

RECEIVED
11/14/2006
NOV 30 2006
DEPARTMENT OF
WATER RESOURCES

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: 67-7119B

ADAM O SAUER
6250 ELMORE
FRUITLAND ID 83619
Telephone Number: (208)452-4022

ZELDA M SAUER
6250 ELMORE
FRUITLAND ID 83619
Telephone Number: (208)452-4022

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:

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

DATE: 11/29/06 SIGNATURE: Zelda M. Sauer
Please print your name: Zelda M. Sauer

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

SCANNED
NOV 30 2006

10/28/2006

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

RIGHT NUMBER: 67-7119B

NAME AND ADDRESS: ADAM O SAUER
6250 ELMORE
FRUITLAND ID 83619

ZELDA M SAUER
6250 ELMORE
FRUITLAND ID 83619

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 1.20 AFY
Domestic use is for 1 home.		

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.

Parcel No: RP003800005000A

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

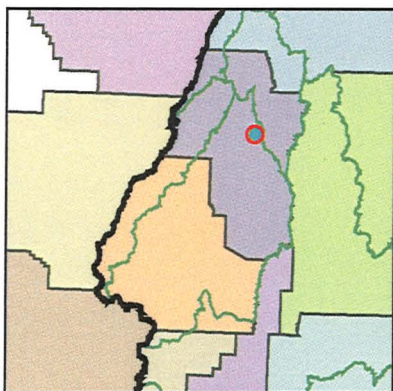
SRBA Recommendation:

67-7119B

(Domestic)

Legend

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



Adams County
IDWR Basin 67



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7119B V1

WATER RIGHT NUMBER: 67-7119B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ADAM O SAUER 6250 ELMORE FRUITLAND, ID 83619 (208)452-4022
Current Owner	ZELDA M SAUER 6250 ELMORE FRUITLAND, ID 83619 (208)452-4022

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. X01 Domestic use is for 1 home.
3. Parcel No: RP003800005000A
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

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

Comments:

1. JSHURTE 1/24/1999 COPIED FROM REMARKS

Comment: THIS WELL IS CO-OWNED WITH MAX & MARIE GERLACH. 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 SESENW AND THEN USED ONLY THE TWO FIRST 1/41/4S FOR THE PLACE OF USE (SESE). ON THE CLAIM THE CLAIMANT STATES THE DWELLING IS 100ft FROM THE PT OF DIVERSION(WELL). THAT LOCATES IT CORRECTLY IN THE SENW, S31 AS LICENSED.

2. mmount 6/19/2006 Claim error

Comment: Sent out an amended claim to the claimants to correctly claim the licensed pou and priority date. Spoke with Zelda Sauer who no longer owns the property. She said that she will forward the information to the current owners. I also have already changed the claim in the database to reflect the license. I will not recommend the claim until I receive the signed amended claim. I also sent out a change of ownership form.

3. csaxton 10/28/2006 No amended claim

Comment: As of this time, no additional contact has been received from claimant or former claimant. Recommend as claimed.

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>
Priority Date	5/19/2004 8:05:37 AM	segbert			Active
Priority Date	5/19/2004 8:06:53 AM	segbert			Active
POD	5/19/2004 8:08:10 AM	segbert			Active
Source	5/19/2004 8:09:45 AM	segbert			Active
POU	5/19/2004 8:10:37 AM	segbert			Active
Use	5/19/2004 8:15:39 AM	segbert			Active
Quantity	5/19/2004 8:27:19 AM	segbert			Active
Season	5/19/2004 8:31:50 AM	segbert			Active
Contacts	6/19/2006 4:07:29 PM	mmount			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7119B V1

Summary

10/28/2006

csaxton

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	6/19/2006 4:07:29 PM	mmount	(No) 1. Do you want to schedule an appointment? Comment for 1: desk review
POD	10/28/2006 12:19:53 PM	csaxton	Updated shape
POD	10/28/2006 12:20:03 PM	csaxton	Updated PLS
POU	10/28/2006 12:20:42 PM	csaxton	Updated PLS for Active POU
POD	5/19/2004 8:08:11 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	5/19/2004 8:09:45 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	5/19/2004 8:10:38 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Quantity	5/19/2004 8:27:20 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use?
Use	5/19/2004 8:15:40 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Priority Date	5/19/2004 8:05:37 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7119B V1

Priority Date	5/19/2004 8:06:53 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Season	5/19/2004 8:31:51 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file?
POU	10/28/2006 12:20:35 PM	csaxton	Updated shape for Active POU
Summary	10/28/2006 12:22:36 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

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).



State of Idaho
DEPARTMENT OF
322 East Front
Phone: (208) 287-4940

7119 Gerlach
A ✓ B
Sauer
Vaughn
(papers ✓)
to the new
owners. wait for
papers to return.
sent a 6-21-06
mail

RESOURCES
1-0098
gov

JIM RISCH
Governor

KARL J. DREHER
Director

RESPONSE DEADLINE
July 7, 2006

67-7119B
Adam and Zelda Sauer
6250 Elmore
Fruitland, ID 83619

Re: 67-7119B

Dear Claimants:

A Notice of Claim to a Water Right (claim) with the number 67-7119B was filed in the Snake River Basin Adjudication (SRBA). Your claim is based on license 67-7119 in which the elements of the water right have been previously verified. The elements of a water right include: date of priority, source, point of diversion, purpose of water use, quantity of water, place of use, and a claimant. During a recent review of your claim (67-7119B) I found that several elements were claimed differently than what has already been licensed. These elements include the priority date and the place of use. The licensed priority date is for November 17, 1972, and you claimed a priority date of October 30, 1989. The licensed place of use is in the SE,NW and you claimed a place of use in the SE,SE. If you would like to claim the licensed priority date and the licensed place of use please sign, notarize and return the enclosed amended claim to this office. I have enclosed a copy of the original license and a computer print out of your claim for your reference. Please also reference the enclosed map, which outlines the licensed place of use and point of diversion. The map outlines the entire SE, NW quarter however it would be very helpful if you could outline the exact place of use or tax lot of your place of residence and return the map in the enclosed mailer.

Based on a recent phone conversation with Zelda Sauer on 6/20/06, it was brought to my attention that the current place of use for this domestic claim is under new ownership. I am sending this letter to the Sauer's as they are the claimants, and with the understanding that they will forward this information to the new current owner's. In order to update our records the new owner's must submit a "Change of Ownership" form, which is enclosed in this letter. Please follow the instructions carefully and include a copy of your deed to the property or other documents to support your ownership of the place of use.

Should you decide to return the materials in a mailer different from that enclosed, please include the notation "ATTN: SRBA Claim Number 67-7119B" on the front of the mailer.

If you have any questions, please contact this office. Our toll free number is 1-800-451-4129 or you can reach me directly at 1-208-287-4940. It will help speed things along if you have your claim number, 67-7119B, handy when you call. Thank you.

Sincerely,

Misty Mount
GIS Specialist
IWRRI
Idaho Department of Water Resources

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that MAX G. or MARIE GERLACH
of Payette, Idaho, has complied with the terms and conditions of Permit
No. 67-7119 issued pursuant to Application for Permit dated November 17, 1972,
and has submitted proof to the Department of Water Resources on November 25, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .12 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

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 confined 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 1/4, Sec. 31, Twp. 19N, Rge. 1E, B.M. in the County of Adams

[illegible]

Total number of acres irrigated _____

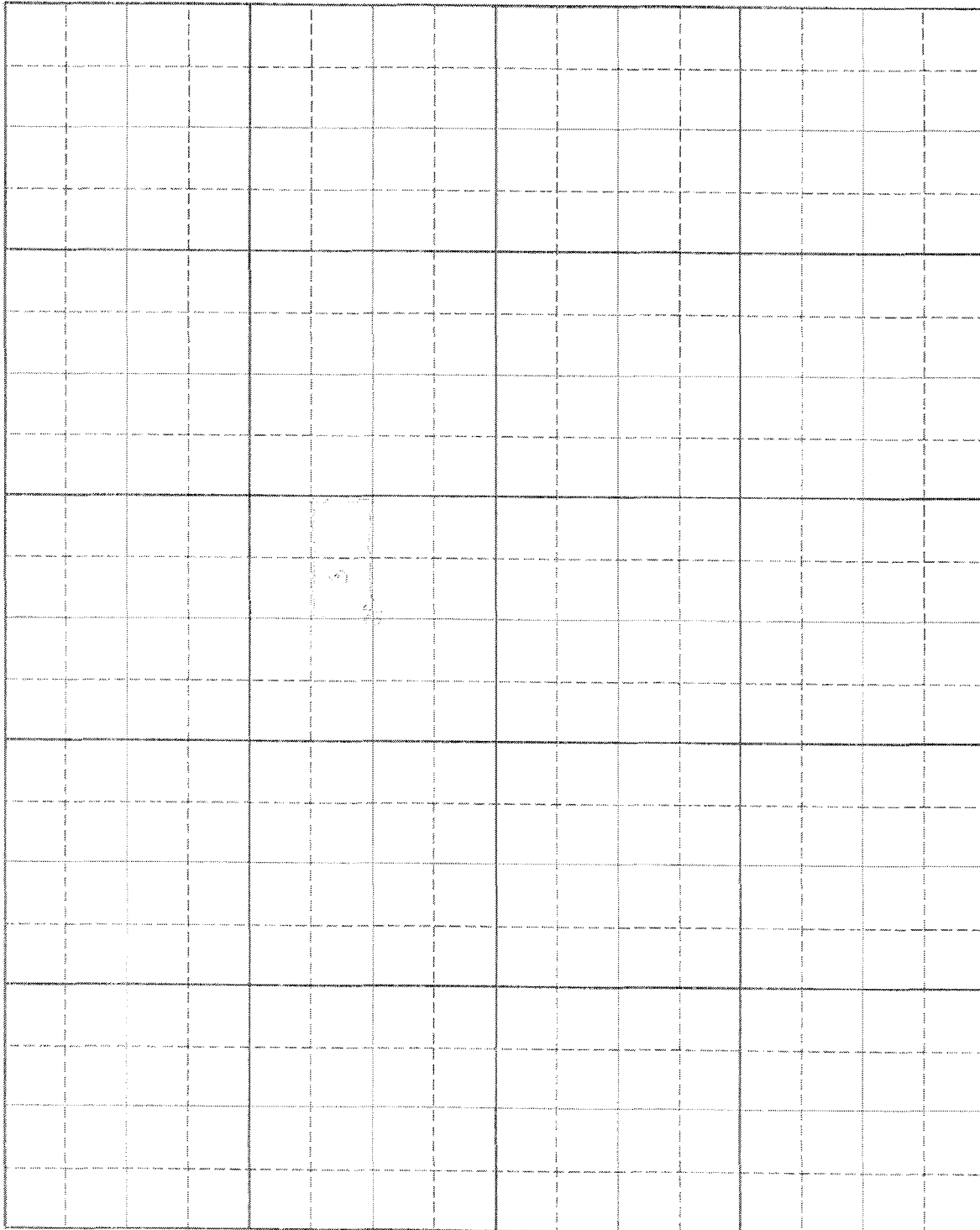
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of July, 19 80.

Director

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

2 / 2



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Max H. H. H.
(Applicant)

67 7119

ADAM AND ZELDA SAUER

3/6/99

RECEIVED

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

MAR 15 1999

WATER RESOURCES
DIVISION

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

In 1996 we received a
letter and a Water Right
License # 67-09112 -

NOT
THEIR
RIGHT
located
in 13N
2W
W60N6
R

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

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 REGION

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 that reads "Jan Shurte".

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region

JS:db

Enclosures

AJ0749NP
No. R67-07119B

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

DATE: 01/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ADAM SAUER	11/17/1972	DOMESTIC	04-01 11-30	0.04 CFS	1.20 AFA
C	ZELDA SAUER					
	6250 ELMORE			TOTAL DIVERSION:	0.04 CFS	1.20 AFA
	FRUITLAND ID 83619					
	(208) 452-4022					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T19N R01E S31 SESENW

ADAMS County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
19N 01E 31	:		:		:		:		:		:		:		:	

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: 67-07118

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 01/24/1999 User-ID: JSHURTE Subject: COPIED FROM REMARKS
THIS WELL IS CO-OWNED WITH MAX & MARIE GERLACH.

Date: 01/24/1999 User-ID: JSHURTE Subject: CHANGE IN PRIORITY & POU

AJ0749NP
No. R67-07119B

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 SESENW AND THEN
USED ONLY THE TWO FIRST 1/41/4'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

WR5809NP
No. 67-07119

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARIE GERLACH	11/17/1972	DOMESTIC	04/01 11/31	0.120 CFS	3.60 AFA
C	MAX G. GERLACH STAR ROUTE PAYETTE ID 83661					
TOTAL DIVERSION:					0.120 CFS	3.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T19N R01E S31

SENV

ADAMS County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
19N	01E	31	:																	:
			:																	:

Pou County: ADAMS

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. .
- 01A - For licensing purposes, a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
- 001 - A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
- 003 - Use of water under this right is supplemental to all existing water rights with the same purpose and place of use.

Dates:	App. Received:	Priority Date:	11/17/1972
	Proof Due Date: 01/01/1978	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date: 04/12/1982		

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

11/13/89

Nanni -

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 Sauer
6250 Elmou Road
Trenton Idaho
83619

RECEIVED

NOV 14 1989

Department of Water Resources

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

SCANNED
MAY 10 2004

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 FALLS

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

CIVIL CASE NUMBER: 39576

Identification No. A67-07119BDate Received 11-15-89Receipt Number C012831

NOTICE 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 WSection 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

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
Gillett 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) Adam O. Sauer Date 11/13/89
Zedra 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 _____

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.

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

NOTARIZATION REQUIRED FOR EACH CLAIM