09/10/2007

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-373A

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

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: 05/01/1889

POINT OF DIVERSION:

T17N R01W S23 NWNE Within ADAMS County

T17N R01W S23 SENW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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 SENW 5.30

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.

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

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

WATER RIGHT NUMBER: 67-373A V1

Owner Type	Name and Address
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: 05/01/1889

Basis: Decreed

Status: Active

Source	Tributary
FORT HALL CREEK	WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
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				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

17N 01W 23	.5	5.3			5.8

Total Acres: 5.8

STOCKWATER same as IRRIGATION

Conditions of Approval:

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

Remarks:

Comments:

1. segbert 8/5/2004 POU
Comment: Updated Shape

2. segbert 8/5/2004 POU
Comment: Updated Shape

3. 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.

4. csaxton 11/17/2005 PPU
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.

5. csaxton 11/17/2005 Acre Limitation
Comment: Acreage limitation is constrained by diversion rate. 0.006 cfs at 5/8 inches per acre can irrigate 0.5 acres.

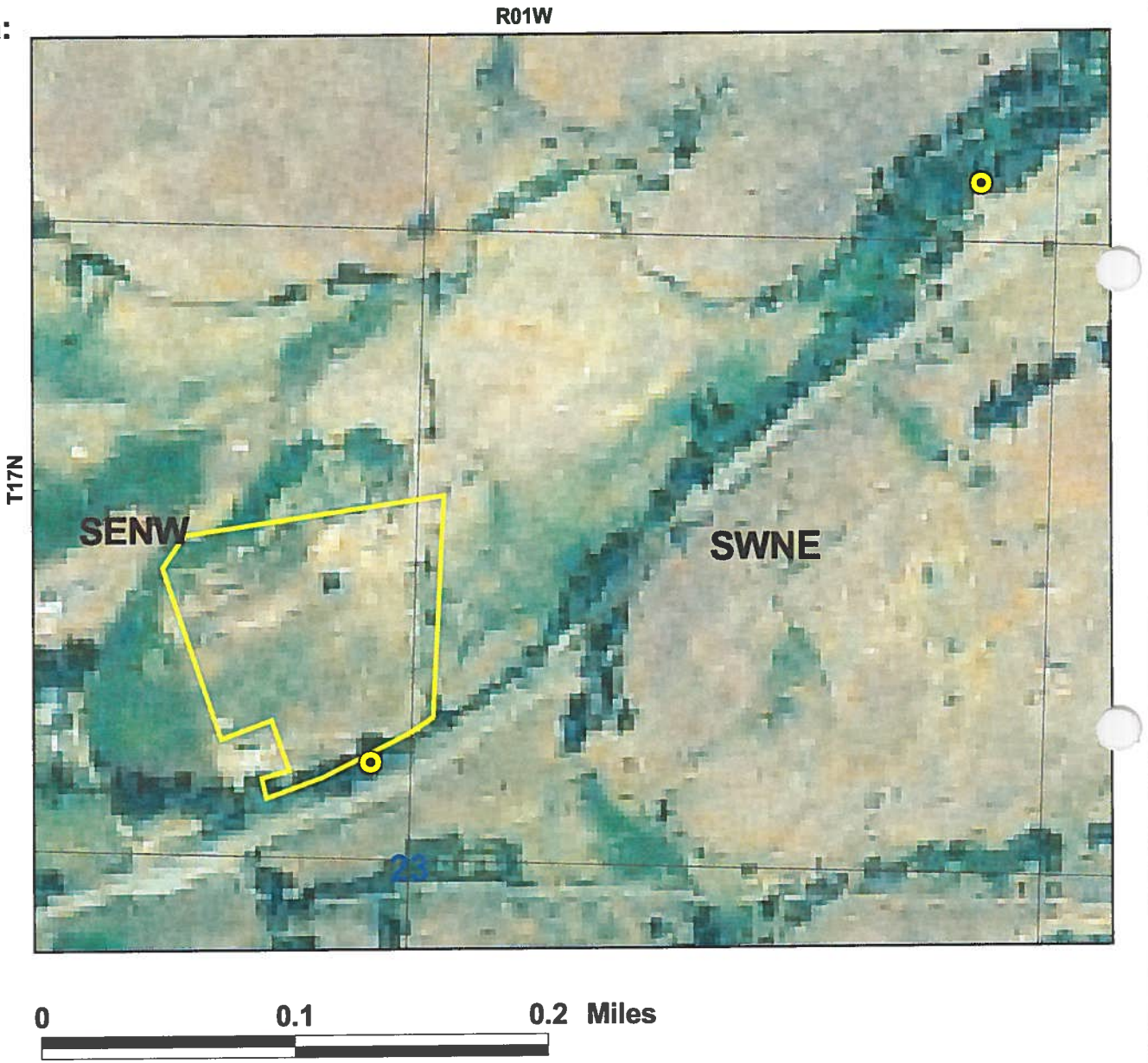
Water Supply Bank:

Idaho Department of Water Resources

SRBA Recommendation:

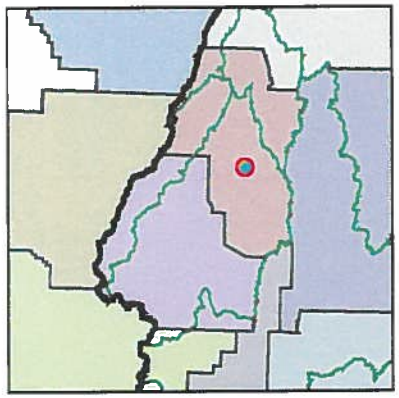
67-373A

(Irrigation)



Legend

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



Adams County
IDWR Basin 67

N

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

WATER RIGHT NUMBER: 67-373A V1

Owner Type	Name and Address
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: 05/01/1889

Basis: Decreed

Status: Active

Source	Tributary
FORT HALL CREEK	WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
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 67-373A V1

17N 01W 23	.5	5.3			5.8

Total Acres: 5.8

STOCKWATER same as IRRIGATION

Conditions of Approval:

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

Remarks:

Comments:

1. segbert 8/5/2004 POU
Comment: Updated Shape

2. segbert 8/5/2004 POU
Comment: Updated Shape

3. 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.

4. csaxton 11/17/2005 PPU
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.

5. csaxton 11/17/2005 Acre Limitation
Comment: Acreage limitation is constrained by diversion rate. 0.006 cfs at 5/8 inches per acre can irrigate 0.5 acres.

Water Supply Bank:

Idaho Department of Water Resources

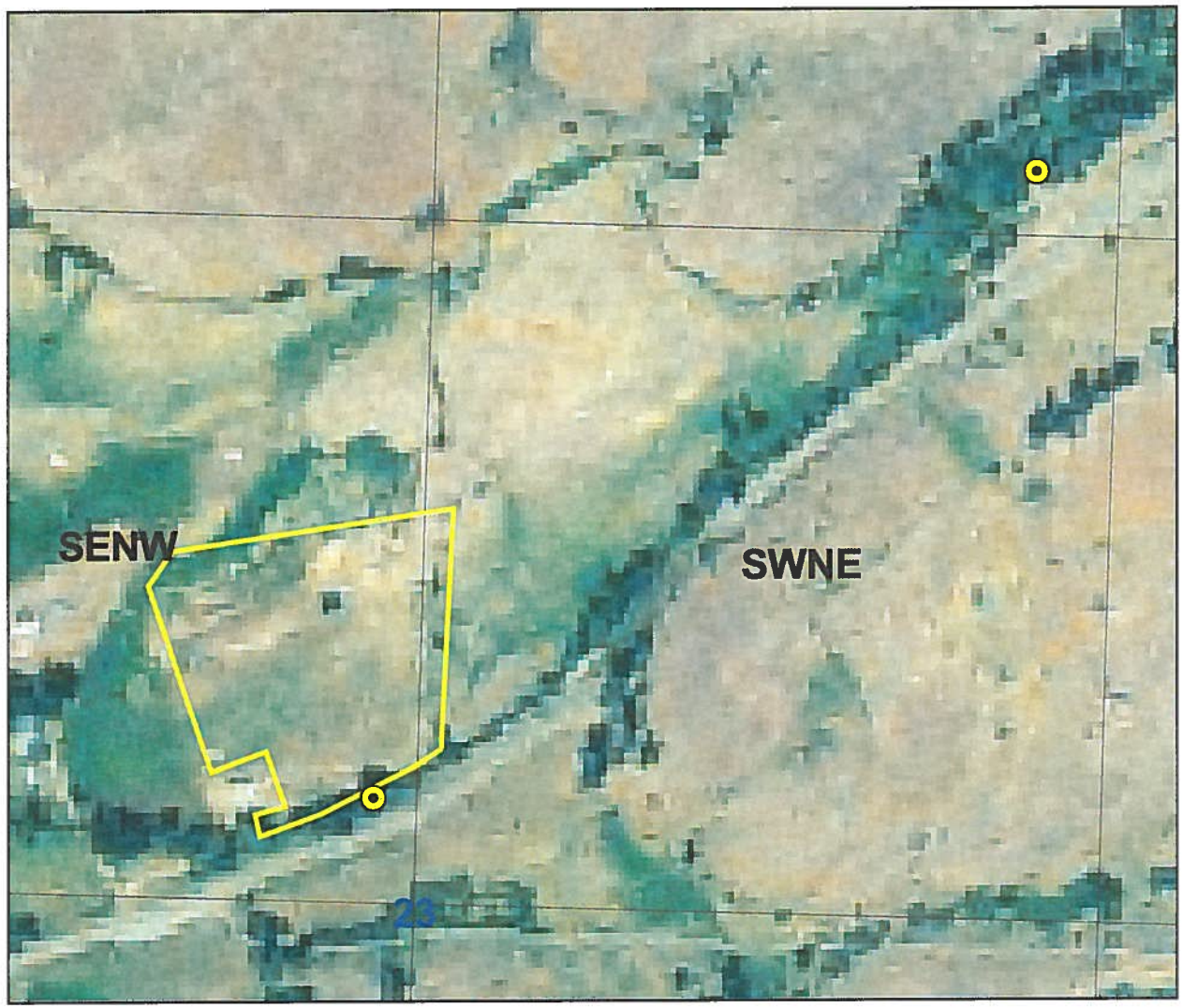
SRBA Recommendation:

67-373A

(Irrigation)

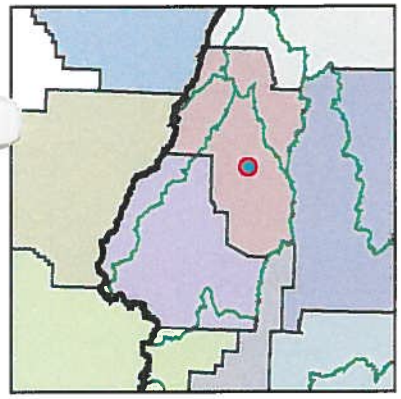
R01W

T17N



Legend

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



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

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

11/18/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-373A

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: 05/01/1889

POINT OF DIVERSION:

T17N R01W S23 NWNE Within ADAMS County

T17N R01W S23 SENW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

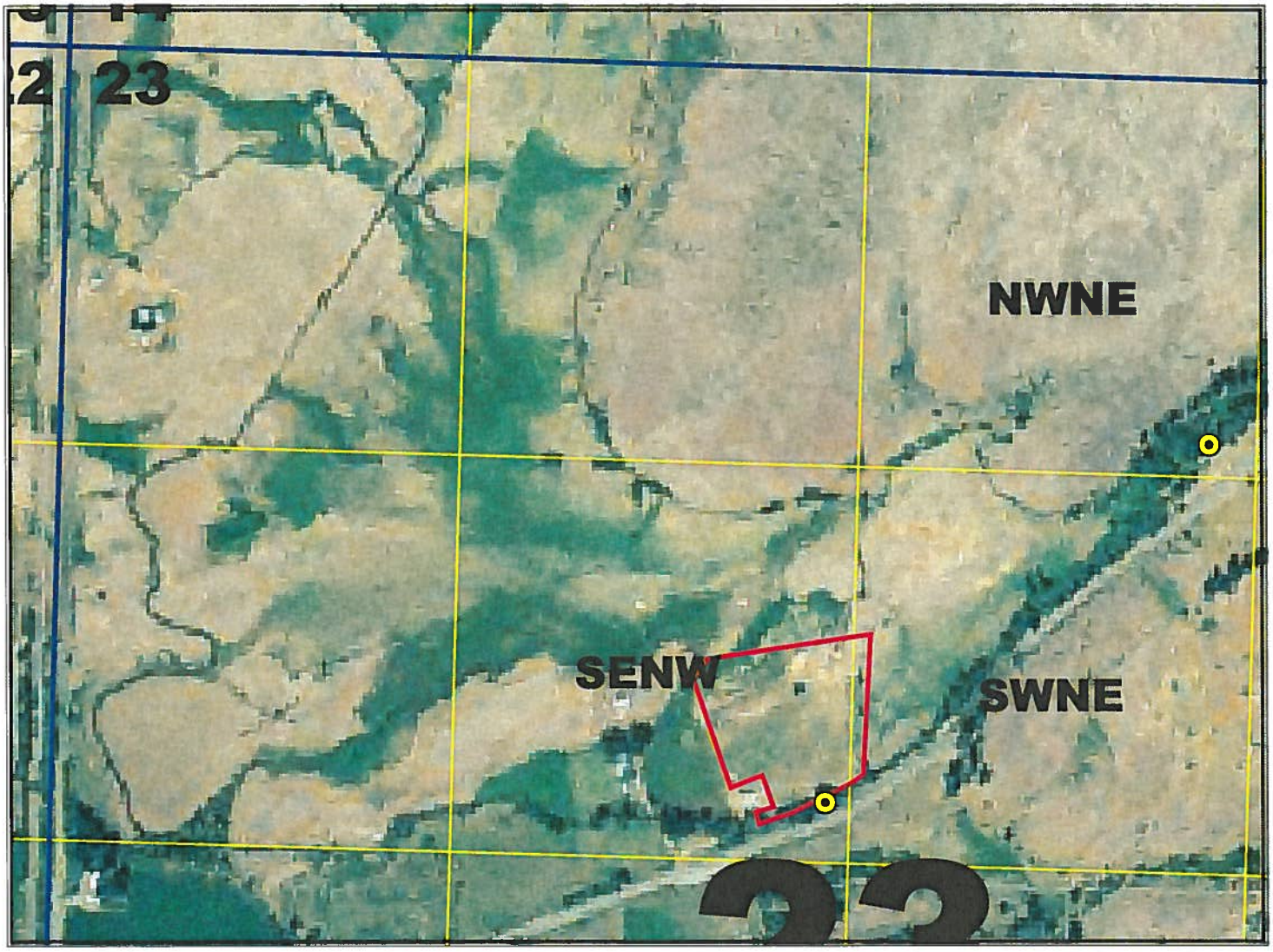
Stockwater use is for 50 sheep and 2 horses.

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



Point(s) of Diversion

Place of Use

Quarter Quarter Lines

Section Lines

N
W
E
S

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

WATER RIGHT NUMBER: 67-373A V1

Owner Type	Name and Address
Original Owner	C T HAMILL , ZZ
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Basis: Decreed

Status: Active

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FORT HALL CREEK	WEISER RIVER

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	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	
17N 01W 23			.5					5.3									5.8

Total Acres: 5.8

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. K06 This right is limited to the irrigation of 0.5 acres within the place of use described above in a single irrigation season.
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Remarks:

Comments:

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Comment: Updated Shape

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5. csaxton 11/17/2005 Acre Limitation
Comment: Acreage limitation is constrained by diversion rate. 0.006 cfs at 5/8 inches per acre can irrigate 0.5 acres.

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	8/5/2004 1:28:00 PM	segbert			Active
POD	8/5/2004 1:29:17 PM	segbert			Active
Source	8/5/2004 1:34:26 PM	segbert			Active
POU	8/5/2004 1:39:17 PM	segbert			Active
Use	8/5/2004 1:45:05 PM	segbert			Active
Season	8/5/2004 1:45:32 PM	segbert			Active
Quantity	8/5/2004 1:46:32 PM	segbert			Active
Contacts	11/17/2005 2:26:04 PM	csaxton			Active
Priority Date	11/17/2005 2:26:41 PM	csaxton			Active
POD	11/17/2005 2:27:38 PM	csaxton			Active
Source	11/17/2005 2:29:52 PM	csaxton			Active
POU	11/17/2005 2:30:03 PM	csaxton			Active
Use	11/17/2005 2:30:52 PM	csaxton			Active
Season	11/17/2005 2:31:19 PM	csaxton			Active
Quantity	11/17/2005 2:31:48 PM	csaxton			Active
Summary			11/17/2005	csaxton	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Contacts	11/17/2005 2:26:04 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	11/17/2005 2:29:10 PM	csaxton	Updated shape
POD	11/17/2005 2:29:37 PM	csaxton	Updated shape
General	11/17/2005 2:26:41 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

POD	11/17/2005 2:27:38 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.
Source	11/17/2005 2:29:52 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 2:30:04 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 2:30:30 PM	csaxton	Updated shape for Active POU
POU	11/17/2005 2:30:39 PM	csaxton	Updated PLS for Active POU
Use	11/17/2005 2:30:52 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?
Season	11/17/2005 2:31:19 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 administrativly 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 67-373A V1

Quantity	11/17/2005 2:31:49 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	11/17/2005 2:33:59 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	8/5/2004 1:29:17 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file?
Source	8/5/2004 1:34:26 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	8/5/2004 1:39:18 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Priority Date	8/5/2004 1:28:01 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373A V1

Use	8/5/2004 1:45:05 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	8/5/2004 1:45:32 PM	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	8/5/2004 1:46:32 PM	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?

Water Supply Bank:

IDWR Field Exam Form 11/17/2005

Contacts Data Entry Form

Claim Number: 67-373A

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: Deletion Review Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Ownership Info look accurate.

Reviewer: C. Lyster Date: 11-17-05

IDWR Field Exam Form 11/17/2005

Priority Date Data Entry Form

Claim Number 67-373A

Claimed Priority Date: 5/1/1889 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: [signature] Date: 11-17-05

IDWR Field Exam Form 11/17/2005

Point of Diversion and Source Data Entry Form

Claim Number 67-373A

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

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

Other rights from this POD? 67-372A

Document how the POD and Source were verified:

Desk top Review

Reviewer: L Simpson Date: 11-17-05

MICROFILMED
OCT 21 1992

IDWR Field Exam Form 11/17/2005

Place Of Use Data Entry Form

Claim Number 67-373A

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	"		0.5	Irr

Total Acres 5.8

Document how the POU was verified:

Irr same as Stock

- limited to what the recommended Diversion rate can irrigate @ 5/8 inches per acre

Reviewer: Li Sexton Date: 11-17-05

Purpose of Use Data Entry Form

Claim Number 67-373A

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
Irr			0.5	
Stock		50		

Document how the Purpose of Use was verified:

0.006 cfs @ 5/8"/acre = 0.50 ac

Reviewer: C Saxton

Date: 11-17-05

IDWR Field Exam Form 11/17/2005

Period of Use and Quantity Data Entry Form

Claim Number 67-373A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	10/15	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	3-15	11-15	0.006	
Stock	1-1	12-31	0.006	

Overall Diversion Rate 0.006 Overall Diversion Volume _____

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

Reviewer: _____ Date: 11-17-05

Claim

Basin	Sequenc	Suffix	Basis	Status	Priority Dat	Rate(cfs)	Volume(af	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

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, 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 Us	Active	6/21/1921	0.14	6	FORT HAL	IRRIGATION, STO	DISTLER, M	Claim

Recommendation

Basin	Sequenc	Suffix	Basis	Status	Priority Dat	Rate(cfs)	Volume(af	Source	Water Use(s)	Owner(s)	Source Table
67	82	G	Decreed	Disallowed	5/27/1910		3	LOST CRE	IRRIGATION FROM	DISTLER, M	Recommendation

Basin	Sequenc	Suffix	Basis	Status	Priority Dat	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 U	Active	6/21/1921	0.104	5.8	FORT HAL	IRRIGATION, STO	DISTLER, M	Recommendation
					Limit to	0.116	5.8				

Ready to Recommend

Split history for Decreed Right 67-00373

WR History

67-373	Hammill
0.08	cfs
6.4	ac
0	af

Acres calculated at 5/8 in per acre

Claim History

67-373	Scism
	0.08
	8
	0

67-373A	Distler
	0.006
	6
	0

Recommendation

67-373	Scism
	0.074
	5.9

Limited to 5.9 ac within X pou

67-373A	Distler
	0.006
	0.5

Limited to 0.5 ac within 5.8 acres

Sum CFS =	**0.086**
Sum Acre=	**14**
Sum AF =	**n/a**

Un-accounted CFS =	-0.006
Un-accounted Acre =	-7.6
Un-accounted AFA =	n/a

Sum CFS =	**0.08**
Sum Acre=	**6.4**
Sum AF =	**n/a**

Un-accounted CFS =	0
Un-accounted Acre =	0
Un-accounted AFA =	n/a

***Last updated 11-1-05 (csaxton)**

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

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water in Inches	File #	Original Owner	Priority Date	Source
12	17N01W146	SCISM, DOUG	$ 3.20	**$2.80**	**4**	**373**	**CT HAMILL**	**5/1/89**	Farmers Canal

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

J F Lowe	38		June 5, 1902 67 0344
L J Rhinehart	31		June 5, 1902 67 0345
Loren Rhinehart	40		June 5, 1902 67 0346
Anna Monrow	5		June 5, 1902 67 0347
Mill Creek.			
William Winkler, Lewis Winkler, Mrs F H Rayner, John Kessler, Jim Kessler, Lewis Kessler, Bettie Dickerson, Janie Hart, Ida Blanchard, William Kessler, Elva Young and Rebecca Kessler, successors of Alexander Kessler, deceased	25		67 0348 May 1, 1878
Frederick N Watrins, Grantee of Geo M Winkler	16 2/3		May 1, 1881 67 0349
	12½		May 1, 1884 67 0350
	33 1/3		May 1, 1893 67 0351
	20 3/4		May 1, 1111 67 0352
P H Schaff and F S Galey, Grantees of Samuel Harp	37½		May 1, 1882 67 0353
	29		May 1, 1891 67 0354
Deseret Sheep Company sub for C A Martin, Grantee of Margaret Krigbaum	41 2/3		May 1, 1884 67 0355
Mill Creek (Con)			
Council Valley Orchards, Grantee of J Marion Young	10 3/4		May 1, 1885 67 0356
	29		May 1, 1894 67 0357
	37½		May 1, 1889 67 0358
J D Poyner and John Poyner	21½		May 1, 1886 67 0359
George T Ellis	27½		May 1, 1893 67 0360
P H Schaff and Thomas L Watt, Grantees of B F Middleton	37½		May 1, 1894 67 0361
Charles Lappin and A E Felmley, Grantees of C S Gibbs	54		May 1, 1896 67 0362
James A Huston Jr. and William Spahr, Grantees of John and J D Poyner	16	Trans 384	May 1, 1899 67 0363
B W Turnipseed	18		May 1, 1903 67 0364
J V Morrison	18		July 1, 1909 67 0365
C W Holmes	8½		May 1, 1909 67 0366
Council Valley Orchards	100		June 1, 1906 67 0367
Unnamed Stream.			
Council Valley Orchards	100		July 3, 1911 67 0368
Frank S Galey	20		March 17, 1913 67 0369
C W Holmes	10		May 16, 1912 67 0370
C E McDonnld — High water 56	34		July 2, 1892 67 0371
Fort Hall Creek			
C T Hamill	4		May 1, 1882 67 0372
	4		May 1, 1889 67 0373
Louis Harp	6		May 1, 1882 67 0374
	11		June 1, 1911 67 0375
A L Frechafer and Margaret E Pike			

JUL 2 4 1996

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.

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

A L FREEHAFER and MARGARET E PIKE: 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, the East half 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

Trans. #1077

JUL 2 4 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-373A

WATER RIGHT NUMBER: 67-373A

Owner Type	Name and Address
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: 05/01/1889

Basis: Decreed

Status: Active

Source	Tributary
FORT HALL CREEK	WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/15 to 10/15	0.006 CFS	
STOCKWATER	1/01 to 12/31	0.020 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	SW1/4NE1/4	Sec. 23,	Twp 17N, Rge 01W, B.M.
FORT HALL CREEK ADAMS County	SE1/4NW1/4	Sec. 23,	Twp 17N, Rge 01W, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-373A

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 01W 23								6.0									6.0

Total Acres: 6

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 01W 23								X									

Conditions of Approval:

1. 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 67-00373.
   VARIABLE FEE OVERLAP W/A67-00373A.
2. Ownership changed by DB 10/24/2001

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 8/22/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

Water Supply Bank:

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 67-373A
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: 05/01/1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
17N	01W	23	NW	NE	ADAMS	
17N	01W	23	SW	NE	ADAMS	
17N	01W	23	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	4/15	10/15	0.006	
STOCKWATER	1/01	12/31	0.02	

SCANNED
APR 0 2 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		IRRIGATION	6
			SE	NW		STOCKWATER	
						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 67-00373
VARIABLE FEE OVERLAP W/A67-00373A

15. Basis of Claim: Decreed

Form 42-248/42-1409(6) July, 2000

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
	A67-00082G 00926	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, [X] 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

Reba 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
SYL MENICHETTI

Carolyn Menichetti
CAROLYN MENICHETTI

STATE OF Idaho)
: ss
COUNTY OF Adams)

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 A. Ward
Notary Public
Residing at: Indian Valley
Commission expires:

Instrum [illegible]
COUNCIL, [illegible] IDAHO
2001-08-0[illegible] 03:52:0[illegible] No. of Pages:
Recorded [illegible] TITLE & ESCROW
MICHAEL [illegible] 6.00

#01-333

INSTRUMENT NO. 100169
PAGE 2 OF 2

EXHIBIT 'A'

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 IW

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: **A67-00373A**
Date Received: 8/22/1989
Receipt No: W004833
Received By: EJK

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, 1889

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

4. Point of Diversion:

Township	Range	Section	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	10/15	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 AND 2 HEAD HORSES

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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, 00082, 00372

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 67-00373.
VARIABLE FEE OVERLAP W/A67-00373A.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

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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): Lyman H. Merrill Date: 8/22/89

Carolyn Merichetti Date: 8/22/89

State of Idaho)
) SS.
County of Ada)

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

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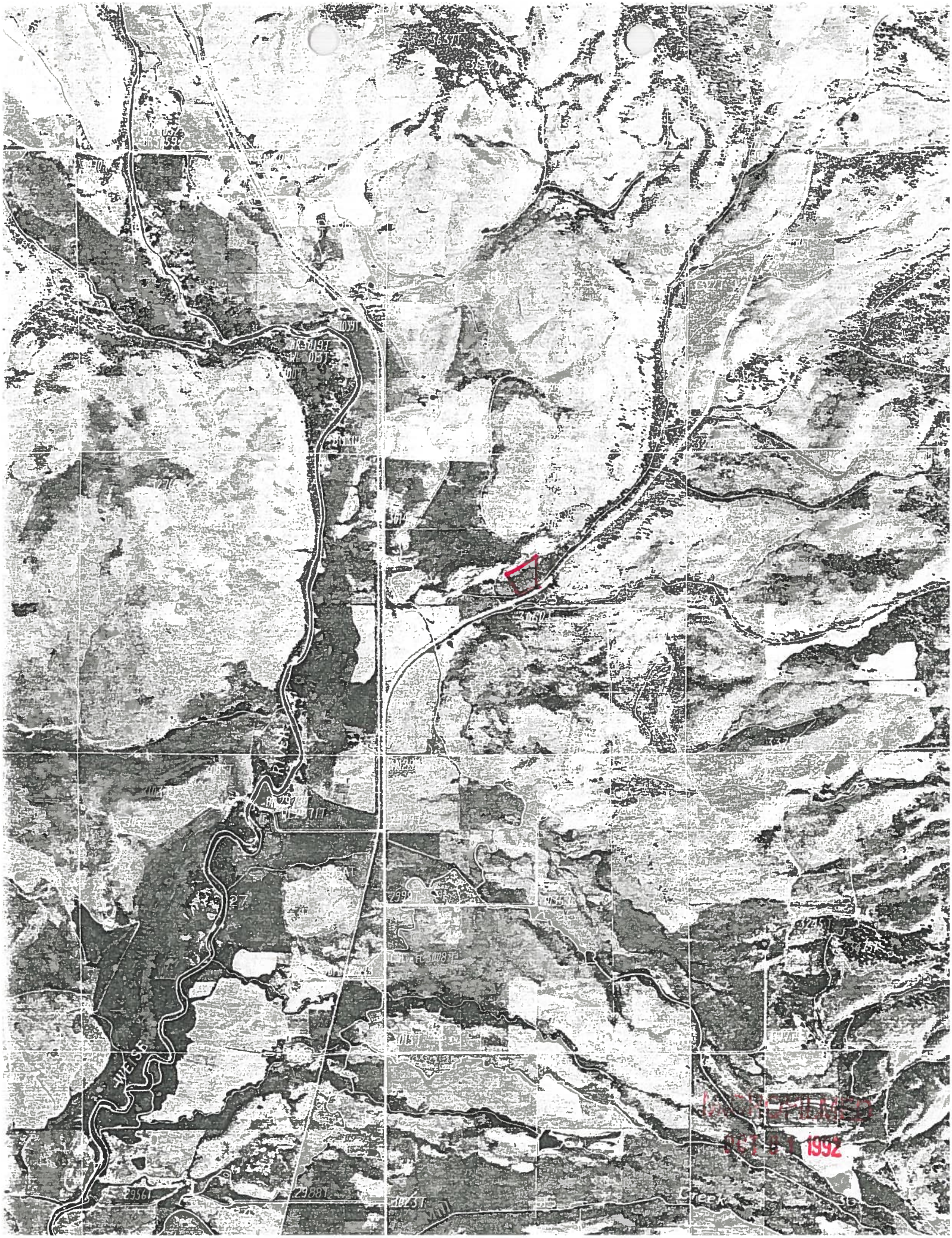
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OCT 8 1992

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

Water Right Number - 67-00373 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- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/01/1889	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 @ 80 acres	

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	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

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Water right number - 67-00373 Adj. flag translation: Standard Water Right Number

+ - Water 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	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/16/1985	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				

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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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure