

12/13/2006

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

RIGHT NUMBER: 22-186

NAME AND ADDRESS: BARRY SILVERSTEIN
406 N 500 W
TETONIA ID 83452

SOURCE: DARBY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 06/01/1897

POINT OF DIVERSION:

T04N R46E S17 NENWNE Lot 1 Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.400 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R46E S18	NESW	40.00	T04N R46E S18 Lot 3 NWSW	40.00
T04N R46E S18	NESE	36.00	T04N R46E S18	NWSE 36.00
T04N R46E S18	SWSE	27.00	T04N R46E S18	SESE 21.00

200 ACRES TOTAL

This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.

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

Water is delivered through the Cherry Grove Canal Company ditch.

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

Right Nos. 22-426A and 22-427A are also diverted through point of diversion described above.

Use of water under this right is combined with water from Fox Creek Canal Co.



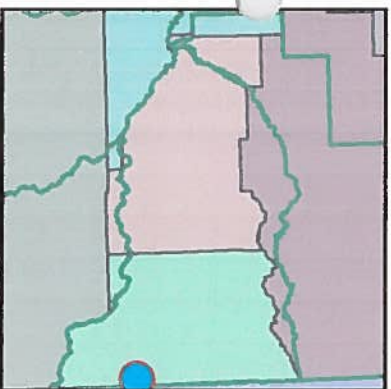
Idaho Department of Water Resources

SRBA Recommendation:

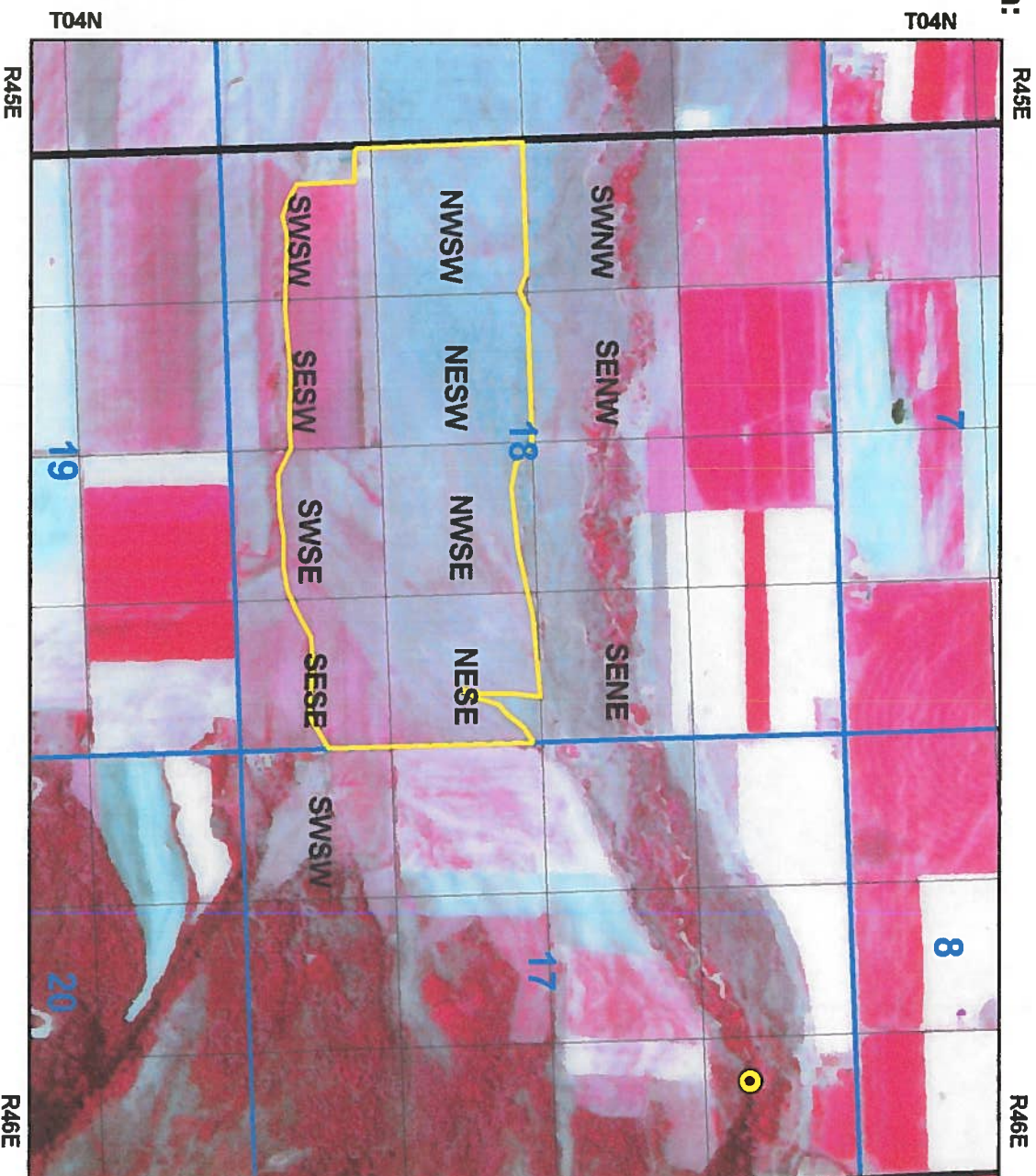
22-186
(Irrigation)

Legend

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

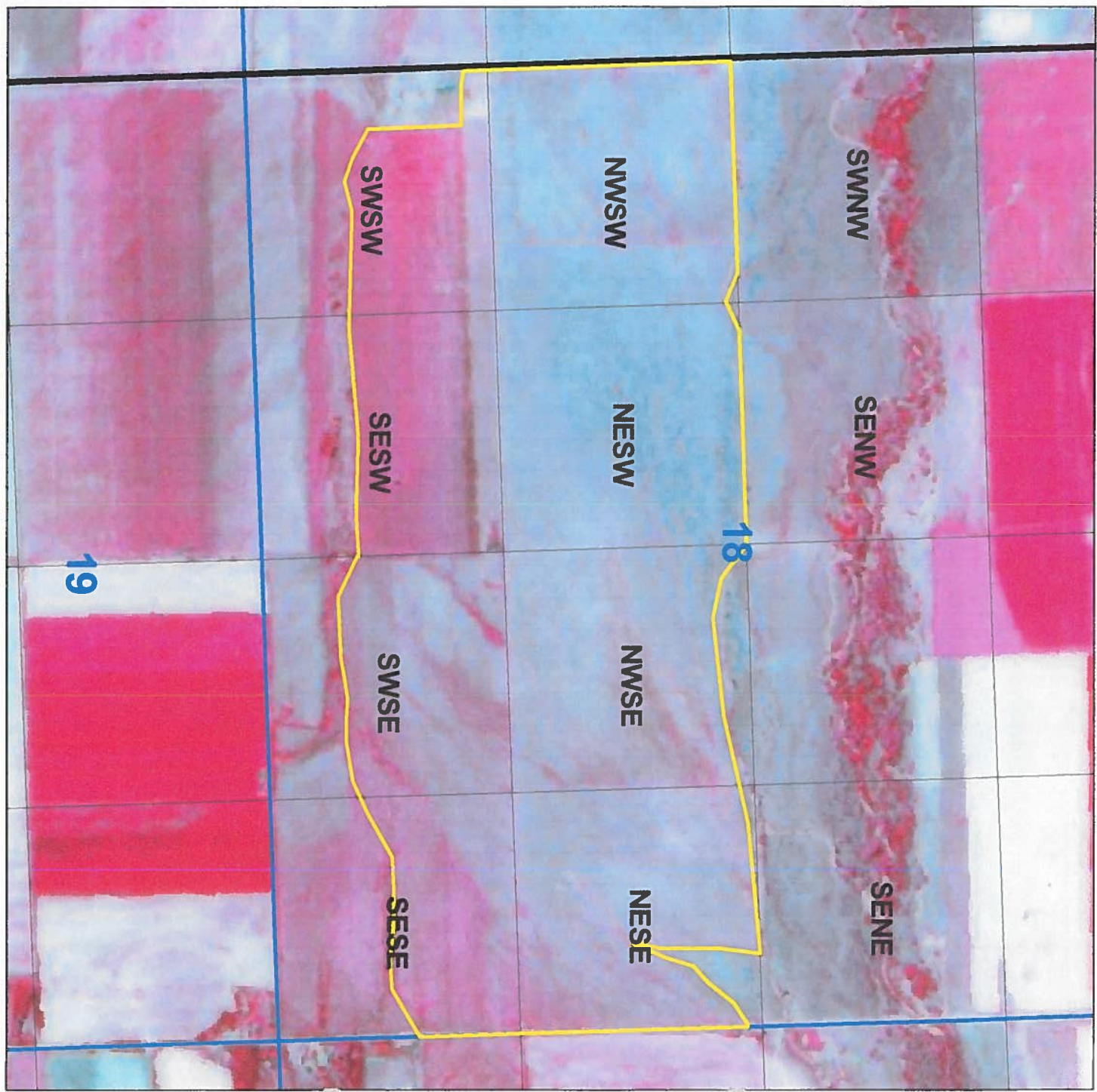


Teton County
IDWR Basin 22



Prepared by C. Bird
On Saturday, November 18, 2006
1987/88 Aerial Photography

22-186





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 14, 2006

TETON SADDLEBACK VISTA LLC
C/O RICKY W MASSIE
970 W BROADWAY PMB 441
JACKSON WY 83001

RE: OWNERSHIP CHANGE 22-186, 22-530, 22-531, 22-12059

Dear Mr. Massie:

I processed the first three rights listed above. They are enclosed for your review. However, 22-12059 requires a \$25 fee and must be processed in our state office in Boise. Attached is a copy of your ownership change request and proof documents. Please send these and a check made payable to IDWR to: Jeff Peppersack, P.O. Box 83720, Boise, ID 83720-0098.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DISTRICT OFFICE
SKYLINE DR.
S, IDAHO 83402

POSTAGE SERVICE
REQUESTED

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

BARRY SILVERSTEIN
406 N 500 W
TETONIA ID 83452

1201 U.S. POSTAGE P83523907
8922 \$01.110 NOV 28 2006
6145 MAILED FROM ZIP CODE 83402

22-186 - Tetm Saddleback
22-530 - "
22-531 - "
22-690 } - Silverstein
22-691 }
22-2284 - Rippling V
22-4006 - Silverstein

CFO done - 12/15/06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
NOV 30 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
 Incomplete forms will be returned. Eastern Region

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
_____	22-186	☒	_____	_____	_____
_____	22-530	_____	_____	_____	_____
_____	22-531	_____	_____	_____	_____
22-12059	~~22-12059~~	☒	_____	_____	_____

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)

Barry Silverstein
406 N 500W, Tetonia, Id, 83452

4. New Owner/Claimant(s)

Teton Saddleback Vista, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

% Ricky We Massie
970 W Broadway PMB 441

City, State and ZIP Code

Jackson, Wyoming, 83001

New Telephone Number

307-739-1958

5. Date you acquired the property

June 15, 2004

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)

[Signature]
Teton Saddleback Vista, LLC

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 _____

First American Title Company

WARRANTY DEED

RECEIVED

168508

JUN 06 2005

TETON CO., ID
CLERK RECORDERFor Value Received **Massie & Co., a California general partnership**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ricky W. Massie, a married man as his sole and separate property, as to an undivided 2/3 interest; and Michael G. Partington, a married man as his sole and separate property, as to an undivided 1/3 interest**
whose address is: **1801 Tribute Rd., Sacramento, CA 95815**

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

(Parcel 1)

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho
Section 13: SW1/4, N1/2SE1/4 Less and excepting therefrom the existing county road right-of-way along the Southerly and Easterly boundary line of the above described property.

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho
Section 18: Government Lot 3 (NW1/4SW1/4), NE1/4SW1/4, SE1/4 Less and excepting therefrom the existing county road right-of-way along the Westerly and Easterly boundary of the above described property.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Massie & Co., a California general partnership

Ricky W. Massie
Ricky W. Massie, General Partner

Michael G. Partington
Michael G. Partington, General Partner

STATE OF California
COUNTY OF Sacramento

Instrument # 168508
DRIGGS, TETON, IDAHO
2005-05-06 02:57:52 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy *Boyle*
Index to: DEED, WARRANTY

On this 200 day of June, 2005, before me a notary public, personally appeared Ricky W. Massie, known or identified to me (or proved to me on the oath of), to be one of the partners in the partnership of Massie & Co., a California general partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Rosemarie Schultz
Notary Public of
Residing at Sacramento, Ca
Commission Expires: 12/17/07



Recorded as an Accommodation
only by First American Title

178512

RECEIVED

JUL 12 2006

TETON CO., ID
CLERK OF COUNTY

WARRANTY DEED

For Value Received Ricky W. Massie and Debra L. Massie, as Trustees of the Massie Family Trust,
dated March 24, 2005

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Teton Saddleback Vetas, LLC, a Delaware Limited Liability Company

whose address is: 1801 Tribute Road, Sacramento, CA 95815

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

"See Attached Exhibit A"

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Massie Family Trust

Ricky W. Massie
Ricky W. Massie

Debra L. Massie
Debra L. Massie

Instrument # 178512

DRIGGS, TETON, IDAHO

2006-07-12 03:27:04 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 6.00

Ex-Officio Recorder Deputy *N. Boyle*

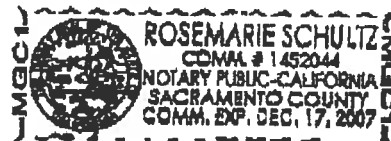
Index to: DEED, WARRANTY

STATE OF ~~Idaho~~ California

COUNTY OF Sacramento

On this 7th day of July, 2006, in the year of 2006, before me a Notary Public, personally appeared Ricky W. Massie and Debra L. Massie, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument as Trustees and acknowledged to me that they executed the same as such.

Rosemarie Schultz
Notary Public of the State of California
Residing at Sacramento
Commission Expires 12/17/07



178512

"Attached Exhibit A"**(Parcel 1)**

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 13: SW1/4, N1/2SE1/4 Less and excepting therefrom the existing county road right-of-way along the Southerly and Easterly boundary line of the above described property.

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 18: Government Lot 3 (NW1/4SW1/4), NE1/4SW1/4, SE1/4 Less and excepting therefrom the existing county road right-of-way along the Westerly and Easterly boundary of the above described property.

(Parcel 2)

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 13: NW1/4, W1/2 NE1/4, SE1/4NE1/4, Less and excepting therefrom the existing county road right-of-way along the North and East boundary.

Section 14: E1/2, Less and excepting therefrom the existing county road right-of-way along the North and South boundary. Also Less and excepting therefrom the existing right-of-way for State Highway 33 and Railroad right-of-way along the West boundary.

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 18: Government Lot 2 (SW1/4NW1/4), Less and excepting therefrom the existing county road right-of-way along the West boundary.

(Parcels 1 and 2) Also known as ALL OF TETON SADDLEBACK VISTAS SUBDIVISION, MASTER PLAN, TETON COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF RECORDED JANUARY 4, 2006 AS INSTRUMENT NO. 173851.

First American Title Company

T 11650

162243

RECEIVED

JUL 16 2004

TETON CO., ID
CLERK RECORDER

GRANT DEED

THIS INDENTURE is made this 15th day of June, 2004, by BARRY SILVERSTEIN and TRUDY SILVERSTEIN, husband and wife, the "Grantor", to MASSIE & CO., a California general partnership, whose mailing address is 1801 Tribute Road, Sacramento, California 95815, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho

Section 13: SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ Less and excepting therefrom the existing county road right-of-way along the Southerly and Easterly boundary line of the above described property.

Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 18: Government Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Less and excepting therefrom the existing county road right-of-way along the Westerly and Easterly boundary of the above-described property.

SUBJECT TO THE FOLLOWING:

1. All existing easements, patent reservations, rights-of-way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters which would be disclosed by an accurate survey or inspection of the property.
2. Reservations in the Warranty Deed, recorded May 30, 1974, Recorder's No. 74199, records of Teton County, Idaho, wherein

Instrument # 162243

DRIGGS, TETON, IDAHO

2004-07-16

10:50:54 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Fee: 9.00

162243

one-half of the Mineral Rights are reserved to the grantors.
(S½SE¼ Section 18).

3. Agreement of electrical service between Barry Silverstein, and Fall River Rural Electric Cooperative, Inc., recorded December 17, 1987, Recorder's No. 101873, records of Teton County, Idaho. (Sections 13 and 14).

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the property and the appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Barry Silverstein
Barry Silverstein

By: Jeff McCurdy
Jeff McCurdy, his attorney-in-fact

Trudy Silverstein
Trudy Silverstein

By: Jeff McCurdy
Jeff McCurdy, her attorney-in-fact

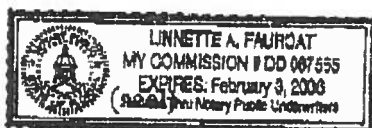
STATE OF FLORIDA)

)ss.

County of Sarasota)

On the 15th day of June, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Jeff McCurdy, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Barry Silverstein, and acknowledged to me that he subscribed the name of Barry Silverstein thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Linnette Faurcat

Notary Public for Florida

Residing at Sarasota, FL

My Commission Expires: February 3, 2006

STATE OF FLORIDA)

)ss.

County of Sarasota)

On the 15th day of June, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Jeff McCurdy, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Trudy Silverstein, and acknowledged to me that he subscribed the name of Trudy Silverstein thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)



Linnette Faurcat

Notary Public for Florida

Residing at Sarasota, FL

My Commission Expires: February 3, 2006

G:\WPDATA\CARLOS\Silverstein, Macie 51004 Grant wpd

Sep 24 04 04:50p

First American Title Company

T11651

163696

RECEIVED

SEP 24 2004

TETON CO. ID
CLERK RECORDER

GRANT DEED

THIS INDENTURE is made this 22nd day of September, 2004, by BARRY SILVERSTEIN and TRUDY SILVERSTEIN, husband and wife, the "Grantor", to RICKY W. MASSIE, whose mailing address is 1801 Tribute Road, Sacramento, California 95815, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 4 North, Range 45 East, Boise Meridian, Teton County,
Idaho

Section 13: NW¼, W½NE¼, SE¼NE¼, Less and excepting therefrom the existing county road right-of-way along the North and East boundary.

Section 14: E¼, Less and excepting therefrom the existing county road right-of-way along the North and South boundary. Also less and excepting therefrom the existing right-of-way for State Highway 33 and Railroad right-of-way along the West boundary.

Township 4 North, Range 46 East, Boise Meridian, Teton County,
Idaho

Section 18: Government Lot 2 (SW¼NW¼), Less and excepting therefrom the existing county road right-of-way along the West boundary.

SUBJECT TO THE FOLLOWING:

1. All existing easements, patent reservations, rights-of-way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters which would be disclosed by an accurate survey or inspection of the property.

Instrument # 163696

DRIGGS, TETON, IDAHO

2004-09-24 01:42:34 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

NOLAN & BOYLE

Ex-Officio Recorder Deputy

TETON CO. IDAHO

P. 920 NO. 9

163696

FIRST AM. TITLE-DRIGGS

SEP. 24. 2004 2:36PM

Sep 24 04 04:50p

2. Agreement for electrical service between Barry Silverstein, and Fall River Rural Electric Cooperative, Inc., recorded December 17, 1987, Recorder's No. 101873, records of Teton County, Idaho. (Sections 13 and 14).
3. Electric line right-of-way easement granted by Barry Silverstein to Fall River Rural Electric Cooperative, Inc., recorded December 17, 1987, Recorder's No. 101821, records of Teton County, Idaho. (Section 14).

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the property and the appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Barry Silverstein
Barry Silverstein

By: Jeff McCurdy
Jeff McCurdy, his attorney-in-fact

Trudy Silverstein
Trudy Silverstein

By: Jeff McCurdy
Jeff McCurdy, her attorney-in-fact

2 Grant Deed

163696

4 P 020 CN

SEP 24 2004 11:11 AM F1811 TITLE-ORIGS

SEP 24 2004 2:36 PM

Sep 24 04 04:49p

STATE OF FLORIDA)
) ss.
County of Sarasota)

On the 23rd day of September, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Jeff McCurdy, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Barry Silverstein, and acknowledged to me that he subscribed the name of Barry Silverstein thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Linnette A. Fairmont
Notary Public for Florida
Residing at Sarasota, FL
My Commission Expires: February 3, 2006

STATE OF FLORIDA)
) ss.
County of Sarasota)

On the 23rd day of September, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Jeff McCurdy, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Trudy Silverstein, and acknowledged to me that he subscribed the name of Trudy Silverstein thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Linnette A. Fairmont
Notary Public for Florida
Residing at Sarasota, FL
My Commission Expires: February 3, 2006

G:\WPDATA\CAN\228\21\new\sub\John\11-19-04\gentx04

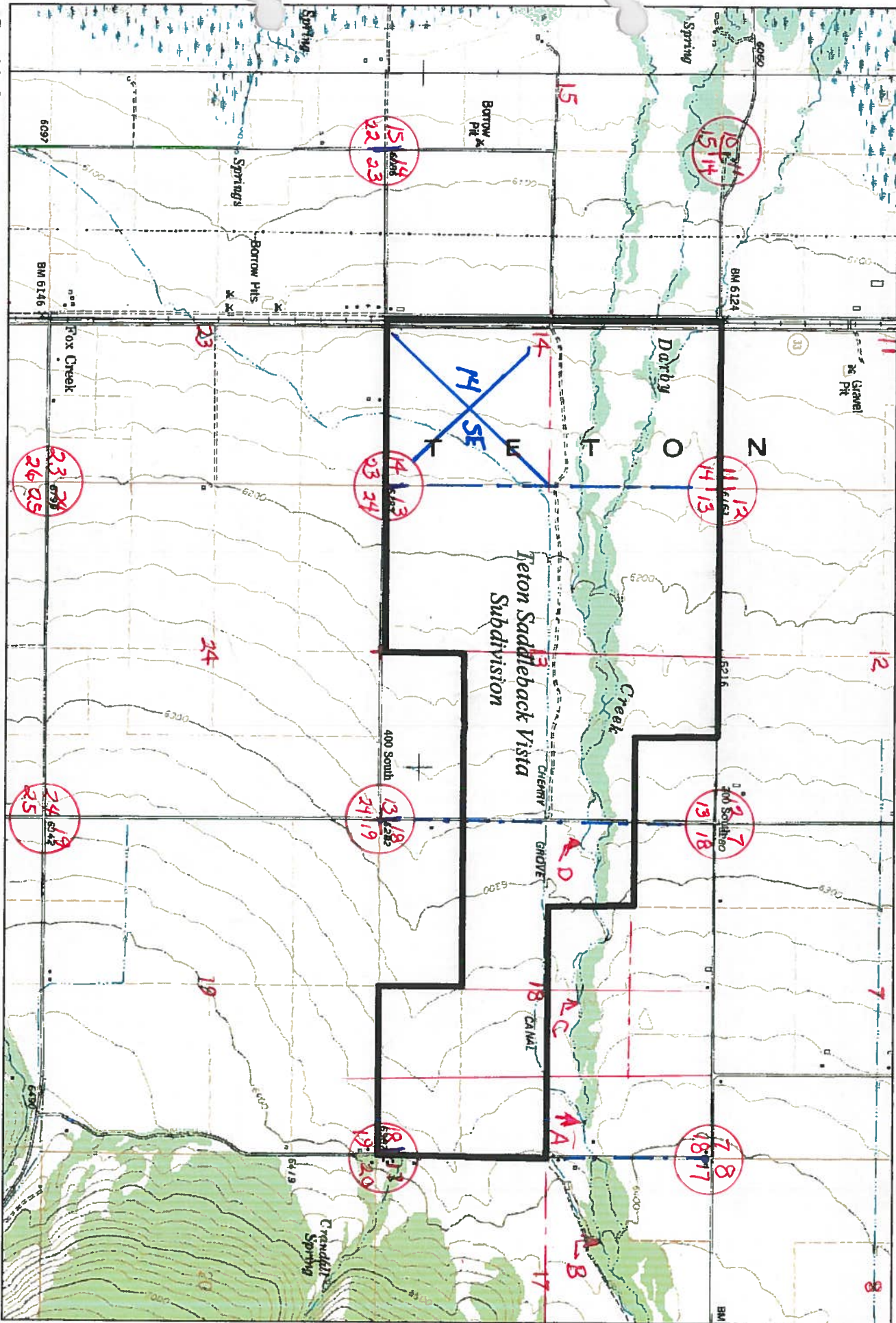
3 Grant Deed

163690

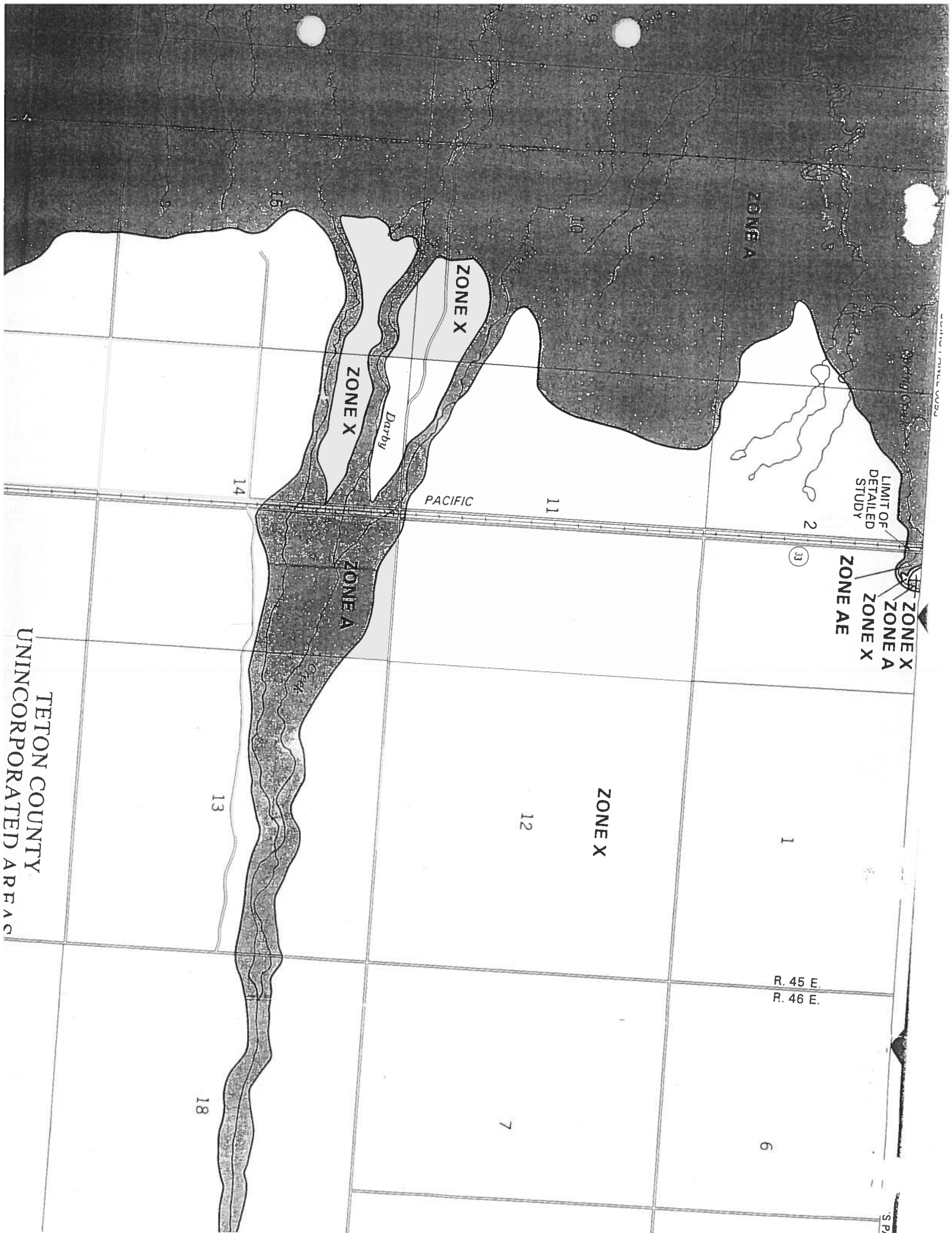
NO. 920 P. 5

FIRST AM TITLE-DRIGGS

SEP. 24. 2004 2:36PM



22-531 14/SE - 166 Ac - 1966 Devere
 22-530 14/SE - 166 Ac - 1899 "



TETON COUNTY
UNINCORPORATED AREAS

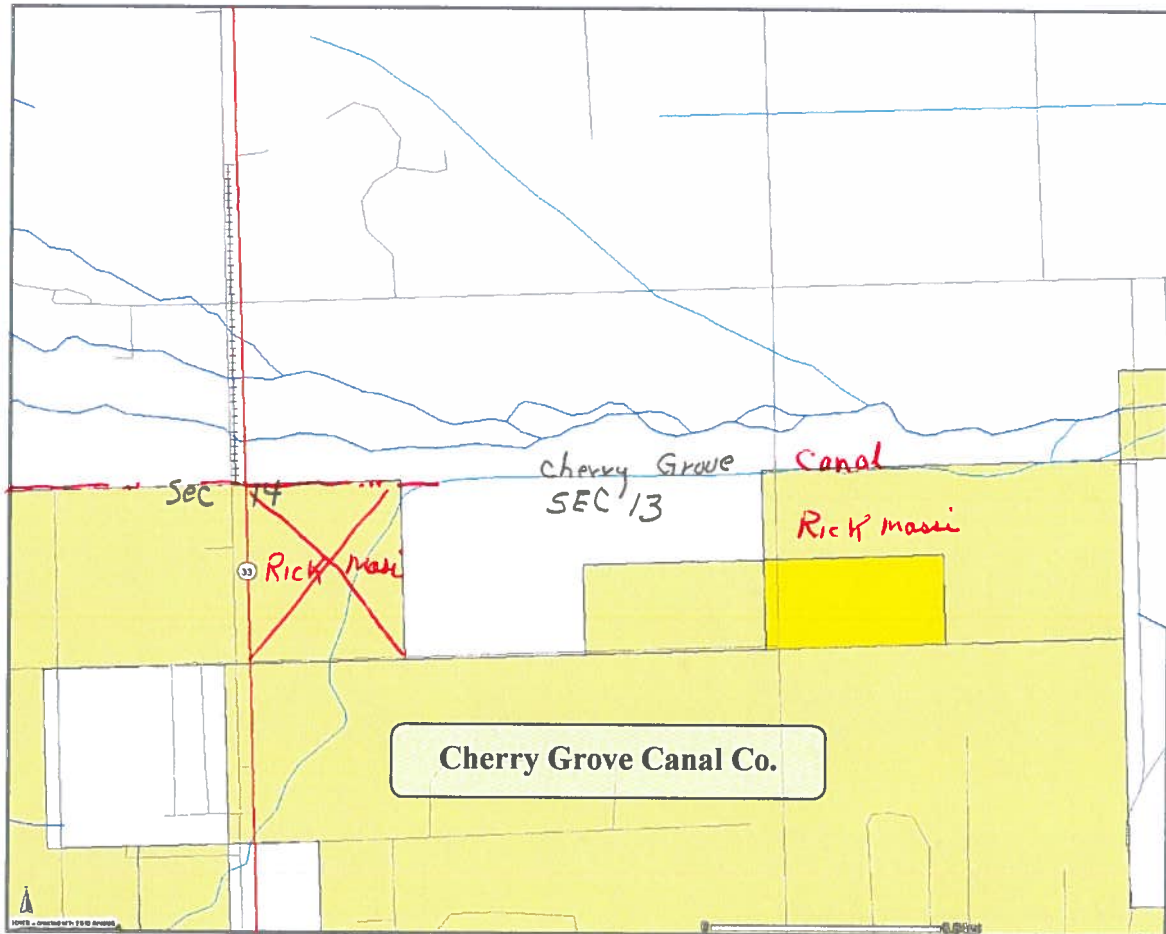
ZONE X
ZONE A
ZONE X
ZONE AE

LIMIT OF
DETAILED
STUDY

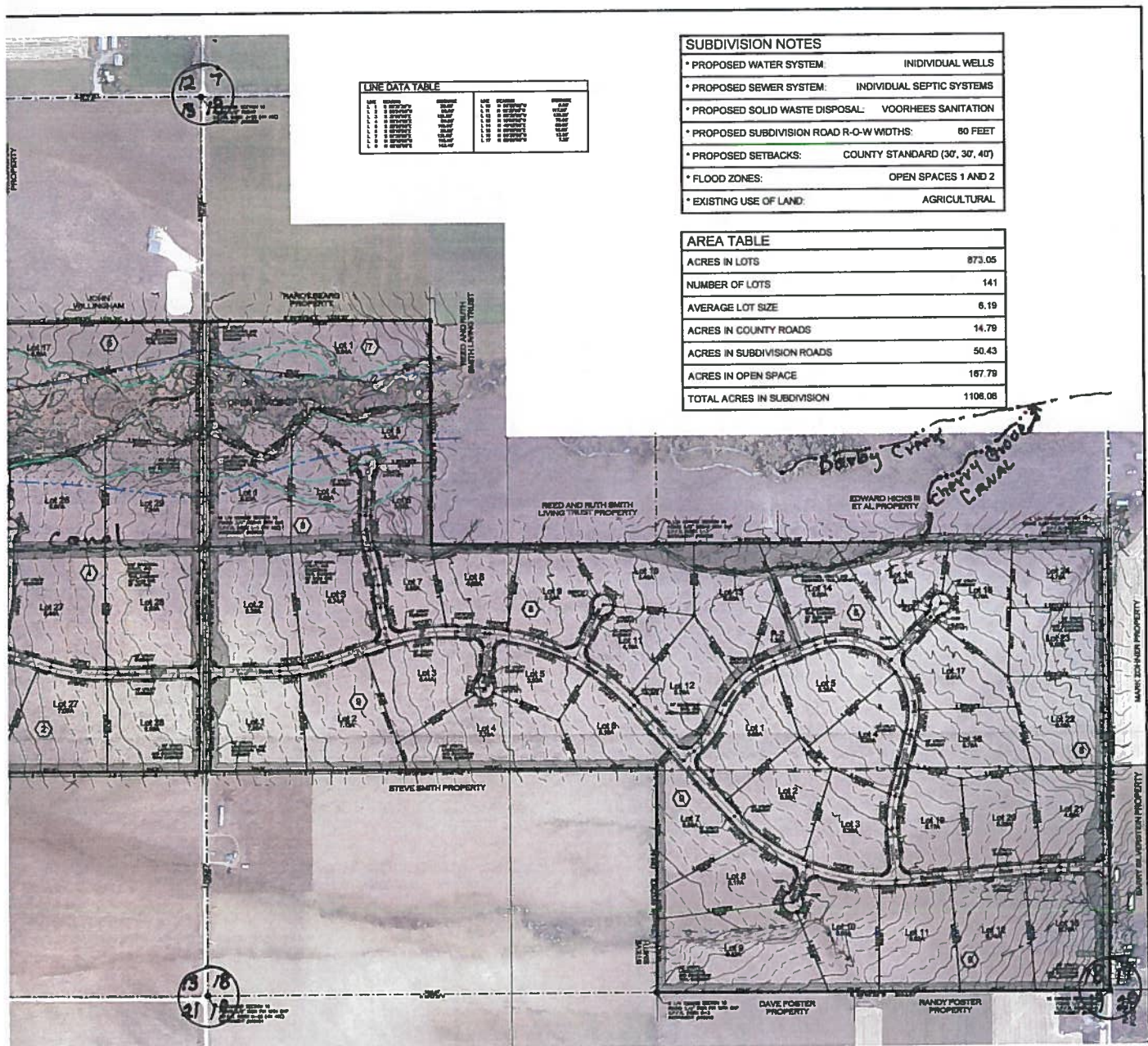
R. 45 E.
R. 46 E.

S.P.

Appendix C: Water Rights Map



Sec 14, 13 Twp 4N Rng 5E



LINE DATA TABLE		
LINE	FROM	TO
1	1000	1000
2	1000	1000
3	1000	1000
4	1000	1000
5	1000	1000
6	1000	1000
7	1000	1000
8	1000	1000
9	1000	1000
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SUBDIVISION NOTES	
* PROPOSED WATER SYSTEM:	INDIVIDUAL WELLS
* PROPOSED SEWER SYSTEM:	INDIVIDUAL SEPTIC SYSTEMS
* PROPOSED SOLID WASTE DISPOSAL:	VOORHEES SANITATION
* PROPOSED SUBDIVISION ROAD R-O-W WIDTHS:	60 FEET
* PROPOSED SETBACKS:	COUNTY STANDARD (30', 30', 40')
* FLOOD ZONES:	OPEN SPACES 1 AND 2
* EXISTING USE OF LAND:	AGRICULTURAL

AREA TABLE	
ACRES IN LOTS	873.05
NUMBER OF LOTS	141
AVERAGE LOT SIZE	6.19
ACRES IN COUNTY ROADS	14.79
ACRES IN SUBDIVISION ROADS	50.43
ACRES IN OPEN SPACE	187.79
TOTAL ACRES IN SUBDIVISION	1108.06

Scale 1" = 600'

CURVE DATA TABLE			
LINE	FROM	TO	BEARING
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2	1000	1000	1000
3	1000	1000	1000
4	1000	1000	1000
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99	1000	1000	1000
100	1000	1000	1000

PARTS OF SECTIONS 13 AND 14, TWP. 4N., RING. 4SE., AND PART OF SECTION 18, TWP. 4N., RING. 4SE., B.M., TETON COUNTY, IDAHO



SCALE 1" = 400'
2 FOOT CONTOURS

RICK MASSIE
978 W. BROADWAY PMB 441
JACKSON, WY 83001
(308) 739-1958

T. 4N. R. 4SE. 46E.

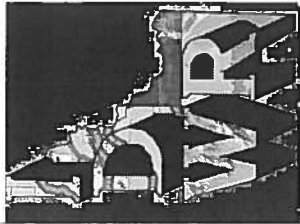
SECTIONS 13/14/18

SHEET 1 OF 1

PRELIMINARY PLAT

Saddleback Vistas Subdivision

AW ENGINEERING
255 South Main P.O. Box 139
Victor, Idaho 83455
(208) 787-2952 aweng@srv.net



Idaho Department of Water Resources

SRBA Recommendation:

22-186

(Irrigation)

Legend

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



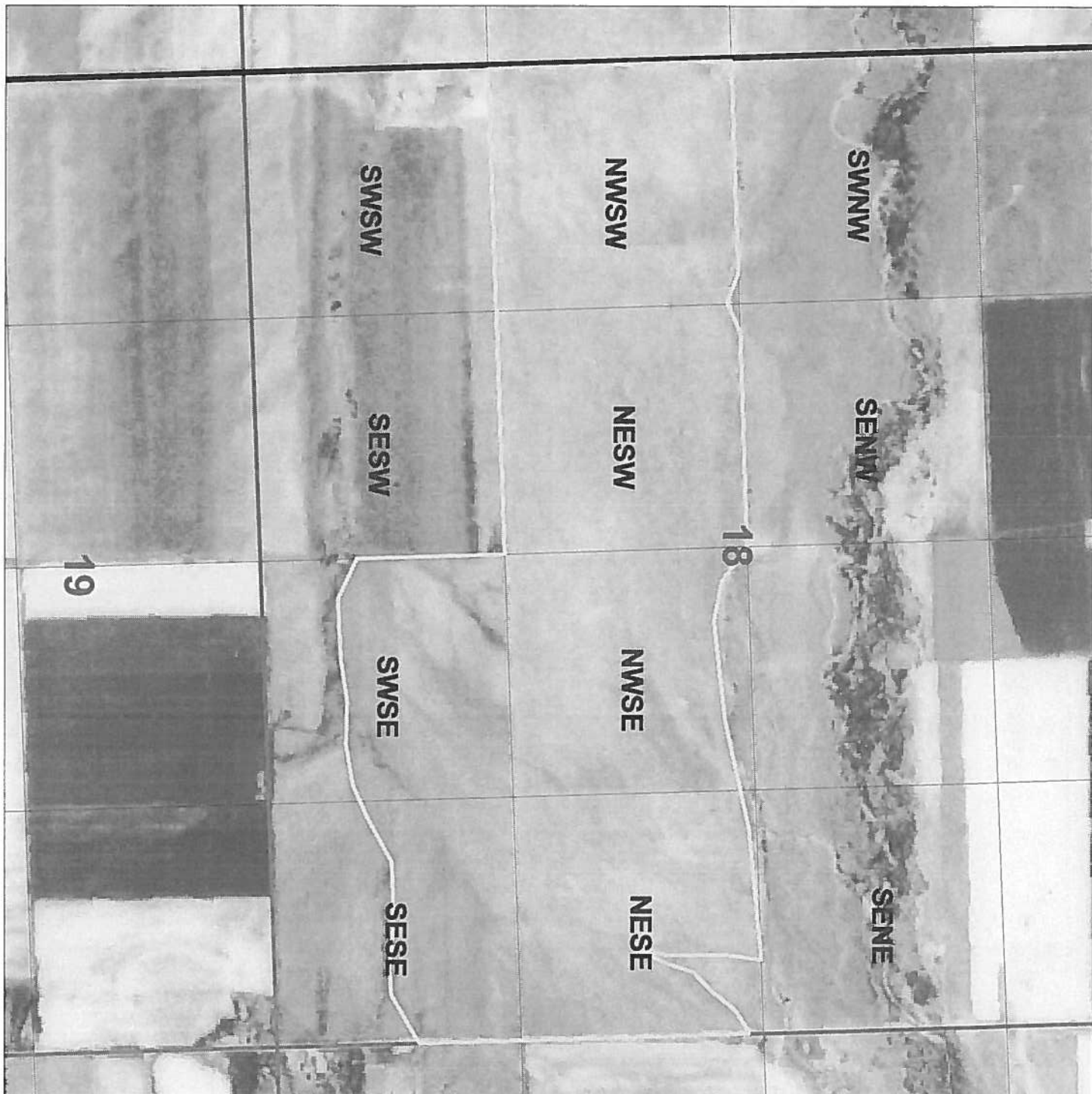
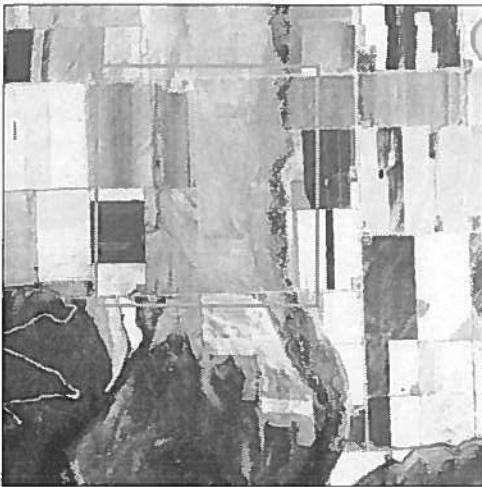
Teton County
IDWR Basin 22



0 0.6 1.2 Miles

Prepared by E. Carlsen
On Wednesday, December 13, 2006
1987/88 Aerial Photography

22-186





State of Idaho
DEPARTMENT OF WATER RESOURCES

15 W. Center St. Soda Springs, Idaho 83276

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 18, 2006

RICKY MASSI
1801 TRIBUTE RD
SACRAMENTO, CA 95815

Re: Snake River Basin Adjudication (SRBA)
Claim 22-186, 22-530, and 22-531

Subject: OWNERSHIP CHANGE

Response Date: NOVEMBER 30, 2006

Dear Claimant(s):

We have been advised you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

I have also enclosed a copy of the adjudication claim listed above. Since they have not yet been partially decreed, there is no filing fee due.

Please feel free to call me at 547-3993 if you have any questions.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/

Enclosures:

Form 42-248/42-1409(6)

ADJUDICATION CLAIM REPORTS WITH FORMER OWNER

Claim No. 22-186

Document Checklist

☒ Copy License/Decree

Rexburg v Teton

☐ Copy Transfer

N/A

☐ Copy Licensing Field Exam

N/A

☐ Check if Ownership/Address Change is Required

N/A

☐ Generate, mail and file "Evidence of Priority" letter

N/A

☒ Generate Arcview Map

Fox Creek Canal Co. also used on this property.

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

1-18-2006. Spatial Info Teton Co.
Massi, Ricky W.
1801 Tribute Rd.
Sacramento, Ca 95815
Send a letter requesting ownership change

Reviewer: 11/18/06 Date: CB

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: 6-1-1877

Water Right Basis: _____

Claimed Priority Date: 6-1-1897

Claimed Basis: None

Recommended Priority Date: 6-1-1897

Recommended Basis: direct

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

Perbung, Duce

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: TetonSource: Darby creek Tributary to: Teton River

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	None		20" inch	

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed 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

Overall Diversion Rate _____

Overall Diversion Volume _____

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

George W. Bush decreed 20"

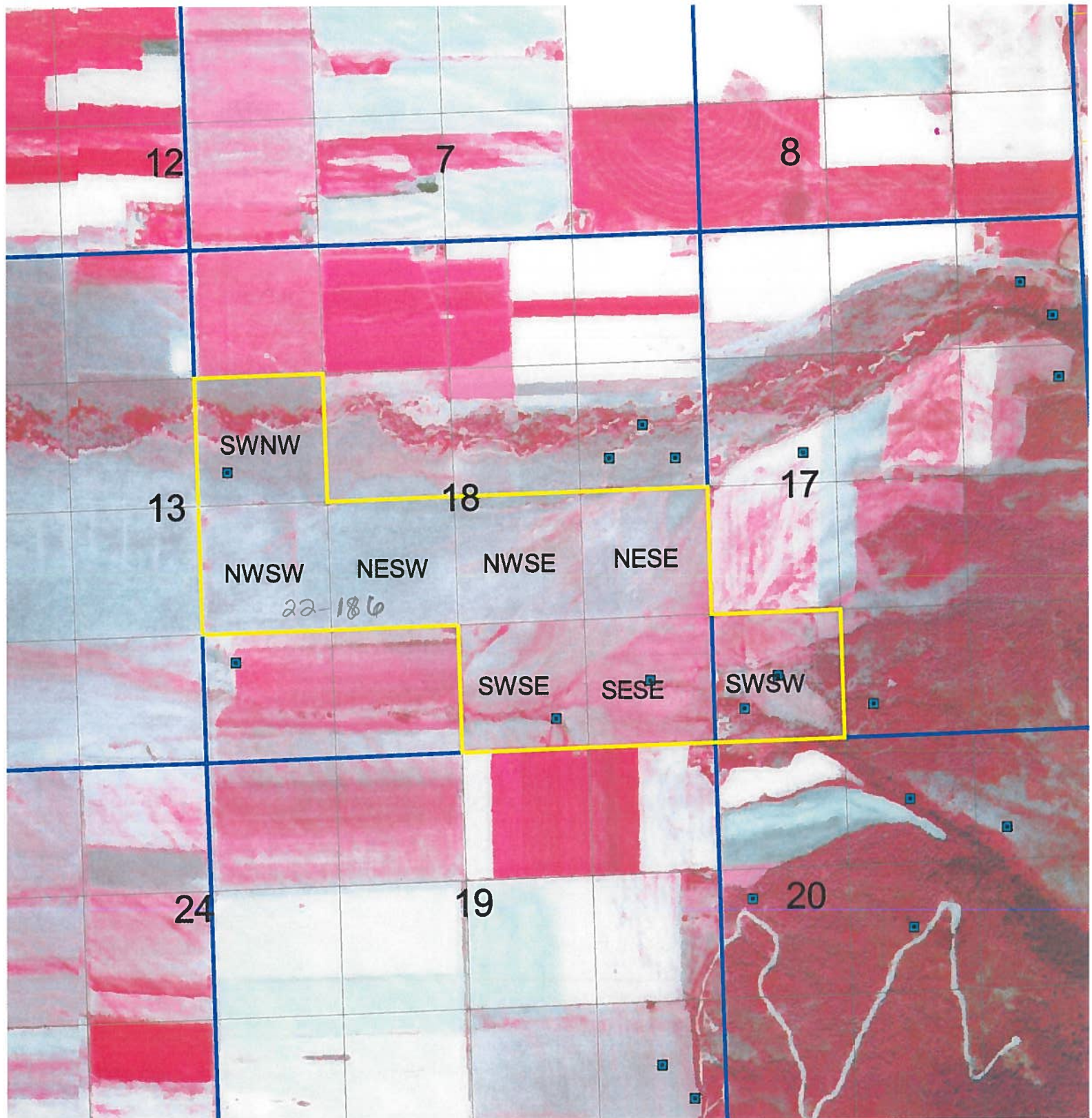
Reviewer: _____

Date: _____

147	Hatch, Mary E.; July 15, 1896; Trail Creek	40
148	Cherry, Thomas; July 30, 1896; Trail Creek	80
149	Sinclair, Jesse; Aug. 13, 1896; Trail Creek	160
151	Lindsay, William; Apr. 1, 1897; South Leigh Creek	160
153	Williams, Charles; May 15, 1897; South Leigh Creek	60
154	Parker, B. F.; June 1, 1897; Fox Creek	120
154	Pendleton, Abraham; June 1, 1897; North Leigh Creek	80
154	Penfold, Algeroy; June 1, 1897; Fox Creek	100
154	Penfold, Farley; June 1, 1897; Fox Creek	100
154	Larsen, A. C.; June 1, 1897; Darby Creek	200
154	Thompson & Egbert; June 1, 1897; North Leigh Creek	70
154	Smith, D. G. S.; June 1, 1897; South Leigh Creek	120
154	Vail, W. C.; June 1, 1897; Fox Creek	120
154	Vail, W. C.; June 1, 1897; Fox Creek	100
154	Waterman, L. C.; June 1, 1897; South Leigh Creek	120
154	Hopkins, D. H.; June 1, 1897; South Leigh Creek	60
154	Wyoming & Darby Bench Canal Co., Ltd.; June 1, 1897; Darby Creek	1,380
154	Zimmerman, Zuel; June 1, 1897; South Leigh Creek	30
154	Little, George A.; June 1, 1897; North Leigh Creek	120
154	Little, George E.; June 1, 1897; South Leigh Creek	80
154	Moffat, Andrew; June 1, 1897; South Leigh Creek and Swamps	140
154	Perry, Jeremiah C.; June 1, 1897; North Leigh	80
154	Rouche, Jacob; June 1, 1897; North Leigh Creek	90
154	Henrie, John; June 1, 1897; North Leigh Creek	150
154	Henrie, Joseph O.; June 1, 1897; South Leigh Creek	120
154	Hill, Albert; June 1, 1897; Darby Creek	75
154	Gale, Joseph; June 1, 1897; South Leigh and Swamps	40
154	Cluff, Charles; June 1, 1897; Fox Creek	10
154	Davidson, J. H.; June 1, 1897; South Leigh Creek	80
154	Crandall, H. L.; June 1, 1897; Darby Creek	20
154	Cannon, Harry L.; June 1, 1897; Darby Creek	100
154	Bush, Geo. W.; June 1, 1897; Darby Creek	20
154	Bowles, William; June 1, 1897; Trail Creek	50
154	Edwards, Andrew; June 1, 1897; Trail Creek	50
154	Allen, Isaac T.; June 1, 1897; Cherry Creek; all of the water of Cherry Creek Springs	50
155	Guyman, Edward; June 10, 1897; South Leigh Creek	120
156	Porter, John; June 15, 1897; Trail Creek	75
156	Moffat, Mary; June 15, 1897; Leigh Creek	80
156	McCracken, John; June 15, 1897; South Leigh Creek	160
156	McCracken, James; June 15, 1897; South Leigh Creek	156
156	Van Leuven, William; June 15, 1897; South Leigh Creek	160
157	Henrie, James D.; June 20, 1897; Leigh Creek	130
157	Homer, Willard G.; June 24, 1897; South Leigh Creek	160
162	Jones, Joshua; Oct. 28, 1897; Trail Creek	100
163	Clark & Houghton; Apr. 1, 1898; Teton River	1,300
163	Good Luck Canal Co.; Apr. 1, 1898; Teton River	600
163	Hill Ditch Co.; Apr. 1, 1898; Teton River	430
163	Rowe, Reuben H., and Morris McCormick; Apr. 1, 1898; Teton River. (Trough McCormick & Rowe Ditch)	40
163	Ricks, Wallace; Apr. 1, 1898; North Leigh Creek	8,500
163	Rexburg Irrigation Co.; Apr. 1, 1898; Teton River	900
163	Pioneer Ditch Co.; Apr. 1, 1898; Teton River	700
163	Pinecock Byington Ditch Co.; Apr. 1, 1898; Teton River	
163	Windmill, Richard, and Richard Withers and Oscar B. Young; Apr. 1, 1898; Teton River. (Eckersell Canal)	434
163	Wilford Irrigation & Manufacturing Co.; Apr. 1, 1898;	

163	Stewart, Samuel (deceased), Estate of, by Mary H. Birch, Adminx., and Mary H. Birch; Apr. 1, 1898; Teton River	6,608
163	Walters, William; Apr. 1, 1898; Teton River. (Stewart & Walters Ditch.) (Joint appropriation with Mons H. Anderson)	500
163	Siddoway Irrigation and Manufacturing Co.; Apr. 1, 1898; Teton River	332
163	Teton Island Canal Co.; Apr. 1, 1898; Teton River	766
163	Bird, Martin L., F. W. Garner and George A. Pincock; Apr. 1, 1898; Pincock-Garner Ditch	7,982
163	Eames, John S.; Apr. 1, 1898; Teton River	800
163	Nelson, David; Apr. 1, 1898; Teton River. (Through Nelson-Jacobs Ditch.)	50
163	Mortensen, Christian; Apr. 1, 1898; Teton River. (Through the Nelson-Jacobs Ditch.)	434
163	Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	210
163	City of Rexburg; Apr. 1, 1898; Teton River. (For power and municipal purposes.)	1,650
163	Huskinson, William J.; Apr. 1, 1898; Teton River	50
164	Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	120
165	Lamoureux, Francis A., and Ann.; May 1, 1898; South Leigh Creek	25
166	Hendrickson, Frank; May 1, 1898; Badger Creek	160
167	Clark, H. J.; May 15, 1898; Teton River	160
168	Wait, F. A.; May 25, 1898; Leigh Creek	160
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Felt, Clara V.; June 1, 1898; Badger Creek	50
169	Bruce, Daniel C.; June 1, 1898; Teton Creek	160
169	Black, Joseph A.; June 1, 1898; South Leigh Creek	150
169	Allen, Amos; June 1, 1898; Fox Creek	50
160	Cherry, Thomas; June 1, 1898; Trail Creek	80
169	Crandall, H. L.; June 1, 1898; Darby Creek	60
169	Crandall, Ira.; June 1, 1898; Darby Creek	20
169	Davidson, J. H.; June 1, 1898; South Leigh Creek	80
169	Cluff, Charles; June 1, 1898; Fox Creek	150
169	Hamilton, Robert; June 1, 1898; Badger Creek	160
169	Guyman, Edward; June 1, 1898; South Leigh Creek	40
169	Fullmer, H. D.; June 1, 1898; North Leigh Creek	1
169	Fullmer, Almond L.; June 1, 1898; North Leigh Creek	1
160	Hendrickson, Alvira E.; June 1, 1898; South Leigh Creek	60
169	Hendrickson, Alfred; June 1, 1898; Badger Creek	40
169	Hearst, H. T.; June 1, 1898; Leigh Creek	160
169	Hanson, Alfred; June 1, 1898; North Leigh Creek	40
169	Poulson, J. C.; June 1, 1898; North Leigh Creek	130
169	Rammell, George; June 1, 1898; Badger Creek	20
169	Merrill, Sam J.; June 1, 1898; Leigh Creek	160
169	Ramell, C. H.; June 1, 1898; Badger Creek	30
169	Little, George E.; June 1, 1898; North Leigh Creek	80
169	Hopkins, Ezekiel; June 1, 1898; North Leigh Creek	80
169	Zimmerman, Zuel; June 1, 1898; South Leigh Creek	130
169	Hopkins, D. H.; June 1, 1898; South Leigh Creek	60
169	Hoozier, John L.; June 1, 1898; Spring Creek	120
169	Homer, Benjamin P.; June 1, 1898; Mahogany Creek	15
169	Holden, E. H.; June 1, 1898; Darby Creek	160
169	Hochstrasser, R. H.; June 1, 1898; Spring Creek	40
169	Hochstrasser, N. W.; June 1, 1898; Spring Creek	50

22-186





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 3, 1989

Teresa L. Sturm
Hopkins, French, Crockett,
Springer & Hoopes
P. O. Box 51219
Idaho Falls, ID 83405-1219

2-25-91
See attached
Dawn Smith

RE: Barry Silverstein-Snake River Basin Adjudication-Teton
County, Idaho Water Rights

Dear Ms. Sturm:

This letter is an extension of time for the filing of the referenced Notice of Claim to a Water Right. The original extended filing deadline for this claim was April 19, 1989. The extension is granted until thirty(30) days after the decree is entered in the matter of Silverstein v. Carlson, Teton County Case No. 1885.

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 3rd day of May, 1989.



David B. Shaw
Adjudication Bureau Chief

DBS:ds

MICROFILMED

NOV 04 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-00186
Date Received: ~~10/03/1988~~ 10/6/88
Receipt No: E002998
Received By: ESJ

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, 1897

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	17	SE	NW	NE		TETON
			SE	SW	NW	R	TETON
		18	SW	SE	NE	R	TETON
			SE	SE	NE	R	TETON
			SW	SW	NW	R	TETON

5. Description of diverting works:
HEADGATE IN STREAM TO CHERRY GROVE CANAL FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		

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

8. Total consumptive use is 310.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	46E	17	SW	SW		IRR	30.0
Section Acres							30.0
		18	SW	NW	2 ✓	IRR	40.0
			NE	SW		IRR	40.0
			NW	SW	3 ✓	IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							280.0
Total Acres							310.0

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:
22-00096,00246,00247

14. Remarks:
CLAIM REFLECTS CURRENT USE OF WATER.

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

REXBURG IRR. CO. ET AL.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

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: Oct 6, 88

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Oct 19 88

[Signature]
Notary Public

Seal

Residing at Briggs, Id
My Commission Expires 7/1

