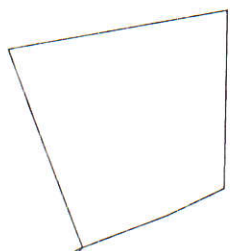


MN 1W

SE NW

SW NE

23





MICROFILMED
OCT 05 1992

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 67-10136
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: 06/21/1921

3. Source: FORT HALL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

See map

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	23	SE NW	ADAMS	
17N	01W	23	SW NE	ADAMS	
17N	01W	23	NW NE	ADAMS	

in 67-00073A.

5. Description of diverting works:

DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY TO P.O.U; FLOOD WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	10/15	0.12	
STOCKWATER	3/15	10/15	0.02	

7. Total Quantity Appropriated is:
0.14 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 SE NW		IRRIGATION STOCKWATER	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 CLAIM IS FOR FLOOD WATERS WHEN AVAILABLE

15. Basis of Claim: Beneficial Use

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		A67-00372A	NO
	0082 G 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) (1 Taber 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 _____

INSTRUMENT NO. 100169
PAGE 1 OF 2

WARRANTY DEED

Copy

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

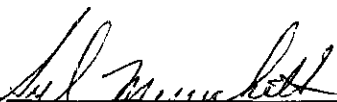
the grantees, whose current address is, 591 Morning Glory Drive,
Benicia, Ca 94510

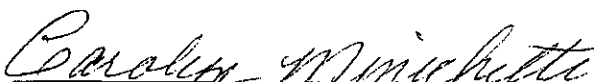
the following described premises, in Adams County, Idaho, to-wit:

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

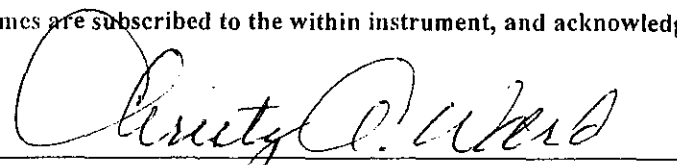

CAROLYN MENICHETTI

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: 2007

Instrum 100169
COUNCIL, A. IDAHO
2001-08-06 03:52:00 No. of Pages:
Recorder: DEPT. OF TITLE & ESCROW
MICHAEL R. 6.00
Ex-Officio Recorder Deputy Deputy
Index to: DEED

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° 35' 46" East 3018.31 feet from the Southwest Section corner tie of Section 23;

Thence North 69° 09' 00" East 536.55 feet, the REAL POINT OF BEGINNING;

Thence North 20° 40' 04" West 596.51 feet;

Thence North 79° 42' 43" East 626.71 feet;

Thence South 00° 50' 18" West 502.98 feet;

Thence on a curve along U.S. Highway 95, radius 1096.00 feet, delta 09° 15' 09" and chord bearing South 64° 31' 26" West 176.99 feet;

Thence South 69° 09' 00" West 255.89 feet to the REAL POINT OF BEGINNING.

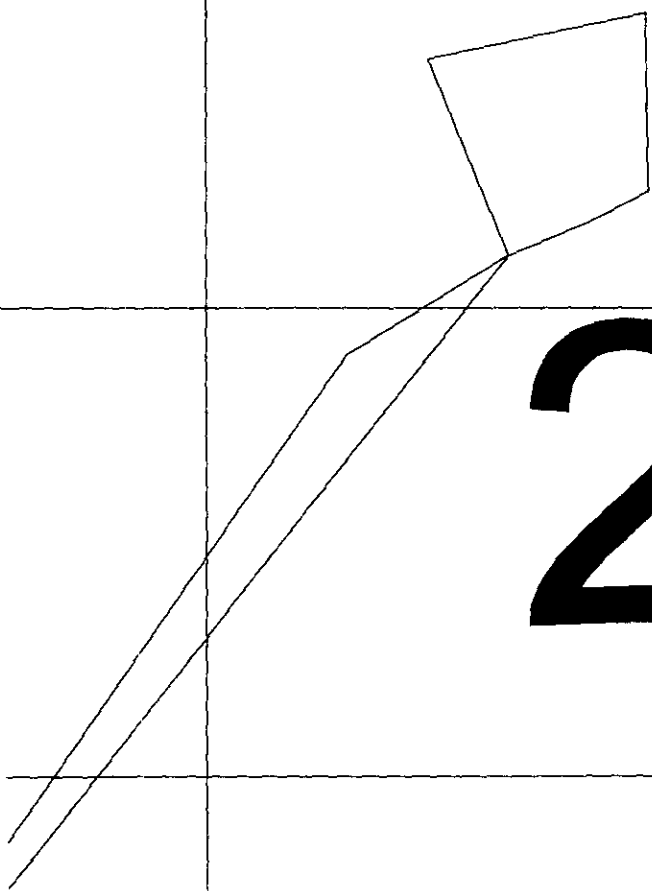
EXCEPTING the right-of-way of U.S. Highway 95

