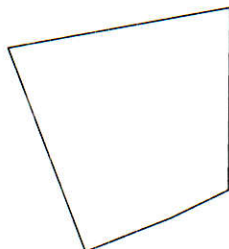


MN IW

SE NW

SW NE

23





MICROFILMED

OCT 01 1992

17N 1W

SENW

SWNE

23

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 67-73A
Date Received: 8/22/1989
Receipt No: W004833
Received By:

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

1. Name of Claimant(s): MICHAEL D DISTLER
591 MORNING GLORY DR
BENICIA CA USA 94510

Phone:

REBA D DISTLER
591 MORNING GLORY DR
BENICIA CA USA 94510

Phone:

2. Date of Priority: 05/01/1906

3. Source: LOST CREEK Trib. to: WEISER RIVER WEST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	01W	28	SE NW	ADAMS	

5. Description of diverting works:

DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15		1.87

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	23	SE NW		IRRIGATION	6
					Section Acres	6
					Total Acres	6

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:

Ownership changed by DB 10/24/2001

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH
***** WATER RIGHT DATA BASE
LISTS DECREED RIGHT AS A FLOW RIGHT. THIS SHOULD BE A STORAGE RIGHT. CHANGED
ACCORDINGLY. ELR ***** THIS IS
A SPLIT OF 67-00073
VARIABLE FEE OVERLAP W/A67-10136

15. Basis of Claim: Decreed

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

RECEIVED**OCT 24 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	P.D. A67-10137	No		A67-00373A	No
	0082G A67-000926	No		A67-10136	No
	A67-00074A	No			
	A67-00073A	No			
	A67-00373A	No			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) Syl Menichetti/Carolyn Menichetti
4. New Owner/Claimant(s) Michael D. Distler or Reba D. Distler
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 591 Morning Glory Drive
- City, State and ZIP Code Benicia, CA 94510
- New Telephone Number ()
5. Date you acquired the property July 12, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Reba D Distler
(include title if applicable) (Tahua D Distler)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received, SYL MENICHETTI and CAROLYN MENICHETTI,
husband and wife

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

MICHAEL D. DISTLER and REBA D. DISTLER, husband and wife

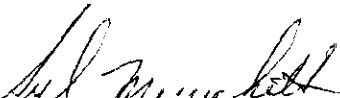
the grantees, whose current address is, 591 Morning Glory Drive,
Benicia, Ca 94510

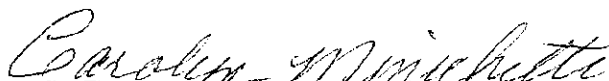
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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: July 12, 2001


SYL MENICHETTI


CAROLYN MENICHETTI

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 30 day of July, in the year of 2001, before me, a Notary Public in and for said State,
personally appeared
SYL MENICHETTI & CAROLYN MENICHETTI
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

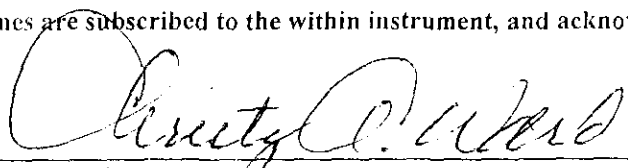

Notary Public
Residing at: Indian Valley
Commission expires: 9-17-04

EXHIBIT 'A'

INSTRUMENT NO. 100169

PAGE 2 OF 2

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 23: A parcel in the SE1/4NW1/4 and the SW1/4NE1/4 more particularly described as follows:

Commencing at a point North $36^{\circ} 35' 46''$ East 3018.31 feet from the Southwest Section corner tie of Section 23;

Thence North $69^{\circ} 09' 00''$ East 536.55 feet, the REAL POINT OF BEGINNING;

Thence North $20^{\circ} 40' 04''$ West 596.51 feet;

Thence North $79^{\circ} 42' 43''$ East 626.71 feet;

Thence South $00^{\circ} 50' 18''$ West 502.98 feet;

Thence on a curve along U.S. Highway 95, radius 1096.00 feet, delta $09^{\circ} 15' 09''$ and chord bearing South $64^{\circ} 31' 26''$ West 176.99 feet;

Thence South $69^{\circ} 09' 00''$ West 255.89 feet to the REAL POINT OF BEGINNING.

