

09/10/2007

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

RIGHT NUMBER: 67-372A

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

SOURCE: FORT HALL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.006 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.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1882

POINT OF
DIVERSION:

T17N R01W S23 NWNE Within ADAMS County

T17N R01W S23 SENW 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	0.006 CFS
STOCKWATER	01/01 12/31	0.006 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T17N R01W S23	SWNE	0.50	T17N R01W S23	SENE	5.30
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STOCKWATER same as IRRIGATION

5.8 ACRES TOTAL

This right is limited to the irrigation of 0.5 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:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Stockwater use is for 50 sheep and 2 horses.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Priority Date: 05/01/1882
Basis: Deceased
Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15	to 11/15	0.006 CFS	
STOCKWATER	01/01	to 12/31	0.006 CFS	
		Total Diversion:	0.006 CFS	

FORT HALL CREEK ADAMS County	NW1/4NE1/4	Sec. 23, Twp 17N, Rge 01W, B.M.
FORT HALL CREEK ADAMS County	SE1/4NW1/4	Sec. 23, Twp 17N, Rge 01W, B.M.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

17N 01W 23		.5		5.3				5.8
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Total Acres: 5.8

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. X02 Stockwater use is for 50 sheep and 2 horses.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. E52 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.
4. K06 This right is limited to the irrigation of 0.5 acres within the place of use described above in a single irrigation season.
5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. E56 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.
7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. 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.

Remarks:

Comments:

1. csaxton 11/17/2005 POD

Comment: Based on claim map, only two PODs recommended from Fort Hall Creek. The third POD is actually a diversion from the Robertson Sevey Ditch and is not recommended under this right.

2. csaxton 11/17/2005 C03

Comment: The POD recommended in the SENW of 23 could not have irrigated the ground historically. No evidence to indicate that the pump was not there prior to 1987.

Water Supply Bank:



Idaho Department of Water Resources

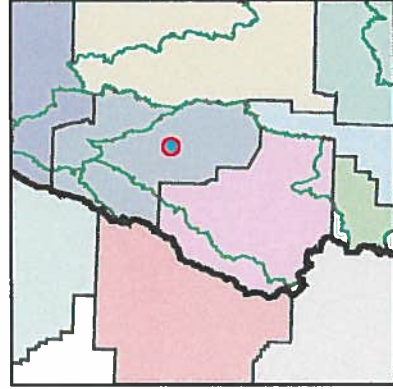
SRBA Recommendation:

67-372A

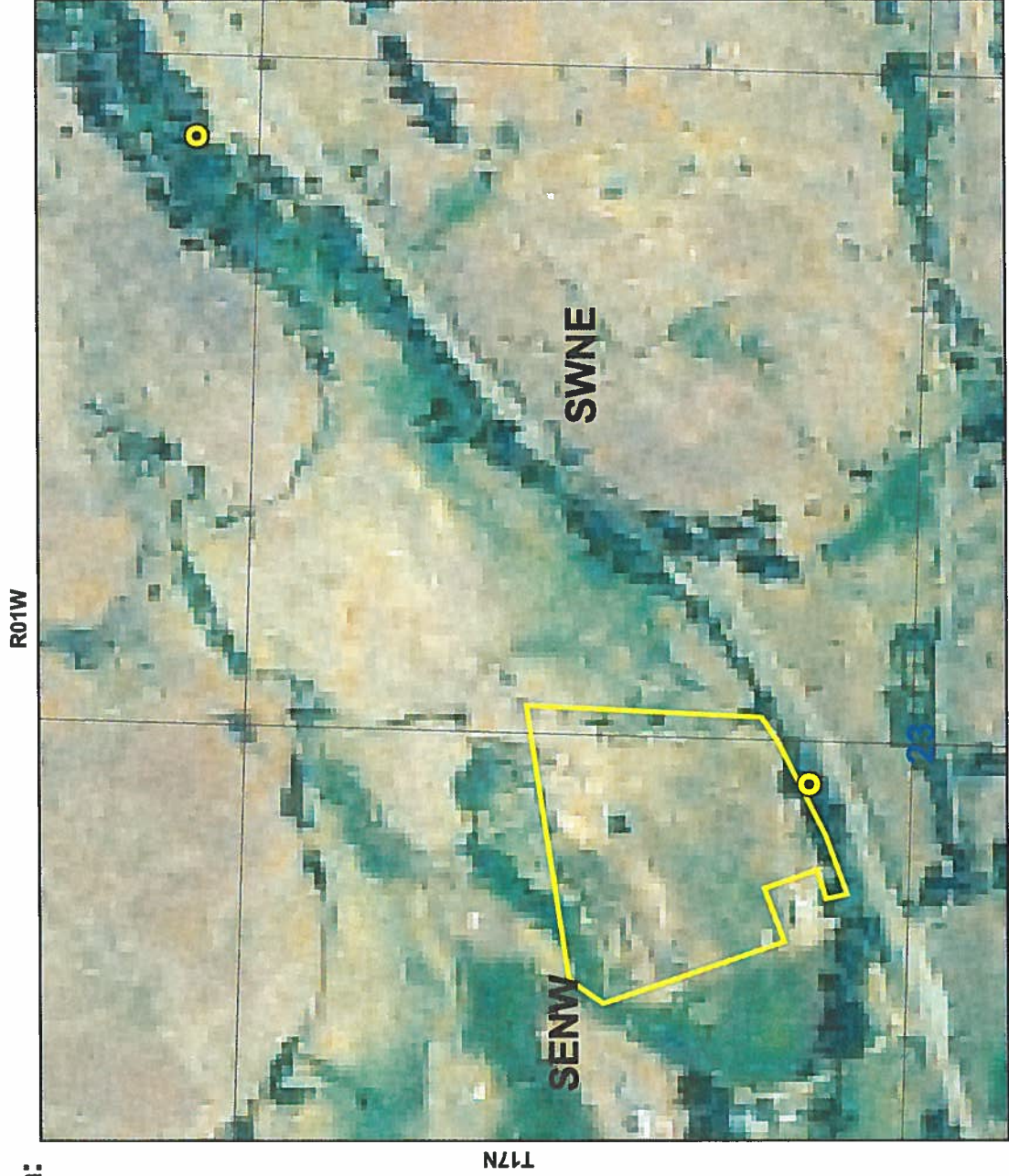
(Irrigation)

