

09/10/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-73A

NAME AND ADDRESS: DAN L MASDEO
1396 W K ST
BENICIA CA 94510

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.053 CFS

The rights listed below are limited to a total combined diversion rate of 0.116 cfs. Combined Right Nos.: 67-73A, 67-74A, 67-372A, 67-373A, and 67-10136.

PRIORITY DATE: 05/01/1906

POINT OF
DIVERSION:

T17N R01W S4 NENE Lot 1 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.053 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S23	SWNE	0.50	T17N R01W S23	SENE	5.30
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5.8 ACRES TOTAL

This right is limited to the irrigation of 4.3 acres within the place of use described above in a single irrigation season.

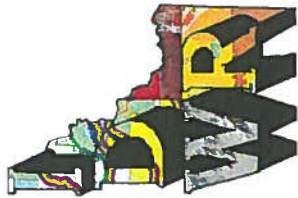
The rights listed below are limited to the irrigation of a combined total of 5.8 acres in a single irrigation season. Combined Right Nos.: 67-73A, 67-74A, 67-372A, 67-373A, and 67-10136.

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 - Decreed

Use of this right is combined with water from Robertson Sevey Ditch Co.



Idaho Department of Water Resources

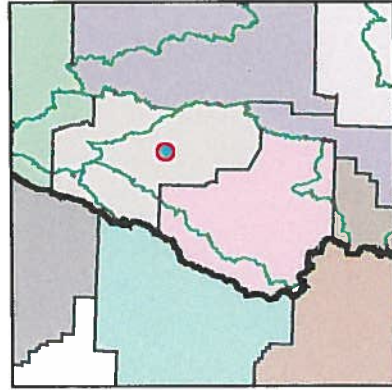
SRBA Recommendation:

67-73A

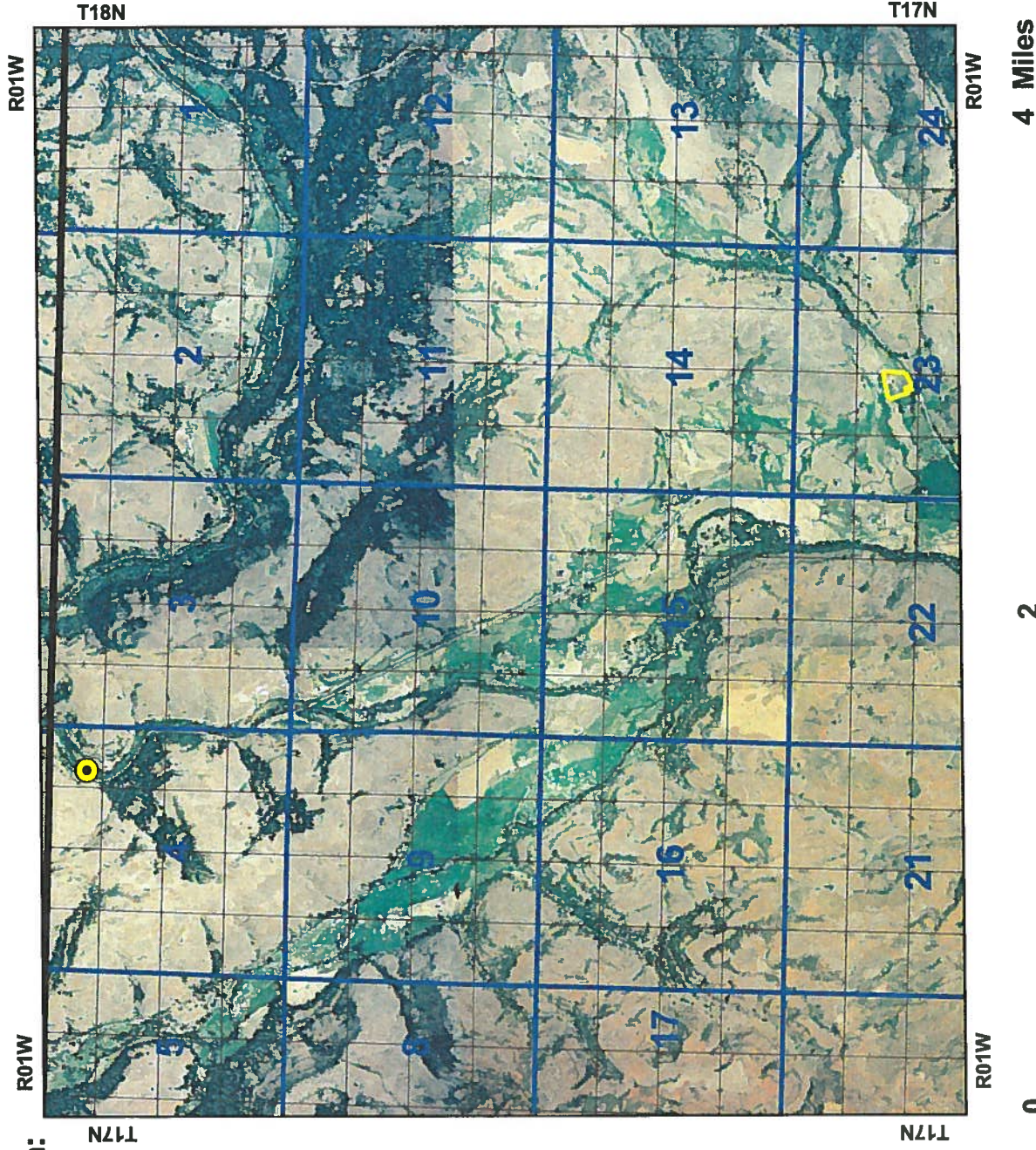
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



4 Miles

2

0

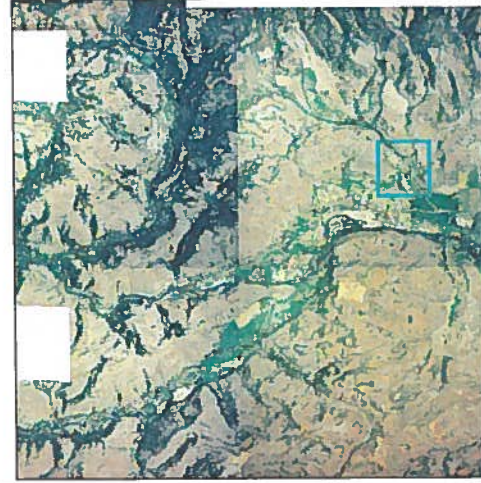
67-73A



SENW

SWNE

23





Idaho Department of Water Resources

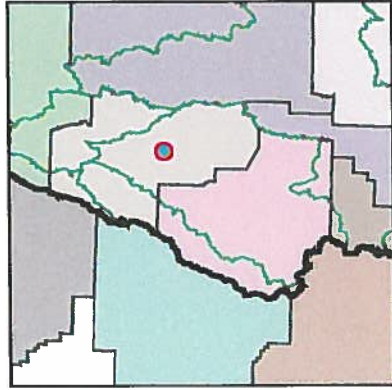
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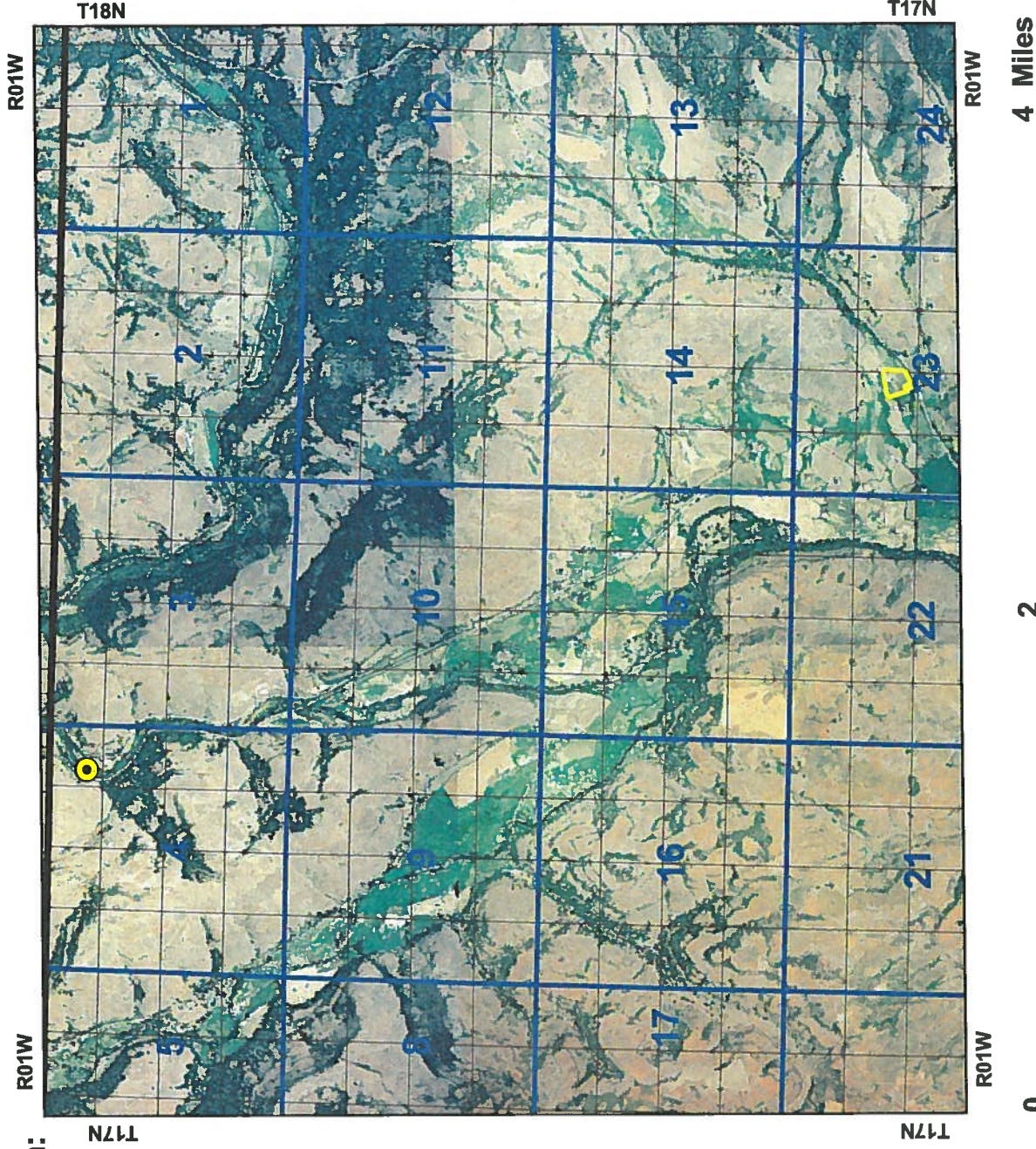
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



Prepared by IDWR State Office
On Thursday, September 6, 2007
1987/88 Aerial Photography

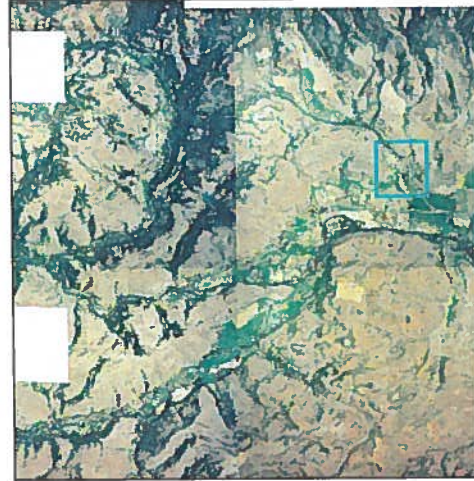
67-73A



SWNE

SENW

23



11/18/2005

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

RIGHT NUMBER: 67-73A

NAME AND ADDRESS: MICHAEL D DISTLER
591 MORNING GLORY DR
BENICIA CA 94510

REBA D DISTLER
591 MORNING GLORY DR
BENICIA CA 94510

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.053 CFS

The rights listed below are limited to a total combined diversion rate of 0.116 cfs. Combined Right Nos.: 67-73A, 67-74A, 67-372A, 67-373A, and 67-10136.

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION:

T17N R01W S4 NENE Lot 1 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.053 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S23	SWNE	0.5	T17N R01W S23	SENE	5.3
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5.8 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

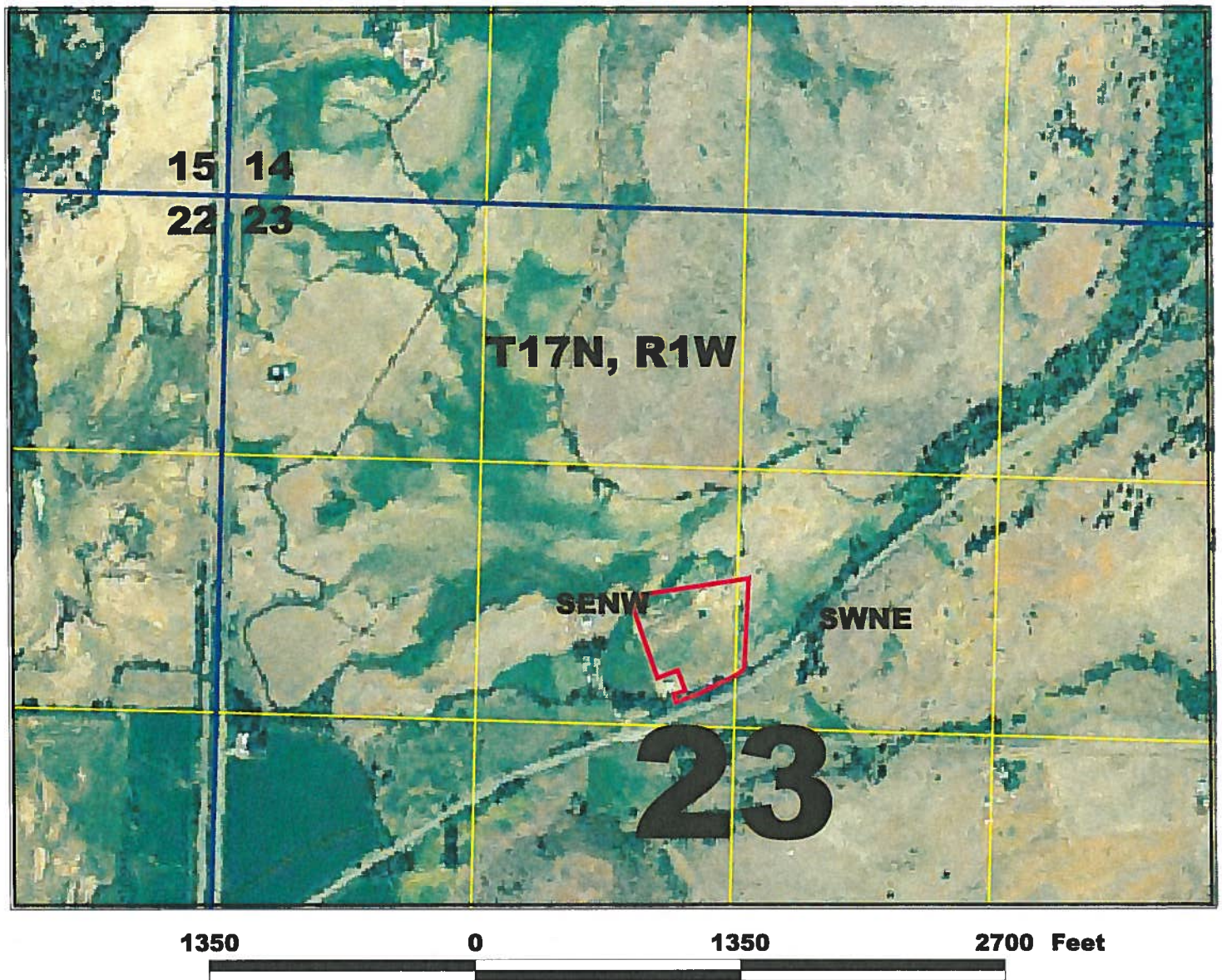


STATE OF IDAHO

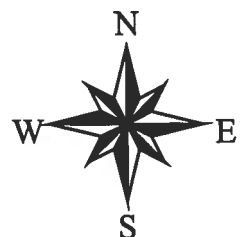
Department of Water Resources

Place of Use

Water Right(s): 67-73A and 67-74A



-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photoograp
Prepared by: C. Saxton
Date: November 2005

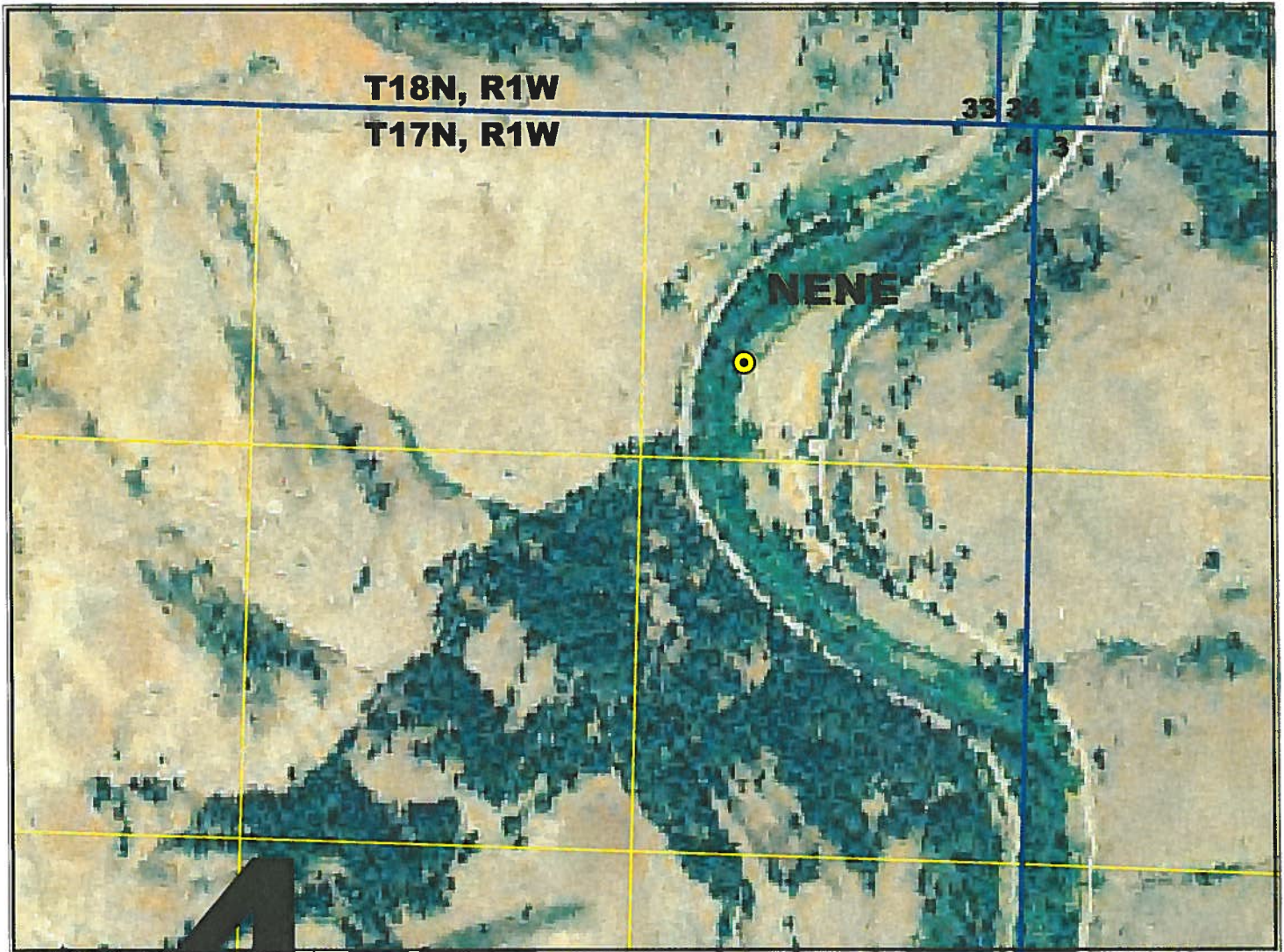


STATE OF IDAHO

Department of Water Resources

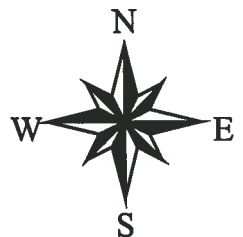
Point of Diversion

Water Right(s): 67-73A and 67-74A



1350 0 1350 Feet

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photoaerograph
Prepared by: C. Saxton
Date: November 2005

MEMORANDUM

Date: November 18, 2005

To: File 67-73B, 67-73C, 67-74B, and 67-74C

From: Craig L. Saxton

Re: Diversion rate and acreage distribution

Both 67-73 and 67-74 are decreed for the same 80 acre POU. The assumption was made that the intent of the two decreed rights were to irrigate 48 acres rather than stacking them on top of each other and only irrigating 40 acres. This was made due to how the other decreed rights in Muir Vs. Allison are described and that 48 acres could reasonably be irrigated within the 80 acre parcel described in the decree.

Scism, Cole, and Distler are all land owners who filed SRBA claims within the decreed POU for 67-73 and 67-74. Using ArcView I created a 48 acre shape of what ground could be reasonably irrigated from flood irrigation from the Roberson Sevey ditch as decreed. From that shape, I calculated how much of the original irrigated ground was owned by each claimant and used that to calculate a percentage of the original right they should have based on 48 acres.

Using that percentage, the diversion rate was calculated by multiplying that percentage with the original diversion rate. Finally, that diversion rate was converted to acres that could be irrigated at 5/8 inchs per acre.

Split history for Deceased Right 67-00073

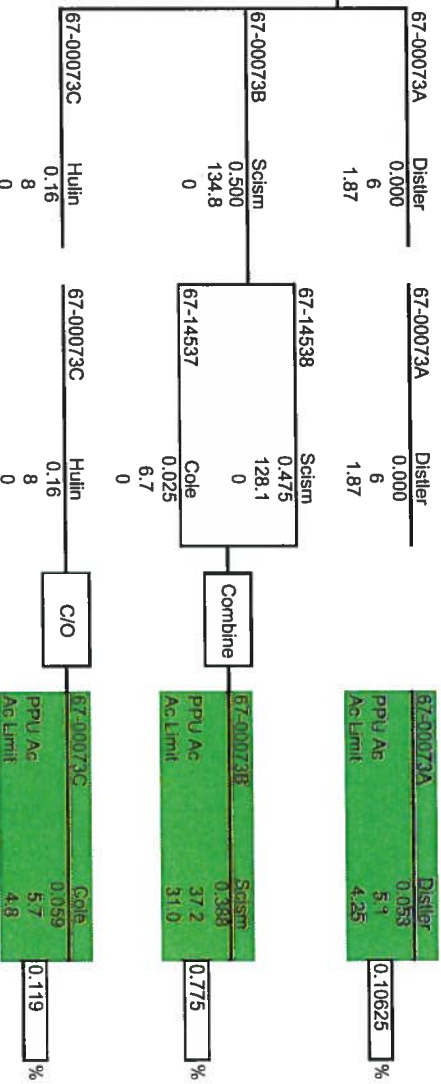
WR History

Claim History

Recommendation

67-00073	G. T. Hamill	67-00073	G. T. Hamill
0.5	cfs	0.5	
48	ac	40	
0	af	0	

Acrage calculated at 5/8 in per acre as decreed.
The Decreed POU seems to be in claimed POU



***Last updated 10-27-06 (csaxton)**
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Sum CFS =	0.660
Sum Acre =	148.8
Sum AF =	1.87

Sum CFS =	0.500
Sum PPU Ac =	48
Sum Ac Limit =	40.0

1.000

Extra CFS =	-0.160
Extra Acre =	-108.8
Extra AFA =	-1.87

Extra CFS =	0.000
Extra PPU Ac =	0
Extra Ac Limit =	0.0

Page #	Parcel Number	Name	New Charge	Ch	Water	File #	Original Owner	Priority Date	Source
26	7N01W23	SCISM, DC	\$ 20.00	####	25	73	HAMILL	5/1/06	Robertson Se

Claim

Basinequenc Suffix	Basis	Status	Priority Date Rate(cfs)	Volume/at	Source	Water Use(s)	Owner(s)	Source Table
67 73 A	Decreed	Active	5/1/1906	0.04	LOST CRE IRRIGATION		DISTLER, W Claim	
67 74 A	Decreed	Active	5/1/1916		0.37 LOST CRE IRRIGATION		DISTLER, W Claim	
67 82 G	Decreed	Active	5/27/1910		3 LOST CRE IRRIGATION FROM DISTLER, W Claim			

*These were recommended as Disallowed, guidance from Dave Tuthill is to recommend them as live flow rather than disallow.

67 372 A	Decreed	Active	1882-05-01	0.01	6 FORT HAL IRRIGATION, STOK DISTLER, W Claim			
67 373 A	Decreed	Active	1889-05-01	0.01	6 FORT HAL IRRIGATION, STOK DISTLER, W Claim			
67 10136	eneficial Use	Active	6/21/1921	0.14	6 FORT HAL IRRIGATION, STOK DISTLER, W Claim			

Recommendation

Basinequenc Suffix	Basis	Status	Priority Date Rate(cfs)	Volume/at	Source	Water Use(s)	Owner(s)	Source Table
67 82 G	Decreed	Disallowed	5/27/1910		3 LOST CRE IRRIGATION FROM DISTLER, W Recommendation			

Basinequenc Suffix	Basis	Status	Priority Date Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67 73 A	Decreed	Active	5/1/1906	0.053	4.3 WEISER R IRRIGATION		DISTLER, W Recommendation	
67 74 A	Decreed	Active	5/1/1916	0.011	0.8 WEISER R IRRIGATION		DISTLER, W Recommendation	
67 372 A	Decreed	Active	1882-05-01	0.006	0.5 FORT HAL IRRIGATION, STOK DISTLER, W Recommendation			
67 373 A	Decreed	Active	1889-05-01	0.006	0.5 FORT HAL IRRIGATION, STOK DISTLER, W Recommendation			
67 10136	Beneficial Use	Active	6/21/1921	0.104	5.8 FORT HAL IRRIGATION, STOK DISTLER, W Recommendation			
			Limit to	0.116	5.8			

Ready to Recommend



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

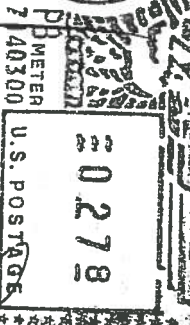
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS

SILVIA HULIN
HC 64 BOX 3201
COUNCIL ID 83612



expired

Box
PO. 338

Council
83612

*92-73
92-74 @
records updated
8-27-04*

SCANNED
AUG 27 2004