO CLAIM HAS BEEN FILED ON THE SPRING CREEK RIGHT 67-07118.

2. mmount 6/19/2006 pod

Comment: Shared with 67-7119b

3. csaxton 10/28/2006 POU and POD

Comment: Licensed POD and POU are in the wrong QQ. Recommending POU and POD in correct QQ by using tax lot data. POU never actually changed so not flagged with C05.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 09/10/2001                | dbuffing        | Active        |
| Contacts       | 6/19/2006 2:23:26 PM      | mmount          |                           |                 | Active        |
| Priority Date  | 6/19/2006 2:23:42 PM      | mmount          |                           |                 | Active        |
| POD            | 6/19/2006 2:24:02 PM      | mmount          |                           |                 | Active        |
| Source         | 6/19/2006 2:24:11 PM      | mmount          |                           |                 | Active        |
| POU            | 6/19/2006 2:24:24 PM      | mmount          |                           |                 | Active        |
| Use            | 6/19/2006 2:24:33 PM      | mmount          |                           |                 | Active        |
| Season         | 6/19/2006 2:27:58 PM      | mmount          |                           |                 | Active        |
| Quantity       | 6/19/2006 2:29:04 PM      | mmount          |                           |                 | Active        |
| Summary        |                           |                 | 06/19/2006                | mmount          | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

Summary

10/28/2006

csaxton

Active

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 6/19/2006 2:50:35 PM   | mmount          | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POD            | 10/28/2006 12:05:53 PM | csaxton         | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| POD            | 10/28/2006 12:06:09 PM | csaxton         | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POU            | 10/28/2006 12:06:39 PM | csaxton         | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU            | 10/28/2006 12:06:49 PM | csaxton         | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Summary        | 10/28/2006 12:15:59 PM | csaxton         | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| Summary        | 9/10/2001 10:00:39 AM  | dbuffing        | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?<br>(No) 7. Is this a split or combined right?<br>(No) 8. Do you have documents you would like to attach or link to the file?<br>(No) 9. Would you like to set the verification date?                                                                                                                                            |
| Contacts       | 6/19/2006 2:23:27 PM   | mmount          | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: desk review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD            | 6/19/2006 2:24:02 PM   | mmount          | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(Yes) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                         |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

|         |                      |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|----------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU     | 6/19/2006 2:24:24 PM | mmount | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(No) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| General | 6/19/2006 2:23:43 PM | mmount | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                            |
| Season  | 6/19/2006 2:27:59 PM | mmount | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(No) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(No) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> <p>Description for Question 15 - License and standard season of use using arcview</p> |
| Summary | 6/19/2006 2:29:25 PM | mmount | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p>                                                                                                   |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

|          |                      |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|----------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 6/19/2006 2:24:11 PM | mmount | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                         |
| Use      | 6/19/2006 2:24:33 PM | mmount | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                          |
| Quantity | 6/19/2006 2:29:05 PM | mmount | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(No) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - Standard vol limit for a single family domestic home is 1.2 af |
| POD      | 6/19/2006 2:51:39 PM | mmount | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Water Supply Bank:

## Split history for Decreed Right 67-7119

### WR History

|         |         |
|---------|---------|
| 67-7119 | Gerlach |
| 0.12    | cfs     |
| Dom     | ac      |
| 3.6     | af      |

### Claim History

|         |         |
|---------|---------|
| 67-7119 | Gerlach |
| 0.12    |         |
| Dom     |         |
| 3.6     |         |

|          |        |          |        |
|----------|--------|----------|--------|
| 67-7119A | Vaughn | 67-7153A | Vaughn |
|          | 0.04   |          | 0.04   |
|          | Dom    |          | Dom    |
|          | 0      |          | 0      |
| 67-7119B | Sauer  | 67-7153C | Sauer  |
|          | 0.04   |          | 0.04   |
|          | dom    |          | dom    |
|          | 0      |          | 0      |

### Recommendation

|          |        |
|----------|--------|
| 67-7153A | Vaughn |
|          | 0.04   |
|          | 0      |
|          | 1.2    |

|          |       |         |
|----------|-------|---------|
| 67-7153C | Sauer | 67-7118 |
|          | 0.04  |         |
|          | 0     |         |
|          | 1.2   |         |

|           |      |
|-----------|------|
| Sum CFS = | 0.08 |
| Sum Acre= | 0    |
| Sum AF =  | 0    |

|              |       |
|--------------|-------|
| Extra CFS =  | 0.040 |
| Extra Acre = | n/a   |
| Extra AFA =  | 3.6   |

|           |      |
|-----------|------|
| Sum CFS = | 0.08 |
| Sum Acre= | 0    |
| Sum AF =  | 2.4  |

|              |       |
|--------------|-------|
| Extra CFS =  | 0.040 |
| Extra Acre = | n/a   |
| Extra AFA =  | 1.2   |

\*Last updated 10-27-06 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

This right is under claimed. There is a third home or portion of this water right not claimed (csaxton 10-28-06).

## WATER RIGHT LICENSE

THIS IS TO CERTIFY, that MAX G. or MARIE GERLACH

Beneficial Use      Period of Use      Rate of Diversion      Annual Volume

Domestic from April 1 to November 31 at 12 cfs and 3.6 acre feet  
(3 homes) from \_\_\_\_\_ cfs and \_\_\_\_\_  
from \_\_\_\_\_ at \_\_\_\_\_ cfs and \_\_\_\_\_  
(omit date if inclusive)

Subject, however, to the condition that no more than .12 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 31, Twp. 19N, Rge. 1E, B.M. in the County of Adams

Description and location of place of use:

| Typ. | Range | Sec. | NEW |         |         | NW¼     |         |         | SW¼     |  |  | Totals |
|------|-------|------|-----|---------|---------|---------|---------|---------|---------|--|--|--------|
|      |       |      | NW¼ | NW¼ SW¼ | SE¼ NW¼ | NW¼ SW¼ | SE¼ NW¼ | NW¼ SW¼ | SE¼ NW¼ |  |  |        |
| 19N  | 1E    | 31   |     |         |         |         | X       |         |         |  |  |        |

Total number of acres irrigated \_\_\_\_\_

**NOTE:** Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of July, 19 80.

Director



# Idaho Department of Water Resources

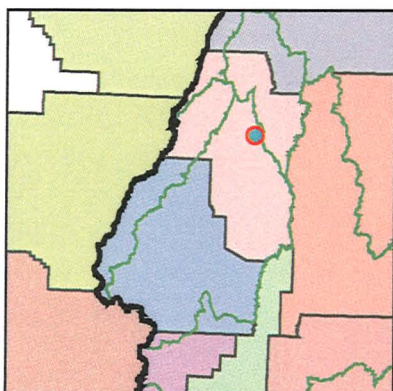
SRBA Recommendation:

**67-7119A**

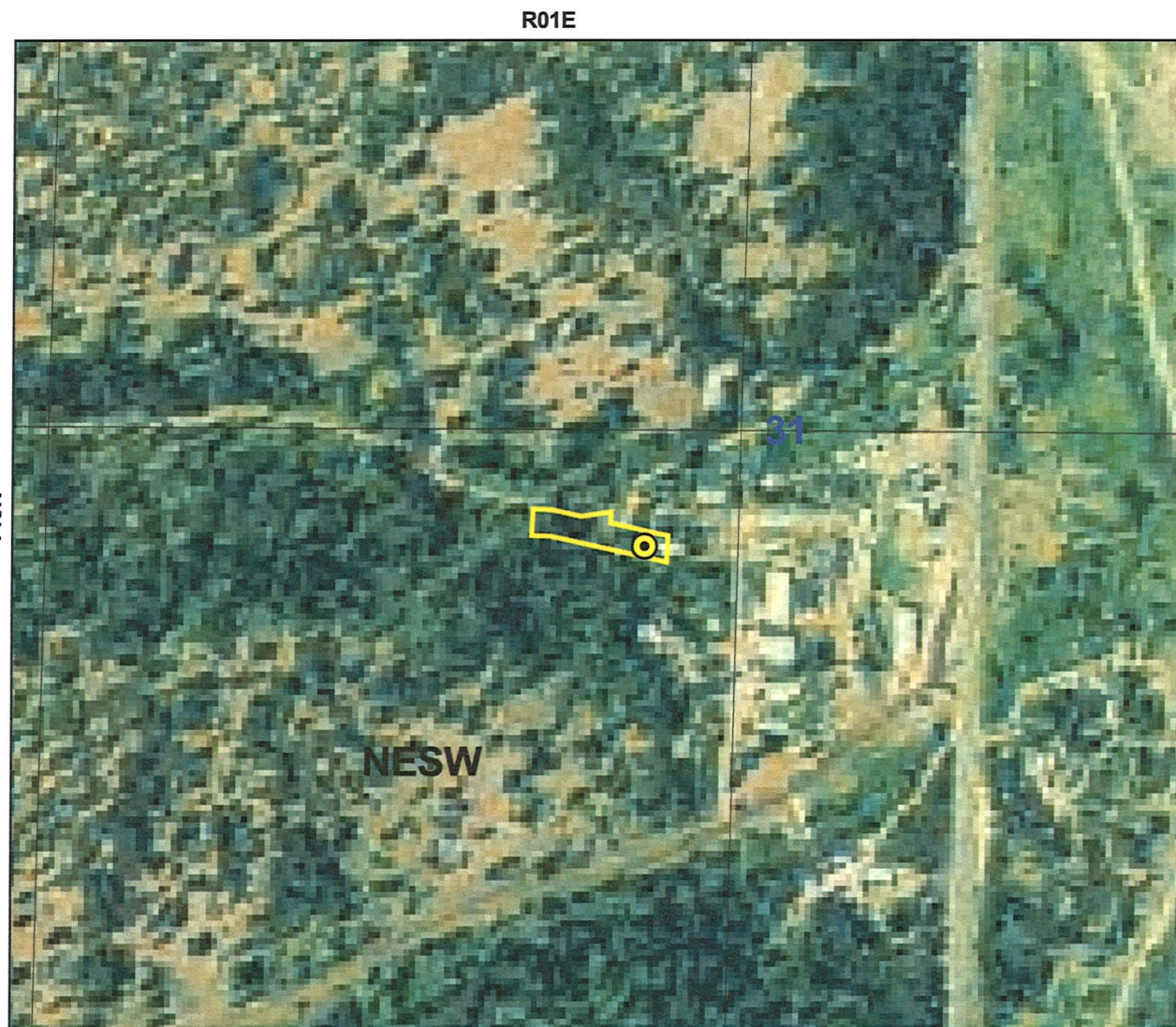
(Domestic)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County  
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton  
On Saturday, October 28, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7119A V1

WATER RIGHT NUMBER: 67-7119A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Original Owner    | MAX G GERLACH<br>7882 DUTCH LN<br>PAYETTE, ID 83661<br>(208)642-2049       |
| Original Owner    | MARIE IRENE GERLACH<br>7882 DUTCH LN<br>PAYETTE, ID 83661<br>(208)642-2049 |
| Current Owner     | JIM VAUGHN<br>3360 HWY 30 W<br>NEW PLYMOUTH, ID 83655<br>(208)278-3549     |

Priority Date: 11/17/1972

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 04/01 to 11/01          | 0.040 CFS             | 1.20 AF              |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 1.20 AF              |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| GROUND WATER | NE1/4NE1/4SW1/4 | Sec. 31, Twp 19N, Rge 01E, B.M. |
| ADAMS County |                 |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 19N | 01E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      |

Conditions of Approval:

1. C18 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. RP003800004851A

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2. mmount 6/19/2006 pod

Comment: Shared with 67-7119b

3. csaxton 10/28/2006 POU and POD

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Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 09/10/2001                | dbuffing        | Active        |
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| Season         | 6/19/2006 2:27:58 PM      | mmount          |                           |                 | Active        |
| Quantity       | 6/19/2006 2:29:04 PM      | mmount          |                           |                 | Active        |
| Summary        |                           |                 | 06/19/2006                | mmount          | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

Summary

10/28/2006

csaxton

Active

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 6/19/2006 2:50:35 PM   | mmount          | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POD            | 10/28/2006 12:05:53 PM | csaxton         | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| POD            | 10/28/2006 12:06:09 PM | csaxton         | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POU            | 10/28/2006 12:06:39 PM | csaxton         | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU            | 10/28/2006 12:06:49 PM | csaxton         | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Summary        | 10/28/2006 12:15:59 PM | csaxton         | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| Summary        | 9/10/2001 10:00:39 AM  | dbuffing        | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?<br>(No) 7. Is this a split or combined right?<br>(No) 8. Do you have documents you would like to attach or link to the file?<br>(No) 9. Would you like to set the verification date?                                                                                                                                            |
| Contacts       | 6/19/2006 2:23:27 PM   | mmount          | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: desk review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD            | 6/19/2006 2:24:02 PM   | mmount          | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(Yes) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                         |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

|         |                      |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|----------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU     | 6/19/2006 2:24:24 PM | mmount | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(No) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| General | 6/19/2006 2:23:43 PM | mmount | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                            |
| Season  | 6/19/2006 2:27:59 PM | mmount | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(No) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(No) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> <p>Description for Question 15 - License and standard season of use using arcview</p> |
| Summary | 6/19/2006 2:29:25 PM | mmount | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p>                                                                                                   |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-7119A V1

|          |                      |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|----------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 6/19/2006 2:24:11 PM | mmount | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                         |
| Use      | 6/19/2006 2:24:33 PM | mmount | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                          |
| Quantity | 6/19/2006 2:29:05 PM | mmount | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(No) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - Standard vol limit for a single family domestic home is 1.2 af |
| POD      | 6/19/2006 2:51:39 PM | mmount | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Water Supply Bank:

## Split history for Decreed Right 67-7119

### WR History

|         |         |
|---------|---------|
| 67-7119 | Gerlach |
| 0.12    | cfs     |
| Dom     | ac      |
| 3.6     | af      |

### Claim History

|         |         |
|---------|---------|
| 67-7119 | Gerlach |
| 0.12    |         |
| Dom     |         |
| 3.6     |         |

|          |        |          |        |
|----------|--------|----------|--------|
| 67-7119A | Vaughn | 67-7153A | Vaughn |
|          | 0.04   |          | 0.04   |
|          | Dom    |          | Dom    |
|          | 0      |          | 0      |
| 67-7119B | Sauer  | 67-7153C | Sauer  |
|          | 0.04   |          | 0.04   |
|          | dom    |          | dom    |
|          | 0      |          | 0      |

### Recommendation

|          |        |
|----------|--------|
| 67-7153A | Vaughn |
|          | 0.04   |
|          | 0      |
|          | 1.2    |

|          |       |         |
|----------|-------|---------|
| 67-7153C | Sauer | 67-7118 |
|          | 0.04  |         |
|          | 0     |         |
|          | 1.2   |         |

|           |      |
|-----------|------|
| Sum CFS = | 0.08 |
| Sum Acre= | 0    |
| Sum AF =  | 0    |

|              |       |
|--------------|-------|
| Extra CFS =  | 0.040 |
| Extra Acre = | n/a   |
| Extra AFA =  | 3.6   |

|           |      |
|-----------|------|
| Sum CFS = | 0.08 |
| Sum Acre= | 0    |
| Sum AF =  | 2.4  |

|              |       |
|--------------|-------|
| Extra CFS =  | 0.040 |
| Extra Acre = | n/a   |
| Extra AFA =  | 1.2   |

\*Last updated 10-27-06 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

This right is under claimed. There is a third home or portion of this water right not claimed (csaxton 10-28-06).

## WATER RIGHT LICENSE

THIS IS TO CERTIFY, that MAX G. or MARIE GERLACH

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|----------------|---------------|-------------------|---------------|
|----------------|---------------|-------------------|---------------|

Subject, however, to the condition that no more than .12 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 31, Twp. 19N., Rge. 1E, B.M. in the County of Adams

| Twp. | Range | Sec. | NEW |     |     | NW¼ |     |     | SW¼ |     |     | Totals |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NW¼ | SW¼ | SE¼ | NW¼ | SW¼ | SE¼ | NW¼ | SW¼ | SE¼ |        |
| 19N  | 1E    | 31   |     |     |     |     |     |     | X   |     |     |        |

Total number of acres irrigated \_\_\_\_\_

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of July, 19 80.

Director

Remembered  
to Ac7-07119A  
Ac7-07118

03/01/92 13:15:16  
PAGE 1

OLD (D) NUMBER -

+ - - - - - - - - ADDRESS - - - - - - - - - - - - - - +

STATE- ID ZIP- 83661

STATE- ID ZIP- 83661

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +  
00/00/0000

```

+-----COMMENTS-----
NO COMMENTS FOUND

```

|                       |   |            |                       |   |            |                         |   |       |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| COURT REPORT FILING   | - | 00/00/0000 | FIELD INSPECTION MADE | - | 00/00/0000 | CIVIL CASE NUMBER       | - | 39576 |
| OBJECTION FILED DATE  | - | 00/00/0000 | FIELD INSPECTION FLAG | - |            | OLD CASE NUMBER         | - |       |
| RESPONSE FILED DATE   | - | 00/00/0000 | VERIFIED DATE         | - | 00/00/0000 | OLD JUDICIAL DISTRICT   | - |       |
| CLAIM RECEIVED DATE   | - | 10/23/1989 | LAST AMENDED DATE     | - | 00/00/0000 | TEMPORARY RIGHT         | - | P     |
| PROOF DUE DATE        | - | 00/00/0000 | PROOF MADE DATE       | - | 00/00/0000 | WATER DISTRICT          | - |       |
| LICENSED DATE         | - | 00/00/0000 | RECEIPT NUMBER        | - | C012463    | FEDERAL/STATE INDICATOR | - | S     |
| CLAIMS TAPE ERROR FLG | - |            | POU OWNERSHIP FLAG    | - | Y          | PRESUMPTION FLAG        | - |       |
| FEE EXEMPT FLAG       | - |            | NAME CONNECTOR        | - | OR         | NOTICE OF ERROR FLAG    | - |       |

RP 19N 01E 314300A

DATA ENTRY

1945

CHECKED

**"Verified By"**  
 Topo Map/Ortho-PQ  
 ASCS Map  
 Watermaster Records  
 NAPP Photos  
 Field Exam  
 Other (See Remarks)  
 County Records  
 Witness Statement  
 Project Records  
 IDWR Records

VERIFIED  
APR 3 1992

PROOF  
MAR 03 1992

**CERTIFIED**

MAX 23 1992

WATER EXAMINER

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 67-7119A  
Date Received: 10/23/1989  
Receipt No: C012463  
Received By:

25

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

1. Name of Claimant(s): JIM VAUGHN Phone: (208)278-3549  
3360 HWY 30 W  
NEW PLYMOUTH ID USA 83655

2. Date of Priority: 11/17/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 19N      | 01E   | 31      | SE SE NW              | ADAMS  |      |

5. Description of diverting works:

WELL, 105' DEEP

6. Water is used for the following purposes:

| Purpose  | From | To    | C.F.S. | (or) A.F.A |
|----------|------|-------|--------|------------|
| DOMESTIC | 3/15 | 11/15 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 C.F.S.

8. Total consumptive use:

SCANNED  
MAY 10 2004

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|------------|-----|----------|-------|
| 19N      | 01E   | 31      | SE NW      |     | DOMESTIC |       |

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:

14. Remarks:

ADAM OR ZELDA SAUER SHARE THE WELL  
Ownership changed by DB 9/10/2001

ADAM OR ZELDA SAUER SHARE THE WELL

15. Basis of Claim: License

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED**  
**SEP 06 2001**  
 WATER RESOURCES  
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 67-7119A              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**  
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

*Max MARIE GERLACH*

*7882 Dutch Ln*

4. New Owner/Claimant(s)

*Payette ID 83661*

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

*Jim Vaughn*

City, State and ZIP Code

*3360 Hwy 30 W New Plymouth Ida 83655*

New Telephone Number

*(1) 208-278-3549*

5. Date you acquired the property

*6-8-01*

INSTRUMENT NO. 99883  
PAGE 1 OF 3

Instrument # 99883

COUNCIL, ADAMS, IDAHO

2001-06-08 02:31:05 No. of Pages: 3

Recorded for : TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Ex-Officio Recorder Deputy

Index to: DEED

WARRANTY DEED

For Value Received, GERLACH FAMILY TRUST, MARIE I.  
GERLACH TRUSTEE

the grantors, do hereby grant, bargain, sell and convey unto

JIM H. VAUGHN, a single man

the grantees, whose current address is, 3360 Highway 30  
West, New Plymouth, ID 83655

the following described premises, in Adams County, Idaho,  
to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD THE said premises, with their  
appurtenances unto the said Grantees, their heirs and  
assigns forever. And the said Grantors do hereby covenant to  
and with the said Grantees, that they are the owners in fee  
simple of said premises; that they are free from all  
encumbrances excepting for all easements of record, rights  
of way, matters visible, and all matters of record and title  
and that they will warrant and defend the same from all  
lawful claims whatsoever.

Date:

Marie I Gerlach

MARIE I. GERLACH TRUSTEE OF THE GERLACH FAMILY TRUST

EXHIBIT "A"

PARCEL 1

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho  
Section 31: A part of the SE1/4NW1/4 and NW1/4SW1/4 more particularly described as follows:

Beginning at the brass monument at the center quarter corner of said Section 31, running

Thence South 88° 45' East a distance of 43.46 feet;

Thence North 01° 15' East 87.9 feet;

Thence West parallel to the East-West Center line of said Section 31 a distance of 275 feet to the REAL POINT OF BEGINNING;

Thence continuing West parallel to the East-West center line of said Section 31 a distance of 15 feet;

Thence South at right angles and parallel to the North-South centerline of said Section 31 a distance of 150 feet;

Thence East at right angles parallel to the East-West center line of said Section 31 a distance of 15 feet;

Thence North at right angles and parallel to the North-South centerline of said Section 31 a distance of 150 feet to the REAL POINT OF BEGINNING.

PARCEL 2

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho  
Section 31: A part of the SE1/4NW1/4 and NE1/4SW1/4 more particularly described as follows:

Beginning at the brass monument at the center quarter corner of said Section 31, running

Thence South 88° 45' East a distance of 43.46 feet;

Thence North 01° 15' East 87.8 feet;

Thence West parallel to the East-West Center line of said Section 31 a distance of 200 feet to the REAL POINT OF BEGINNING;

Thence continuing West parallel to the East-West center line of said Section 31 a distance of 75 feet;

Thence South parallel to the North-South center line of said Section 31 a distance of 150 feet;

Thence in a Northeasterly direction on a straight line to a point which is 125 feet South of the said Real Point of Beginning;

Thence North parallel to the North-South center line of said Section 31 a distance of 125 feet to the said REAL POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT for the purpose of ingress and egress to and from said lands, with others, over a strip of land 25 feet in width on the Easterly and Southeasterly side of the following described line:

Beginning at a point which is N.1°15' E. 50.77 feet from the NW corner of Lot 6, Block 1 of White Subdivision, according to plat thereof of record in the office of the Recorder of Adams County, Idaho, Thence meandering in a Northerly and Northeasterly direction to a point which is N.1°15' E. 156.8 feet and 125 feet East of said NW corner of said Lot 6 (being the SW corner of the above described tract); thence Northeasterly along the Southerly line of said tract to the Southeasterly corner of the above described tract.

CONTINUED

CONTINUED

EXHIBIT "A" CONT'D

PARCEL 3

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho  
Section 31: A part of the SE1/4NW1/4 and NE1/4SW1/4 more particularly  
described as follows:

Beginning at the brass monument at the center quarter corner of said  
Section 31, running

Thence South 88° 45' East a distance of 43.46 feet;

Thence North 01° 15' East 87.8 feet;

Thence West parallel to the East-West Center line of said Section 31 a  
distance of 100 feet to the REAL POINT OF BEGINNING;

Thence continuing West parallel to the East-West center line of said  
Section 31 distance of 100 feet;

Thence South parallel to the North-South center line of said Section 31  
a distance of 125 feet;

Thence in a Northeasterly direction on a straight line to a point 100  
feet South of the Real Point of Beginning;

Thence North parallel to the North-South center line of said Section 31  
a distance of 100 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT for the purpose of ingress and egress to and  
from said lands, with others, over a strip of land 25 feet in width, and  
said easement being over the now existing road which is located within  
said strip of land, on the Easterly and Southeasterly side of a line  
which is more particularly described as follows: Commencing at the NW  
corner of Lot 6, Block 1, of the White Subdivision, according to the  
official plat thereof, on file and of record in the office of the Adams  
County Recorder, Adams County, Idaho; Thence North 1°15' E. 50.77 feet  
to the TRUE POINT OF BEGINNING; Thence meandering in a Northerly and  
Northeasterly direction to a point which is 106.03 feet North, and 125  
feet East, of the True Point of Beginning, said point being the SW  
corner of a tract of land deeded to Max G. Gerlach and Marie Gerlach;  
Thence continuing in a Northeasterly direction along the south line of  
the said Gerlach tract to the SW corner of the premises herein described  
and conveyed; Thence in a Northeasterly direction along the SE line of  
the herein described and conveyed premises, to the SE corner thereof.

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: **A67-07119A**  
Date Received: 10/23/1989  
Receipt No: C012463  
Received By: \_\_\_\_\_

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

1. Name: MAX GERLACH 208-642-2049  
Address: 7882 DRITCH LN.  
PAYETTE ID 83661

OR

Name: MARIE GERLACH 208-642-2049  
Address: 7882 DRITCH LN.  
PAYETTE ID 83661

2. Date of Priority: NOV 17, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 19N      | 01E   | 31      | SE     | SE     | NW  |     | ADAMS  |

5. Description of diverting works:  
WELL, 105' DEEP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 03/15 | 11/15 | 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     | NW  |     | 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:  
ADAM OR ZELDA SAUER SHARE THE WELL

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 \_\_\_\_\_

*Jodi*

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

*NUMBER CHANGED TO A67-07119A*

Ident. Number: A67-07118

Date Received: 10/23/1989

Receipt No: C012463

Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MAX GERLACH 208-642-2049  
Address: 7882 DRITCH LN.  
PAYETTE, ID 83661

OR  
Name: MARIE GERLACH 208-642-2049  
Address: 7882 DRITCH LN.  
PAYETTE, ID 83661

2. Date of Priority: NOV 17, 1972

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, 105' DEEP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 03/15 | 11/15 | 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     | NW  |     | 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:  
ADAM OR ZELDA SAUER SHARE THE WELL

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  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A67-07118Date Received 10-23-89Receipt Number C012463Remitted  
to A67-07119A  
(see  
remarks)  
on A67-07119A  
on 10/23/89NOTICE 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.

RECEIVED

OCT 20 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Max or Marie Gerlach Phone ( ) 642-2049Mailing Address 7882 Dutch Lane, Payette Idaho Zip 836612. Date of Priority (Only one per claim) 11/15 1972 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.B.M.Section 31, SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM.,County of Adams

Additional points of diversion if any: \_\_\_\_\_

5. 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 105 ft. Deep

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

For Domestic purposes from \_\_\_\_\_ Month/Day \_\_\_\_\_ Month/Day \_\_\_\_\_ (cfs) amount 0.04For \_\_\_\_\_ purposes from 3/15 to 11/15 (Both dates are inclusive) amount \_\_\_\_\_7. Total quantity claimed 0.04 (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 house

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10. Place of use is: Township: 19N Range 1E  
Section 31 SE 1/4 of NW 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: Adam Sauer or Zelda Sauer (Share The well)

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 67-07118

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 ☒ 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) X Max Gerlach Date 10/11/89  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
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 Washington ) SS.

Subscribed and sworn (or affirmed) before me this 11th day of October 1989

SEAL

Notary Public Anna Baunhoff

Residing at Anna Baunhoff, Notary Public

My Commission Expires My Commission Expires December 7, 1994

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

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**OCT 02 1992**

4/5/1989

## SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

~~Gerbach~~ Gerlach

CLAIM IDENT. NO.

A67-07118

DATE RECEIVED

10/23/89

CK #

1012463

AMOUNT \$

25<sup>00</sup>

YES

NO

Required  
Info?

1. Is the name and address complete with zip code?

See Envelope For Address

2. Is a priority date entered?

Is the priority date acceptable in view of mandatory filing dates?

See Adjudication Memos #1 and #4 to determine if a Permit is required.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and pu

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "n

14. If required, are remarks correct? the place of use, authority for fill explained in the remarks.)

15. Is the basis of the claim indicated

16. If the claimant requested a monthly (If yes, describe payment status in

17. Is the claim signed by the claimant? Organizations must complete the or

18. Has the claim been signed, sealed,

19. Was this claim filed on time, or was an extension

20. Is the fee enclosed correct? Exempt

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

22. Should this claim be data entered?

Claim checked by:

B

Date:

4/6/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by:

Jodie

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

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OCT 02 1992