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

WATER RIGHT NUMBER: 67-372A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAN L MASDEO 1396 W K ST BENICIA, CA 94510 (925) 586-2627
Original Owner	C T HAMILL , ZZ
Original Owner	SYLVAN H MENICHETTI PO BOX 44 FRUITVALE, ID 83620 (208)252-4760
Original Owner	CAROLYN M MENICHETTI PO BOX 44 FRUITVALE, ID 83620 (208)253-4760
Directors Report Owner	MICHAEL D DISTLER 591 MORNING GLORY DR BENICIA, CA 94510
Directors Report Owner	REBA D DISTLER 591 MORNING GLORY DR BENICIA, CA 94510

Priority Date: 05/01/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FORT HALL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.006 CFS	
STOCKWATER	01/01 to 12/31	0.006 CFS	
	Total Diversion:	0.006 CFS	

Location of Point(s) of Diversion

FORT HALL CREEK ADAMS County	NW1/4NE1/4	Sec. 23, Twp 17N, Rge 01W, B.M.
FORT HALL CREEK ADAMS County	SE1/4NW1/4	Sec. 23, Twp 17N, Rge 01W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

17N 01W 23	.5	5.3	5.8
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Total Acres: 5.8

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. X02 Stockwater use is for 50 sheep and 2 horses.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. E52 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.
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Remarks:

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Comment: The POD recommended in the SENW of 23 could not have irrigated the ground historically. No evidence to indicate that the pump was not there prior to 1987.

Water Supply Bank:



Idaho Department of Water Resources

SRBA Recommendation:

67-372A

(Irrigation)

Legend

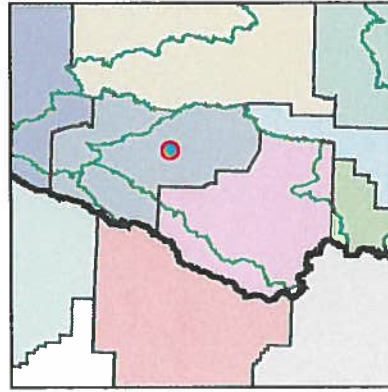
● Point of Diversion

□ Place of Use

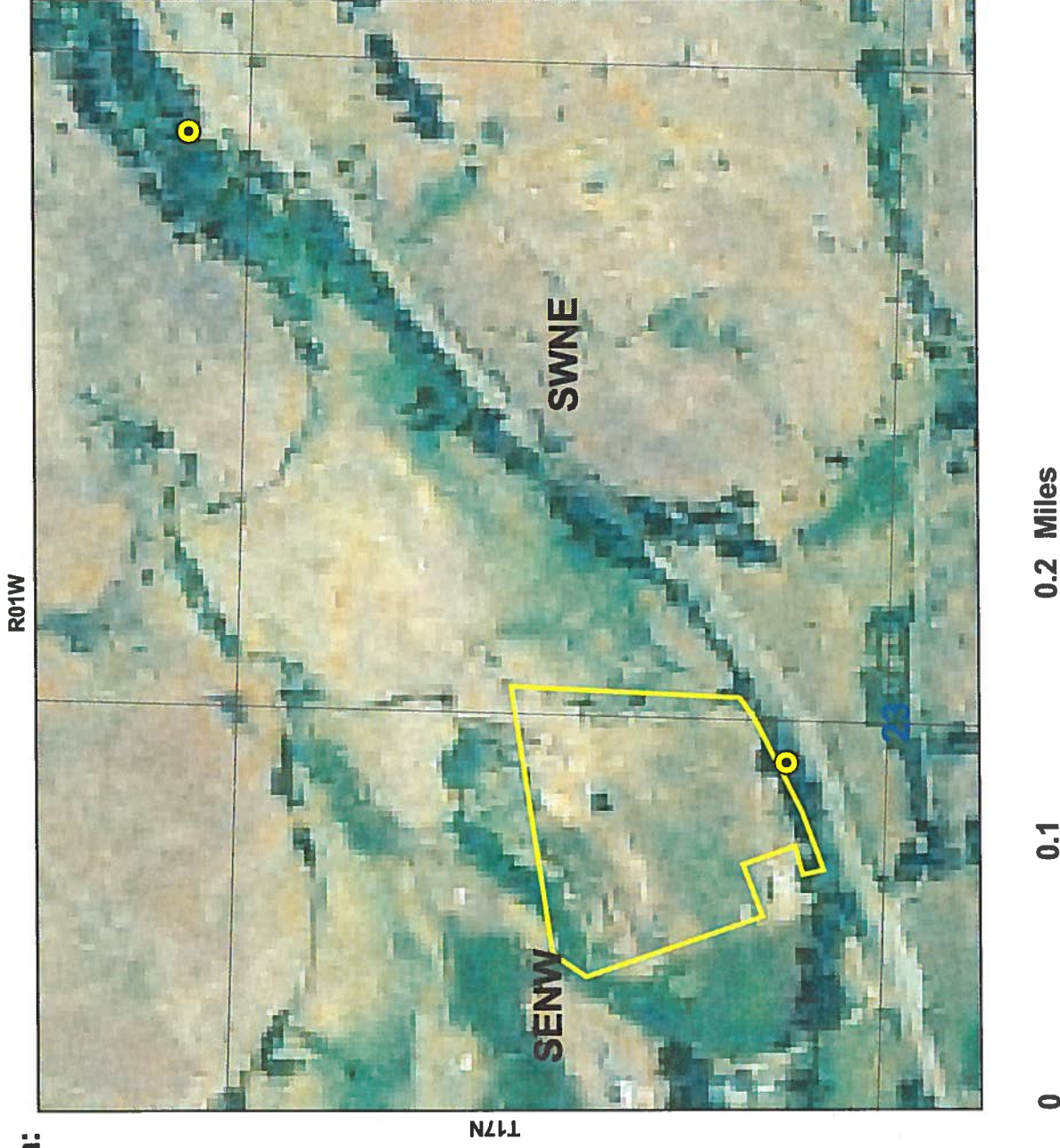
□ Townships

□ PLS Sections

□ Quarter Quarters



Adams County
IDWR Basin 67



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

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 67-372A
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: 05/01/1882

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

4. Point of Diversion:

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

5. Description of diverting works:

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	11/15	0.006	
STOCKWATER	1/01	12/31	0.02	

SCANNED
APR 02 2004

7. Total Quantity Appropriated is:
0.006 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 RIGHT IS CONVEYED THROUGH A PRIVATE DITCH WHICH INTER- CONNECTS WITH
ROBERTSON-SEVEY DITCH AND REDIVERTED AND/OR FROM FORT HALL CREEK
THIS IS A SPLIT OF 67-00372
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	<u>NO</u>		A67-00372A	<u>NO</u>
	0082G A67-000926	<u>NO</u>		A67-10130	<u>NO</u>
	A67-00074A	<u>NO</u>			
	A67-00073A	<u>NO</u>			
	A67-00373A	<u>NO</u>			

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)
(include title if applicable)

Reba D Distler
(Tahoe D Dist)

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
SYL MENICHETTI

Carolyn 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.

Christy C. Clark
Notary Public
Residing at: Indian Valley
Commission expires: 7-17-04

Instrum 100169
COUNCIL, F. IDAHO
2001-08-06 03:52:00 No. of Pages:
Recorded 100169 TITLE & ESCROW
MICHAEL 100169 6.00
Ex-Officio Recorder Deput 100169

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: A67-00372A
Date Received: 8/22/1989
Receipt No: W004833
Received By: EJR

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, 1882

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 PUMP AND/OR GRAVITY DITCH TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/15	0.006		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.006 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, 2 HEAD HORSES

A67-00372A

Page 1

Date: 08/22/89

MICROFILMED
OCT 01 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:

67-00073, 00074, 00082, 00373

14. Remarks:

THIS RIGHT IS CONVEYED THROUGH A PRIVATE DITCH WHICH INTER-CONNECTS WITH ROBERTSON-SEVEY DITCH AND REDIVERTED AND/OR FROM FORT HALL CREEK.

THIS IS A SPLIT OF 67-00372.

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

MICROFILMED
OCT 01 1992

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): *Robert V. Menichetti* Date: 8/22/89
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

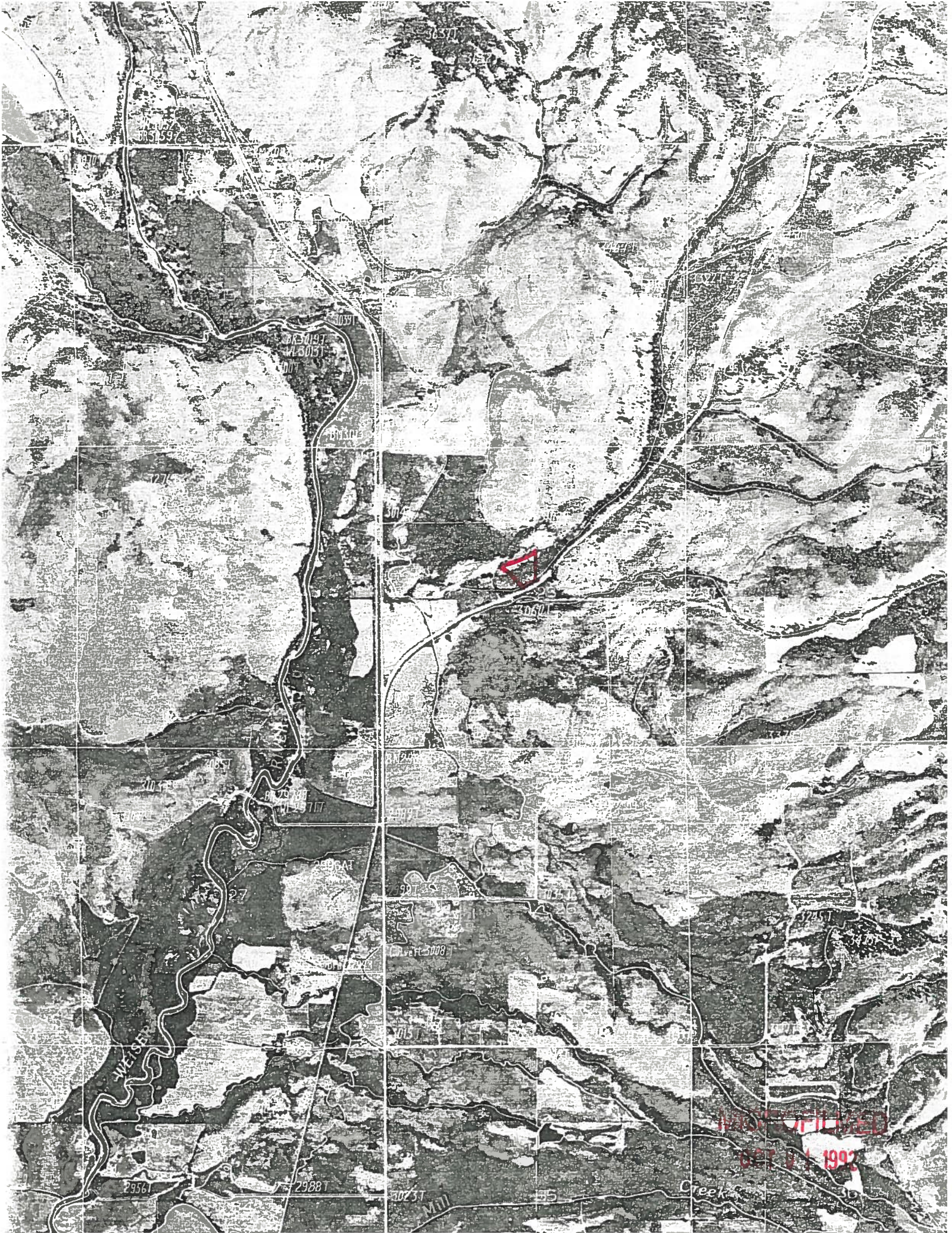
Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

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



NOT FILLED
OCT 01 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)08/22/89 13:28:06
Page 1Water Right Number - 67-00372 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - - + + - - - - Address - - - - - +*** C - CURRENT OWNER ***
HAMILL

C. T.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1982 14 D - DECREED+ - - Source - - - - - + + - - - - - Tributary - - - - - +
FORT HALL CREEK WEISER RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.080 = 0.001/acre @ 80acres

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080 0.006+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
17N 01W 23 SW NW 01 IRRIGATION 3 ADAMS
17N 01W 23 SE NW 01 IRRIGATION 3 ADAMS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - +
JOHN T. MOIR WILLIAM ALLISON 06/20/1921MICROFILMED
OCT 1 1992

67-00372

----- rights Dates and Flags Area

| | | | | | | |
|------------------|---|------------|-----------------|---|------------|------------------|
| 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 |
| Start Work Date | - | 00/00/0000 | Verified Date | - | 04/16/1985 | DLE/carey Act |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended |
| Decree Date | - | 06/20/1921 | | | | |

OCT 11 1992

11/18/2005

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

RIGHT NUMBER: 67-372A

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

REBA D DISTLER
591 MORNING GLORY DR
BENICIA CA 94510

SOURCE: FORT HALL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.006 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: 05/01/1882

POINT OF DIVERSION:

T17N R01W S23 NWNE Within ADAMS County

T17N R01W S23 SENW 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 | 0.006 CFS |
| STOCKWATER | 01/01 12/31 | 0.006 CFS |

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S23 SWNE 0.5 T17N R01W S23 SENW 5.3

STOCKWATER same as IRRIGATION

5.8 ACRES TOTAL

This right is limited to the irrigation of 0.5 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

Stockwater use is for 50 sheep and 2 horses.

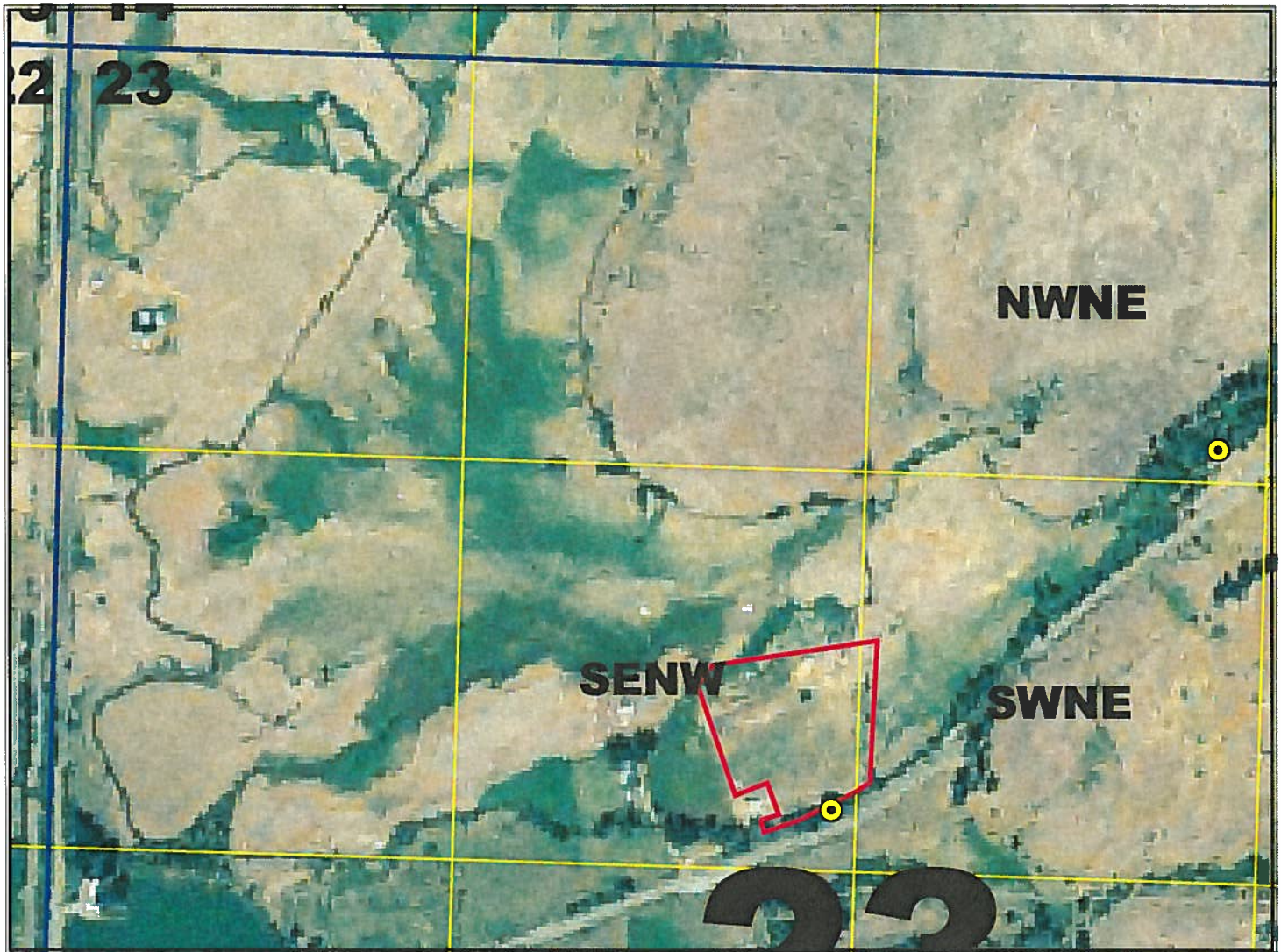
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



STATE OF IDAHO

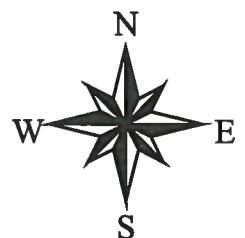
Department of Water Resources

Water Right(s): 67-372A, 67-373A
and 67-10136



0 1350 Feet

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



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

WATER RIGHT NUMBER: 67-372A V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|--|
| Original Owner | C T HAMILL |
| | , ZZ |
| Original Owner | SYLVAN H MENICHETTI
PO BOX 44
FRUITVALE, ID 83620
(208)252-4760 |
| Original Owner | CAROLYN MENICHETTI
PO BOX 44
FRUITVALE, ID 83620
(208)253-4760 |
| Current Owner | MICHAEL D DISTLER
591 MORNING GLORY DR
BENICIA, CA 94510 |
| Current Owner | REBA D DISTLER
591 MORNING GLORY DR
BENICIA, CA 94510 |

Priority Date: 05/01/1882

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|-----------------|------------------|
| FORT HALL CREEK | WEISER RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 03/15 to 11/15 | 0.006 CFS | |
| STOCKWATER | 01/01 to 12/31 | 0.006 CFS | |
| | <u>Total Diversion:</u> | 0.006 CFS | |

Location of Point(s) of Diversion

| | | |
|-----------------|------------|---------------------------------|
| FORT HALL CREEK | NW1/4NE1/4 | Sec. 23, Twp 17N, Rge 01W, B.M. |
| ADAMS County | | |
| FORT HALL CREEK | SE1/4NW1/4 | Sec. 23, Twp 17N, Rge 01W, B.M. |
| ADAMS County | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 17N | 01W | 23 | | | .5 | | | | 5.3 | | | | | | | | | | 5.8 |

Total Acres: 5.8

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-372A V1

STOCKWATER same as IRRIGATIONConditions of Approval:

1. X02 Stockwater use is for 50 sheep and 2 horses.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. E52 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.
4. K06 This right is limited to the irrigation of 0.5 acres within the place of use described above in a single irrigation season.
5. E56 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.
6. 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.

Remarks:Comments:

1. csaxton 11/17/2005 POD

Comment: Based on claim map, only two PODs recommended from Fort Hall Creek. The third POD is actually a diversion from the Robertson Sevey Ditch and is not recommended under this right.

2. csaxton 11/17/2005 C03

Comment: The POD recommended in the SENW of 23 could not have irrigated the ground historically. No evidence to indicate that the pump was not there prior to 1987.

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:
 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 | 8/3/2004 7:58:46 AM | segbert | | | Active |
| POD | 8/3/2004 7:59:52 AM | segbert | | | Active |
| POD | 8/3/2004 8:00:10 AM | segbert | | | Active |

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-372A V1

| | | | |
|---------------|-----------------------|--------------------|--------|
| Source | 8/3/2004 8:01:48 AM | segbert | Active |
| POU | 8/3/2004 8:07:20 AM | segbert | Active |
| Use | 8/3/2004 8:10:41 AM | segbert | Active |
| Season | 8/3/2004 8:11:10 AM | segbert | Active |
| Quantity | 8/3/2004 8:11:53 AM | segbert | Active |
| Contacts | 11/17/2005 1:31:24 PM | csaxton | Active |
| Priority Date | 11/17/2005 1:31:42 PM | csaxton | Active |
| POD | 11/17/2005 1:34:29 PM | csaxton | Active |
| Source | 11/17/2005 1:35:47 PM | csaxton | Active |
| POU | 11/17/2005 1:36:13 PM | csaxton | Active |
| Use | 11/17/2005 1:37:30 PM | csaxton | Active |
| Season | 11/17/2005 1:37:55 PM | csaxton | Active |
| Quantity | 11/17/2005 1:38:29 PM | csaxton | Active |
| Summary | | 11/17/2005 csaxton | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|---|
| POD | 11/17/2005 1:35:07 PM | csaxton | Updated shape |
| POD | 11/17/2005 1:35:25 PM | csaxton | Updated shape |
| Source | 11/17/2005 1:35:47 PM | csaxton | (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?
(No) 11. Is a Source remark and/or condition required? |
| POU | 11/17/2005 1:36:13 PM | csaxton | (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?
(Yes) 14. Is a POU remark and/or condition required? |
| POU | 11/17/2005 1:36:42 PM | csaxton | Updated shape for Active POU |
| POU | 11/17/2005 1:36:50 PM | csaxton | Updated PLS for Active POU |
| Use | 11/17/2005 1:37:30 PM | csaxton | (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?
(No) 13. Is a Purpose of Use remark and/or condition required? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

| | | | |
|----------|-----------------------|---------|--|
| Contacts | 11/17/2005 1:31:24 PM | csaxton | (No) 1. Do you want to schedule an appointment? |
| | | | Comment for 1: Desktop Review |
| General | 11/17/2005 1:31:42 PM | csaxton | (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?
(No) 16. Is a Priority Date remark and/or condition required? |
| POD | 11/17/2005 1:34:30 PM | csaxton | (Yes) 1. Is the basis of this claim a Decree or License?
(No) 4. Does the Decree or License have a POD?
(Yes) 6. Is there evidence that there has been a change in the POD?
(Yes) 7. Can the change be verified as an accomplished transfer?
(Yes) 9. Does the file contain all the necessary information to verify the POD?
(No) 10. Is a POD remark and/or condition required?
Description for Question 6 - The POD recommended in the SENW of 23 could not have irrigated the ground historically. No evidence to indicate that the pump was not there prior to 1987. |
| Season | 11/17/2005 1:37:56 PM | csaxton | (Yes) 1. Is the basis of claim Decree or License?
(No) 4. Does the Decree or License have a Period of Use?
(No) 6. Is there evidence that there has been a change in the Period of Use?
(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?
(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?
(Yes) 15. Is irrigation claimed as a Purpose of Use?
(No) 18. Is a Period of Use remark and/or condition required? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

| | | | |
|----------|-----------------------|---------|---|
| Quantity | 11/17/2005 1:38:30 PM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(No) 8. Does the parent right have an annual diversion volume limit?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> |
| Summary | 11/17/2005 1:44:38 PM | csaxton | <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>(Yes) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(Yes) 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> |
| POD | 8/3/2004 8:00:11 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(No) 5. Can the claimed POD be verified using the water right file?</p> |
| POU | 8/3/2004 8:07:21 AM | segbert | <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> |
| Source | 8/3/2004 8:01:50 AM | segbert | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> |
| POU | 8/3/2004 8:10:07 AM | segbert | Edited shape boundary |
| Use | 8/3/2004 8:10:43 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-372A V1

| | | | |
|---------------|---------------------|---------|--|
| Season | 8/3/2004 8:11:11 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?
(No) 4. Does the Decree or License have a Period of Use?
(No) 6. Is there evidence that there has been a change in the Period of Use?
(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?
(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?
(Yes) 15. Is irrigation claimed as a Purpose of Use? |
| Quantity | 8/3/2004 8:11:53 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? |
| POU | 8/3/2004 8:10:28 AM | segbert | Edited shape boundary |
| Priority Date | 8/3/2004 7:58:47 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? |
| POD | 8/3/2004 7:59:53 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? |

Water Supply Bank:

Contacts Data Entry Form

Claim Number: 67-372A

| Owner Type | Full Name | Address | City | State | Zip | Phone |
|----------------|---------------------|-------------------------|-----------|-------|-------|---------------|
| Original Owner | C T HAMILL | | | ZZ | | |
| Original Owner | SYLVAN H MENICHETTI | PO BOX 44 | FRUITVALE | ID | 83620 | (208)252-4760 |
| Original Owner | CAROLYN MENICHETTI | PO BOX 44 | FRUITVALE | ID | 83620 | (208)253-4760 |
| Current Owner | MICHAEL D DISTLER | 591 MORNING
GLORY DR | BENICIA | CA | 94510 | |
| Current Owner | REBA D DISTLER | 591 MORNING
GLORY DR | BENICIA | CA | 94510 | |

Date of Field Exam: Desktop Review Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Contact Info looks good.

Reviewer: C. G. SmithDate: 11-17-05

Priority Date Data Entry Form

Claim Number 67-372A

Claimed Priority Date: 5/1/1882

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date _____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

As Decreed

Reviewer: C. S. [Signature]Date: 11-17-05

Point of Diversion and Source Data Entry Form

Claim Number 67-372A

Claimed Point of Diversion and Source

T17N R01W S23 NWNE Within ADAMS County Source: FORT HALL CREEK WEISER RIVER

T17N R01W S23 SWNE Within ADAMS County Source: FORT HALL CREEK WEISER RIVER

T17N R01W S23 SENW Within ADAMS County Source: FORT HALL CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Ft Hall Ck Weiser

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|-----|-----|-----|---------|----------------|--------|------------|
| 17N | 1W | 23 | | NW NE | Adams | Ft Hall Ck |
| 17N | 1W | 23 | | SE NW | Adams | Ft Hall Ck |
| | | | | | | |

Other rights from this POD? 67-373A

Document how the POD and Source were verified:

Digitized from claim map in 67-826

Reviewer: L. SaylorDate: 11-17-05

Tim
Reim
Sec

172323

5FND
14309

2232

MISERABLE

OCT 07 1992

Place Of Use Data Entry Form

Claim Number 67-372A

Claimed Place Of Use

T17N R01W S23 SENW 6.0

T17N R01W S23 SENW

Total Acres 6

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|----|--------|---------|-------|----------------|
| 17N | 1W | 23 | SE | NW | Adams | | 5.3 | Irr |
| | | | SW | NE | Adams | | 0.5 | Irr |
| | | | | | | | | |
| | | | | | | | | |

Total Acres 5.8

Document how the POU was verified:

This Right limited to 0.5 ac w/in POU
- stock same as irr.

$$0.006 \text{ cfs @ } 5/8" / \text{acre} = 0.5 \text{ ac}$$

Reviewer: C-EvansDate: 11-17-05

Purpose of Use Data Entry Form

Claim Number 67-372A

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION
STOCKWATER☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

| | | | | |
|--|--|----|--|--|
| | | 52 | | |
| | | | | |
| | | | | |

Document how the Purpose of Use was verified:

| |
|------------|
| As Decreed |
| 50 Sheep |
| 2 Horses |
| |
| |

Reviewer: C. SydnorDate: 11-17-05

Period of Use and Quantity Data Entry Form

Claim Number 67-372A

Claimed Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|------------------------|-------|--------------------------|-------|--------|
| IRRIGATION | 4/15 | 11/15 | 0.006 | |
| STOCKWATER | 1/01 | 12/31 | 0.02 | |
| Overall Diversion Rate | 0.006 | Overall Diversion Volume | | |

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|------------------------|-------|--------------------------|------|--------|
| Overall Diversion Rate | | Overall Diversion Volume | | |

Recommended Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-------|-------|--------|
| Irr | 7-15 | 11-15 | 0.006 | |
| Stock | 1-1 | 12-31 | 0.006 | |
| | | | | |

Overall Diversion Rate 0.006Overall Diversion Volume N/A

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: C. SaylorDate: 11-17-05

Split history for Decreed Right 67-372 & 374

WR History

Claim History

Recommendation

| | | | | | |
|-------------------------------------|-------------|---------|-------------|-----------|-----------|
| 67-372 | See Remarks | 67-372 | See Remarks | 67-372A | Distler |
| 0.08 | 0.08 | | ? | | 0.006 |
| 6.4 | | 67-372A | Distler | | 6 |
| 0 | | | | | |
| * calculated at 5/8 inches per acre | | | | | |
| 67-374 | See Remarks | 67-373 | See Remarks | 67-11304A | Scism |
| 0.12 | 0.12 | | ? | | 0.064 |
| 9.6 | | | | | 50.8 |
| 0 | | | | | |
| * calculated at 5/8 inches per acre | | | | | |
| | | | | 67-11304B | Fruitvale |
| | | | | | 0.042 |
| | | | | | 33.3 |
| | | | | | |
| | | | | 67-11304C | Shumway |
| | | | | | 0.094 |
| | | | | | 75 |

* calculated at 5/8 inches per acre

*Last updated 11-9-05 (csaxton)

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

| | |
|-------------|-------|
| Total CFS = | 0.206 |
| Total AC = | 165.1 |
| Total Vol = | n/a |

| | |
|-------------|--------|
| Extra CFS = | -0.006 |
| Extra AC = | n/a |
| Extra Vol = | n/a |

| | |
|-------------|-------|
| Total CFS = | 0.2 |
| Total AC = | 16.10 |
| Total Vol = | n/a |

| | |
|-------------|-------|
| Extra CFS = | 0 |
| Extra AC = | -0.10 |
| Extra Vol = | n/a |

I have no idea where the original acreage was within the 80 described

| Page # | Parcel Number | Name | New Charge 2005 | New Charge 2003 | Water in Inches | File # | Original Owner | Priority Date | Source |
|--------|---------------|----------|-----------------|-----------------|-----------------|--------|----------------|---------------|---------------|
| 13 | P17N01W2303 | SCISM, D | \$ 3.20 | \$2.80 | 4 | 372 | CT HAMILL | 5/1/82 | Farmers Canal |
| 12 | P17N01W1460 | SCISM, D | \$ 4.80 | \$4.20 | 6 | 374 | L HARP | 5/1/82 | Farmers Canal |

*This right is delivered in full to Scism, but Distler actually takes water from the decreed source.

** Distiler claimed his diversion rate based on 4 inches divided by 80 acres = 0.001 per acre.

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, M Claim | |
| 67 74 A | Decreed | Active | 5/1/1916 | | 0.37 LOST CRE IRRIGATION | DISTLER, M Claim | |
| 67 82 G | Decreed | Active | 5/27/1910 | | 3 LOST CRE IRRIGATION FROM DISTLER, M Claim | | |
| 67 372 A | Decreed | Active | 1882-05-01 | 0.01 | 6 FORT HAL IRRIGATION, STO(DISTLER, M Claim | | |
| 67 373 A | Decreed | Active | 1889-05-01 | 0.01 | 6 FORT HAL IRRIGATION, STO(DISTLER, M Claim | | |
| 67 10136 | eneficial Use | Active | 6/21/1921 | 0.14 | 6 FORT HAL IRRIGATION, STO(DISTLER, M Claim | | |

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

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, M 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, M Recommendation | |
| 67 74 A | Decreed | Active | 5/1/1916 | 0.011 | 0.8 | WEISER R IRRIGATION | DISTLER, M Recommendation | |
| 67 372 A | Decreed | Active | 1882-05-01 | 0.006 | 0.5 | FORT HAL IRRIGATION, STO(DISTLER, M Recommendation | | |
| 67 373 A | Decreed | Active | 1889-05-01 | 0.006 | 0.5 | FORT HAL IRRIGATION, STO(DISTLER, M Recommendation | | |
| 67 10136 | Beneficial Use | Active | 6/21/1921 | 0.104 | 5.8 | FORT HAL IRRIGATION, STO(DISTLER, M Recommendation | | |
| | | | Limit to | 0.116 | 5.8 | | | |

Ready to Recommend

J F Lowe 38 ✓
 L J Rhinehart 31 ✓
 Loren Rhinehart 40 ✓
 Anna Mowrow 5 ✓

Mill Creek.

William Winkler, Lewis Winkler, Mrs F H Hayner,
 John Kessler, Jim Kessler, Lewis Kessler, Bettie
 Dickerson, Janie Hart, Ida Blanchard, William
 Kessler, Elva Young and Rebecca Kessler, suc-
 cessors of Alexander Kessler, deceased 25 ✓
 Frederick N Watriss, Grantee of Geo M Winkler-----16 2/3 ✓

P H Schaff and F S Galey, Grantees of Samuel Harp 37 1/2 ✓
 29 ✓

Deseret Sheep Company sub for C A Martin, Grantee
 of Margaret Krigbaum 41 2/3 ✓

Mill Creek (Con)

Council Valley Orchards, Grantee of J Marion
 Young 10 3/4 ✓

J D Poyner and John Poyner 29 ✓

George T Ellis 37 1/2 ✓

P H Schaff and Thomas L Watt, Grantees of B F
 Middleton 21 1/2 ✓

Charles Lappin and A E Felmley, Grantees of C S
 Gibbs 27 1/2 ✓

James A Huston Jr. and William Spahr, Grantees
 of John and J D Poyner 37 1/2 ✓

B W Turnipseed 54 ✓

J V Morrison 16 ✓

C W Holmes 18 ✓

Council Valley Orchards 15 ✓

Unnamed Stream.

Council Valley Orchards 8 1/2 ✓

Frank S Galey 100 ✓

C W Holmes 20 ✓

C E McDonld High water 56 10 ✓

Fort Hall Creek

C T Hamill 34 ✓

Louis Harp 4 ✓

A L Frechafer and Margaret P Pile 4 ✓

June 5, 1902 67 0344
 June 5, 1902 67 0345
 June 5, 1902 67 0346
 June 5, 1902 67 0347

67 0348
 May 1, 1878 * Trade 504-517-539-711 ✓
 May 1, 1881 67 0349
 May 1, 1884 * 67 0350 (out-14)
 May 1, 1893 * 67 0351
 May 1, (1114) * 67 0352
 May 1, 1882 * 67 0353 7-80-43
 May 1, 1891 * 67 0354
 May 1, 1884 * Trans 884 67 0355

May 1, 1885 * 67 0356
 May 1, 1894 * 67 0357
 May 1, 1889 * 67 0358
 May 1, 1886 * mag 67 181 (185391)
 May 1, 1893 * 67 0360
 May 1, 1894 * 67 0361

May 1, 1896 * mag 167 181 (185391)
 May 1, 1899 * mag 167 181 (185391)
 May 1, 1903 * 67 0361
 July 1, 1909 * 67 0365
 May 1, 1909 * 67 0366
 June 1, 1906 * 67 0367

July 3, 1911 * 67 0368
 March 17, 1913 67 0369
 May 16, 1912 * 67 0370
 July 2, 1892 * 67 0371

May 1, 1882 * 67 0372
 May 1, 1889 * 67 0373
 May 1, 1882 * 67 0374
 June 1, 1911 * 67 0375

JUL 24 1896

LESTER I McMAHAN: The Southeast Quarter of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

GEORGE ROBERTSON: The East half of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

LILLIAN G SPOFFORD: The North half of the Northwest Quarter of Section 23 and the Southeast Quarter of the Southwest Quarter of Section 14, Township 17 North, Range 1 West Boise Meridian.

FRUITVALE TOWNSITE COMPANY: The North half of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

PHILIP WALSTON: The Southwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

G E COX: A tract of four acres in the Northeast corner of the Fruitvale town-site, in Section 15, Township 17 North, Range 1 West Boise Meridian.

A L FRIENHAVER and MARGARET R PINO: The West half of the Southeast Quarter and a strip of land in the West half of the Southwest Quarter adjoining lands above described, all in Section 23, Township 17 North, Range 1 West Boise Meridian.

S D GOSHERT: The West half of the Southwest Quarter of Section 23, and the Northwest Quarter of the Northwest Quarter of Section 26, Township 17 North, Range 1 West.

G T HAMILL: The South half of the Northwest Quarter of Section 23, Township 17 North, Range 1 West Boise Meridian.

E R WINDES: The West half of the Northeast quarter, the East half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the North half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

FIRST BANK OF COUNCIL: The East half of the West half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

J J JONES: The East half of the Southwest Quarter of Section 22 and the Northeast Quarter of the Northeast Quarter of Section 27, Township 17 North, Range 1 West Boise Meridian.

T B BIGGERSTAFF: The Southwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter of Section 1, the South half of the Southeast Quarter of Section 2, Township 17 North, Range 1 West Boise Meridian.

ORCHARDS WATER COMPANY: The East half of the Southwest Quarter of Section 14, the Northwest Quarter of the Northwest Quarter of Section (23) and 20 acres in the West half of the Southwest Quarter of the Northwest Quarter of Section (23); all Sec. 22; the South half the North half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 15; the South half of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 10; the North half and the East half of the Northeast Quarter of the Southeast Quarter of Section 21, the South half the North half of the Northeast Quarter and the North half of the Northwest Quarter of Section 16, the Southwest Quarter, the South half and the West half of the Northwest Quarter of Section 9; the East half; the North half of the Southwest Quarter of Section 8; the east half of the Southwest Quarter, the South half of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 17; all of Section 20; the West half of the Southeast Quarter and the West half of the Northeast Quarter of Section 19; all in Township 17 North, Range 1 West Boise Meridian. *Trans. #1077*

JUL 24 1996



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