MN 1W

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: A67-10136
Date Received: 8/22/1989
Receipt No: W004833
Received By: ESH

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: JUN 21, 1921

3. Source: FORT HALL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	23	NW	NE			ADAMS
			SW	NE			ADAMS
			SE	NW			ADAMS

5. Description of diverting works:
DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY TO P.O.U; FLOOD WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.120		
STOCKWATER	03/15	10/15	0.020		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 HEAD SHEEP AND 2 HEAD HORSES

A67-10136

Page 1

Date: 08/22/89

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OCT 05 1992

10. Place of Use:

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

67-00072,00073,00372,00373,00082

14. Remarks:

THIS CLAIM IS FOR FLOOD WATERS WHEN AVAILABLE.

15. Basis of Claim: BENEFICIAL USE

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 X 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):

Stephen V. Menichetti

Date: 8/24/89

Carolyn Menichetti

Date: 8/22/89

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 22 day

of Aug 19 89

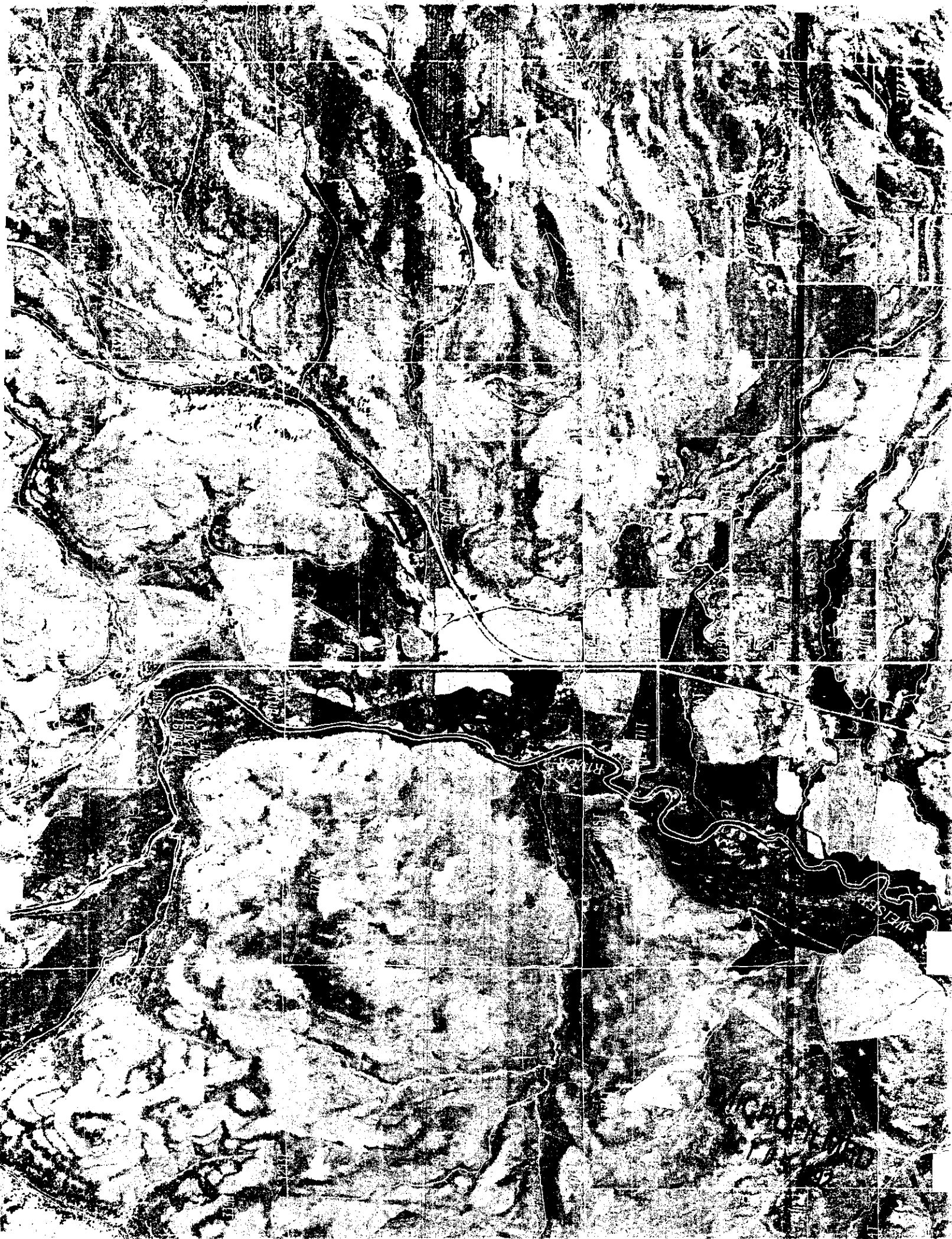
Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994





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

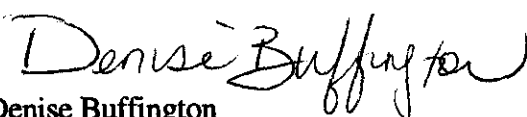
Dear Claimant(s):

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 2, 1990

Syl and Carolyn Menichetti
P.O. Box 44
Fruitvale, ID 83612

Adams Co.

*2-27-91
filed on 8/22/89
for 41004833
attached for [unclear]
[unclear]*

RE: Snake River Basin Adjudication (SRBA)
Request for Information

Dear Mr. and Mrs. Menichetti:

I apologize for the delay in responding to your letter of January 2, 1990. As the claims-taking progresses in the Snake River Basin Adjudication (SRBA), we are responding as quickly as possible, but not as quickly as we would like.

In response to your questions regarding filings within the south half of the northeast quarter, Section 23, Township 17 North, Range 1 West, Boise Meridian, I have attached several listings for your information. At this point, the Department shows two separate areas for information: the water rights which we had on record previously, and the uses which have been filed as Notices of Claim in the SRBA which include new filings plus filings for most of those previously recorded. I have enclosed lists from both. Please note that we are not up-to-date with data entry; therefore, Notices of Claims may have been filed, however, they do not show on the listing as yet. We hope to have all of the information in the computer within three to six months.

In regard to water uses not filed by the filing deadline, Notices of Claim can be filed up until the time the IDWR Director's Report goes to the court. However, late fees will be applied in addition to the filing fee; the late fee is \$50 or 15% of the filing fee, whichever is greater. Once the Court makes a determination of waters and issues a decree, water uses not claimed in the SRBA (except small domestic and stockwater uses) will probably be forfeited. After the adjudication and for the development of a new water right, a prospective water user would file an Application for Permit to gain approval to proceed with the new use(s).

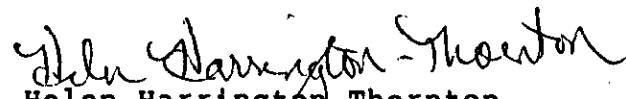
MICROFILMED
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Syl and Carolyn Menichetti
March 2, 1990
Page 2

Your question concerning an earthen dam constructed in the northeast quarter, Section 23, Township 17 North, Range 1 West, B.M., Adams County, has been referred to the Department's Dam Safety Section. To our knowledge, there is no dam authorized by the Department at that location. Amongst other duties, the Department regulates water storage dams that are 10 feet or more in height, or that store 50 acre-feet or more, with certain exclusions. Our Safety of Dams Statutes and Rules and Regulations require the owner to make application prior to construction, then following approval, the dam must be constructed, operated and maintained to assure it is safe.

I hope this answers your questions. If you have any additional questions or need other assistance, please do not hesitate to contact the Department. Again, I apologize for the delay.

Sincerely,


Helen Harrington-Thornton
Senior Water Rights Agent

HHT:sf:state
Enclosures:
Proof of Claim Reports

MICROFILMED
OCT 05 1992

LAZY



SYL and CAROLYN MENICHETTI

P.O. Box 44
Fruitvale, ID 83612
208 253-4760

RECEIVED
JAN 4 1990

January 2, 1990

Department of Water Resources

Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83720

Gentlemen:

3 questions:

Please advise how much water has been filed on under the new rules for the S2NE4, Sec. 23, T. 17 N., R 1 WBM in Adams County, and the priority date therefor, and the source.

Next question: What are the prerequisites for a person to build an earthen dam in a natural water way? A person has built such on the land above described, and if it has not been carefully built, it has the definite possibility of flooding us out come spring runoff. Not that we want to squeal on our neighbors, but then neither do we feel like being flooded at an inopportune time!! (Is there ever an opportune time?)

Next question: If we should purchase another piece of property at a future time, and if its water was not timely filed on in the SRBA, will that water not so timely filed be lost to the new owners? Are they then back to filing claims for beneficial use?

Thank you very much for your attention to these matters. We await your reply.

Yours very truly,

Carolyn Menichetti
Carolyn Menichetti

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OCT 05 1992