

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: A22-00531
Date Received: 6/13/1989
Receipt No: 6-28-89 (extension)
Received By: Ed
6009380

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARRY SILVERSTEIN 208-456-2853
Address: PALEFACE
JAY, NY 12941

2. Date of Priority: JUN 01, 1906

3. Source: DARBY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	46E	18	SE	SE	NE		TETON

5. Description of diverting works:
HEADWORKS OF LOWER CHERRY GROVE CANAL TO DITCHES/FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	14	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A22-00531

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Date: 07/03/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	14	SE	SE		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
22-00096, 00530

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
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: 1

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): [Signature] Date: JUNE 28 89
Date: _____

State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of June 19 89 [Signature]
Notary Public

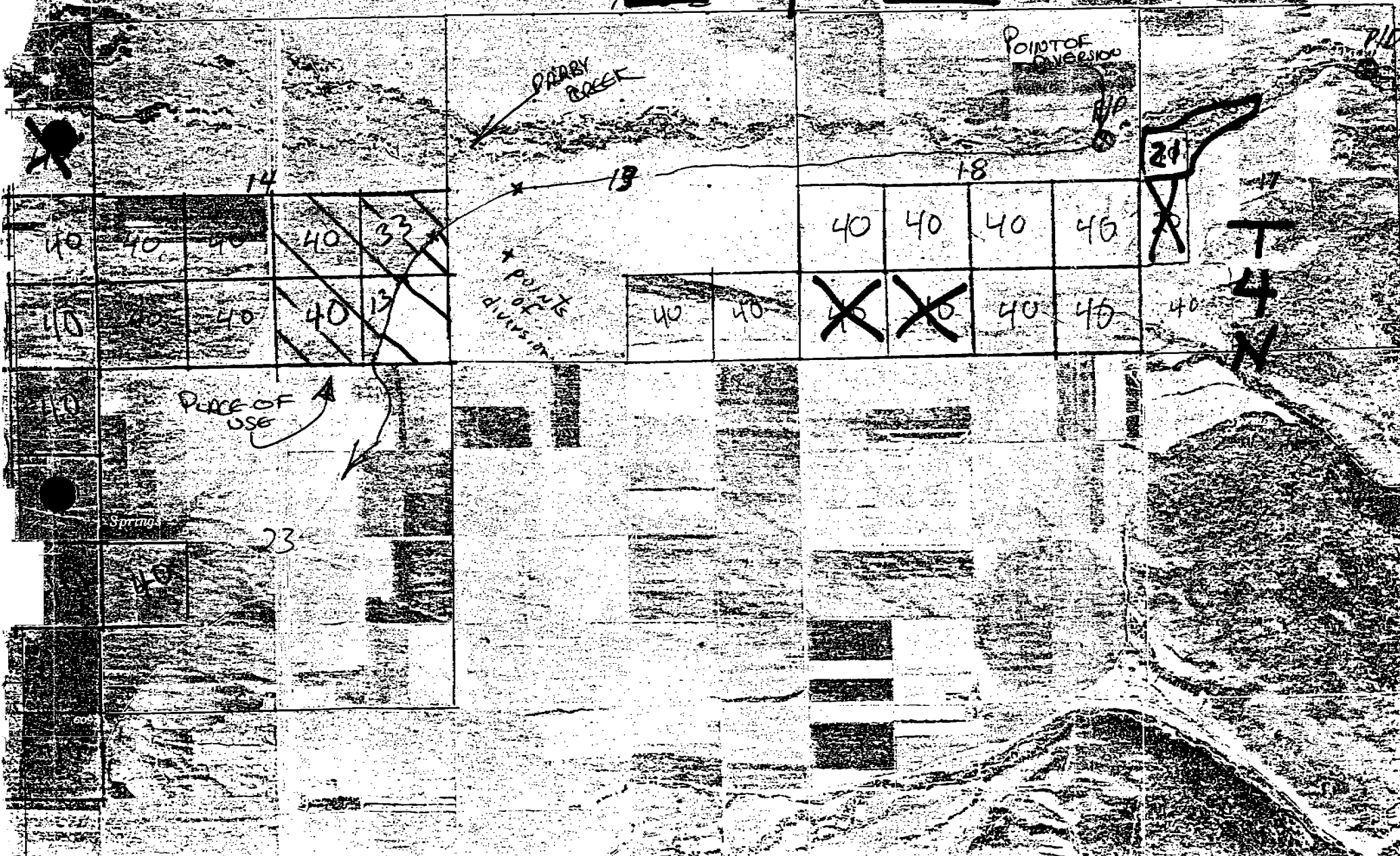
Seal

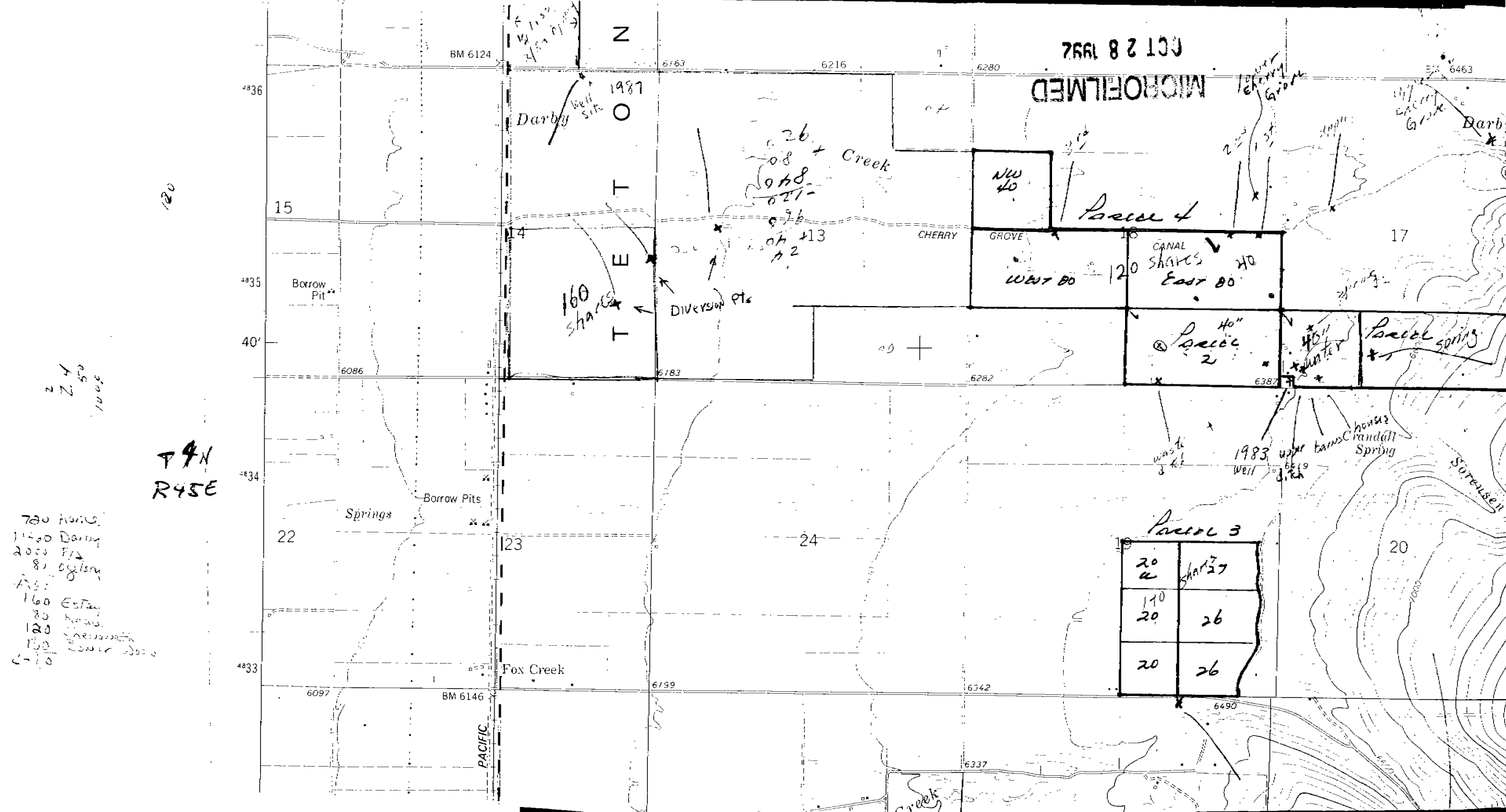
Residing at Briggs, Idaho
My Commission Expires 12-2-91

R46E

R46E

OCT 2 1960





Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

DARRY SILVERSTEIN

Name of Claimant

C/O CHARLES COOK 405N. 500W.

Post Office Address

TETONIA, IDAHO 83452

City, State, Zip Code

TETON

County(s) where Place of Use is located.

10-6-88

Date Claim Originally Due

22-00530

22-00531 (DARRY COOK)

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

WE HAVE ALREADY FILED NOTICES FOR SEVERAL RIGHTS ON DARRY COOK.

THE PORTION OF PROPERTY UNDER 22-00531 IS ALSO SERVED BY CHERRY GROVE

GRASS CO. WHO HAD AN EXTENSION TO FILE TO ~~THE~~ JUNE 15, 1989. WHEN THEY

FILED THEIR NOTICE ON JUNE 14, IT WAS DISCOVERED THEY HAD NOT FILED A NOTICE

Claimant requests an extension to June 28, 1989.

IN THE ABOVE MENTIONED MATTER,

AN

THE CLAIMANT WOULD LIKE TO EXTEND

TO FILE THIS RIGHT NOW, SINCE

THE PROPERTY CHANGED FROM

ONE OWNER TO ANOTHER.

Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,

and the filing deadline extended to 6/28, 1989.

Signed this 22 day of June, 1989.

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Director or his designated 00128 1992

DAVID B. SHAW

Eric

Enclosed please find maps etc. depicting points of diversion & claims for water for the 160 acres in question I brought w/ me last fall.

I thought you may want to see them b* I ask for an extension. I'm hopeful it will make the extension easier to grant & provide the additional proof we need.

add to
A22-1000531

Thankx

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OCT 28 1996

RECEIVED

JUN 20 1989

Department of Water Resources
Eastern District Office

June 13, 1989

Mr. Charles Cook
406 N. 500 W.
Tetonia, Idaho 83452

RE: Notice of Claim No. A22-00531

Dear Mr. Cook:

I have completed and enclosed a Notice of Claim to the decreed water right that we discussed over the phone. The right is recorded as number 22-00531 in the Department's records. Please review the Notice and when you are satisfied with it have Mr. Silverstein sign and notarize the Notice and return it to my attention.

The right, as originally decreed, covered the NW1/4 of Section 13, T4N R45E. Apparently your titles record that in some point in time the right was moved to the SE1/4 Section 14, T4N R45E. To help support this Notice, you may wish to include copies of the documents that indicate ownership of this right.

Another item needing your attention involves a request to file the Notice after the Teton County filing deadline. Since the Notice was not filed prior to the deadline of October 6, 1988 you need to request an extension to file or else pay the minimum late filing penalty fee of \$50.00. I have enclosed and partially completed an extension request. Please review the request, have Mr. Silverstein sign it, and return it to my attention. Hold filing the Notice of Claim until the extension request is processed. If the extension is approved, the filing fee for the Notice will be \$176.00.

Feel free to contact our office if you need further assistance with this matter .

Sincerely,



Eric S. Verner,
Sr. Water Agent

Enclosures

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transferred 11 Feb-1975 on file w/ James Price.
#55-456

No 48

60 Shares

Cherry Grove Canal Co.

SHARE, \$1.25 EACH

This Certifies That

Utah Mortgage Loan Corporation
pledged of Monte Piquet

is the owner of
Shares of the Capital Stock of the

CHERRY GROVE CANAL CO.

transferable only on the Books of the Corporation by the holder hereof in person
or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, this Corporation has caused this certificate to be signed by its authorized
officers and sealed with the Seal of the Corporation, this Nineteenth
day of January, 1962

Erma A. Yearsley
Sec.

160 Acres by Hyway.

No 47

180 Shares

Cherry Grove Canal Co.

SHARE, \$1.25 EACH

This Certifies That

Utah Mortgage Loan Corporation
as pledged of Monte Piquet

is the owner of
Shares of the Capital Stock of the

CHERRY GROVE CANAL CO.

transferable only on the Books of the Corporation by the holder hereof in person
or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, this Corporation has caused this certificate to be signed by its authorized
officers and sealed with the Seal of the Corporation, this Nineteenth
day of January, 1962

Erma A. Yearsley
Sec.

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DEC 28 1962

ORIGINAL ON file w/ James Price.

THIS INDENTURE, made this 5th day of August, 1964,
between Monte Piquet and Ilene Piquet, husband and wife,

of Bonneville, County of Idaho, State of Idaho,
the parties of the first part and Dale K. Price and Virginia Price, husband and wife,
and James W. Price and Marlene Price, husband and wife,

of Teton, County of Idaho, State of Idaho, the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 Dollars

lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in Teton, County of Idaho, State of Idaho, to-wit:

TOWNSHIP 4 NORTH, RANGE 45 EAST BOISE MERIDIAN
Section 14: SE $\frac{1}{4}$

This deed is made subject in all respects to those certain mortgages dated December 18, 1961, made and executed by Monte Piquet and Ilene Piquet, husband and wife, to Utah Mortgage Loan Corporation, one for the sum of \$3,500 and interest, recorded on December 19, 1961 in Book 86 of Mortgages at page 167, as instrument No. 59731, records of Teton County, Idaho, and the other for the sum of \$481.25 and recorded February 20, 1962, in Book 86 of Mortgages at page 194, as instrument No. 59896, records of Teton County, Idaho, which said mortgage loans showing balances of \$2,800 and \$280. respectively, as of May 1, 1964, the grantees herein assume and agree to pay, together with all interest due thereon from May 1, 1964.



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seal the day and year first above written.

Executed and Delivered in the Presence of

Monte Piquet [SEAL]

Ilene Piquet [SEAL]

MICROFILMED [SEAL]

OCT 28 1992 [SEAL]