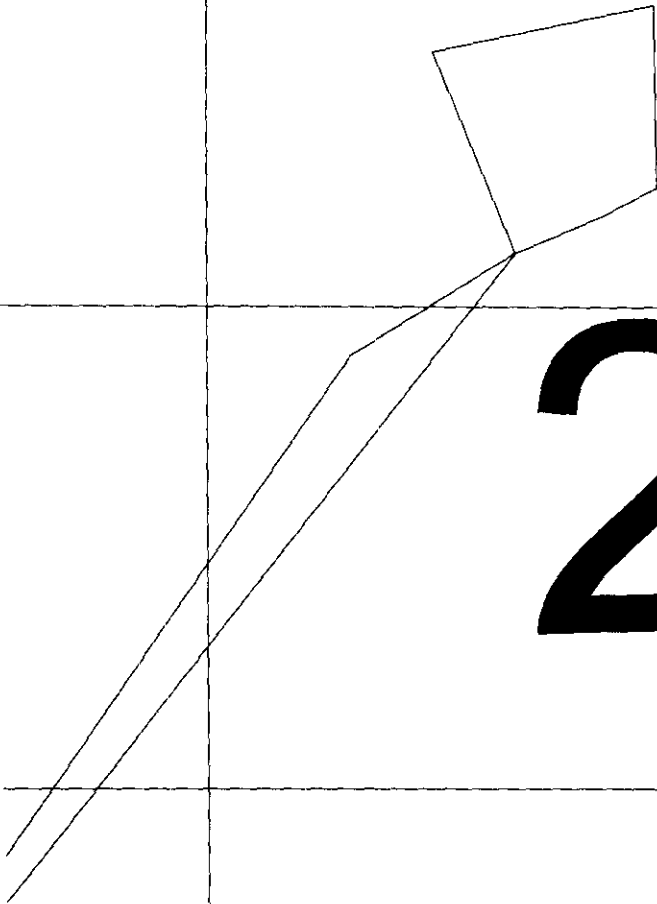
EXCEPTING the right-of-way of U.S. Highway 95

MN IW

SE NW

SW NE

23



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: A67-00073A
Date Received: 8/22/1989
Receipt No: W004833
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SYLVAN MENICHETTI 208-253-4760
Address: P.O. BOX 44
FRUITVALE, ID 83620
AND/OR
Name: CAROLYN MENICHETTI 208-253-4760
Address: P.O. BOX 44
FRUITVALE, ID 83620
2. Date of Priority: MAY 01, 1906
3. Source: LOST CREEK Trib. to: WEISER RIVER, WEST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	01W	28	SE	NW			ADAMS
5. Description of diverting works:
DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15			1.87
7. Total Quantity Appropriated is:
0.038 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/50 SHEEP 2 HORSES

A67-00073A

Page 1

Date: 08/22/89

MICROFILMED

JUL 1 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	23	SE	NW		IRR	6.0
Section Acres							6.0
Total Acres							6.0

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:
67-00074, 00373, 00372, 00082

14. Remarks:

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.

WATER RIGHT DATA BASE LISTS DECREED RIGHT AS A FLOW RIGHT. THIS
SHOULD BE A STORAGE RIGHT. CHANGED ACCORDINGLY. ELR

THIS IS A SPLIT OF 67-00073.
VARIABLE FEE OVERLAP W/A67-10136.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

OCT 01 1992



UNCLASSIFIED

DATE 10/1/02

Water Right Number - 67-00073

Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HAMILL

G. T.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - +
05/01/1906 14

+ - - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - - Source - - - - +

WEISER RIVER

+ - - - - Tributary - - - - -
SNAKE RIVER

+ - - - - Point of Diversion - - - - -
County

Twn Rng Sec Tract Lot RFlg County

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - -

01 - IRRIGATION

0.500

25 AF

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.500 1.875 AF

+ - - - - Place of Use - - - - - Description - - - - - County - - - - -

01 IRRIGATION
01 IRRIGATION

3 ADAMS
3 ADAMS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
JOHN T. MUIR + - - - - Decree Defendant - - - +
WILLIAM ALLISON + - Decree Date - +
06/20/1921

001 01 1992

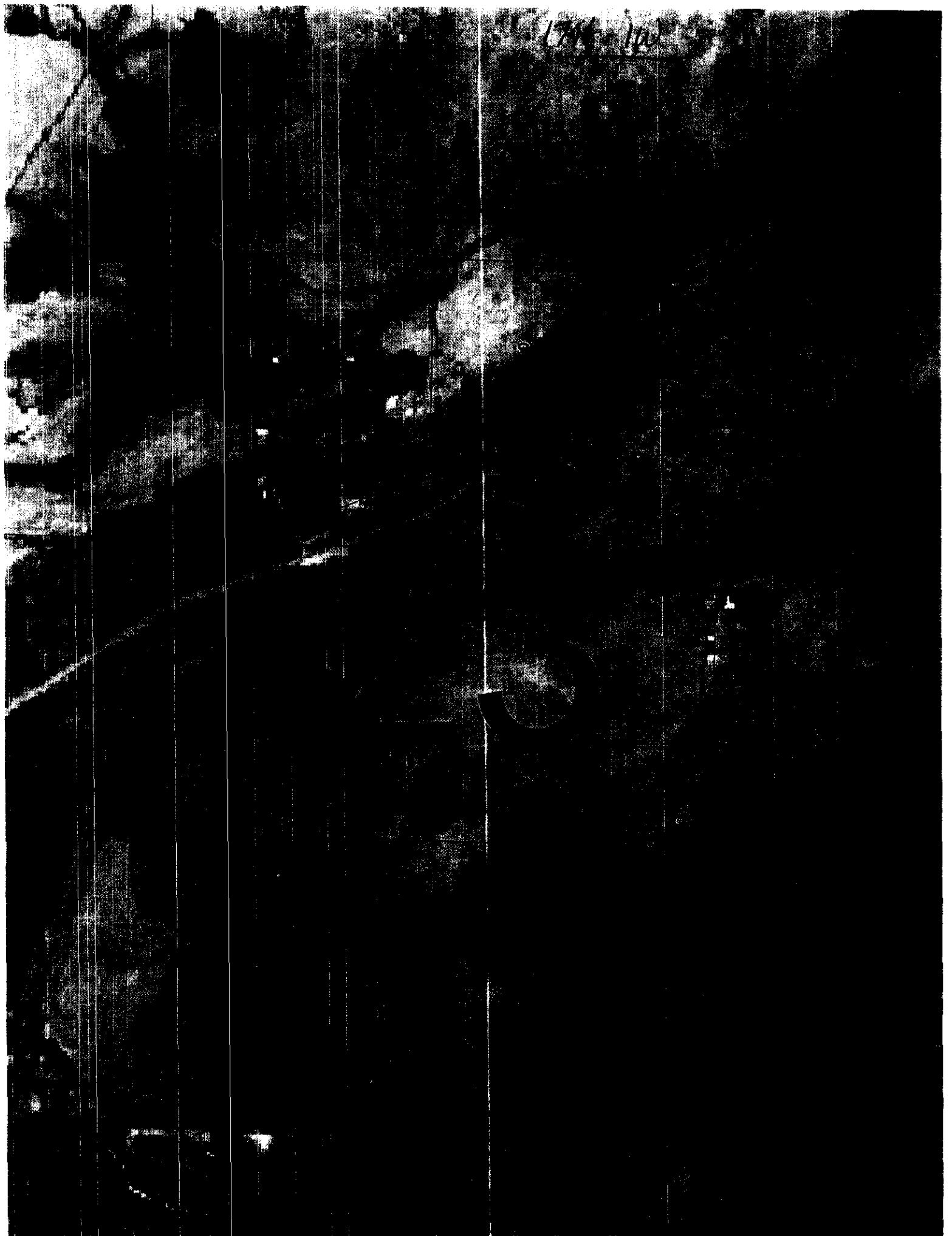
IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 67-00073

Adj. flag translation: Standard Water Right Number

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 06/20/1921				

WR0728NP
OD-124





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2001

MICHAEL D DISTLER
REBA D DISTLER
591 MORNING GLORY DR
BENICIA CA 94510

Re: Notice of Claim to a Water Right No. 67-00082G, 67-00073A, 67-00074A, 67-00372A,
67-00373A & 67-10136

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Please note, the changes for water right number 67-10137 are being processed at our State Office, as the file is at that office. Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,


Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure