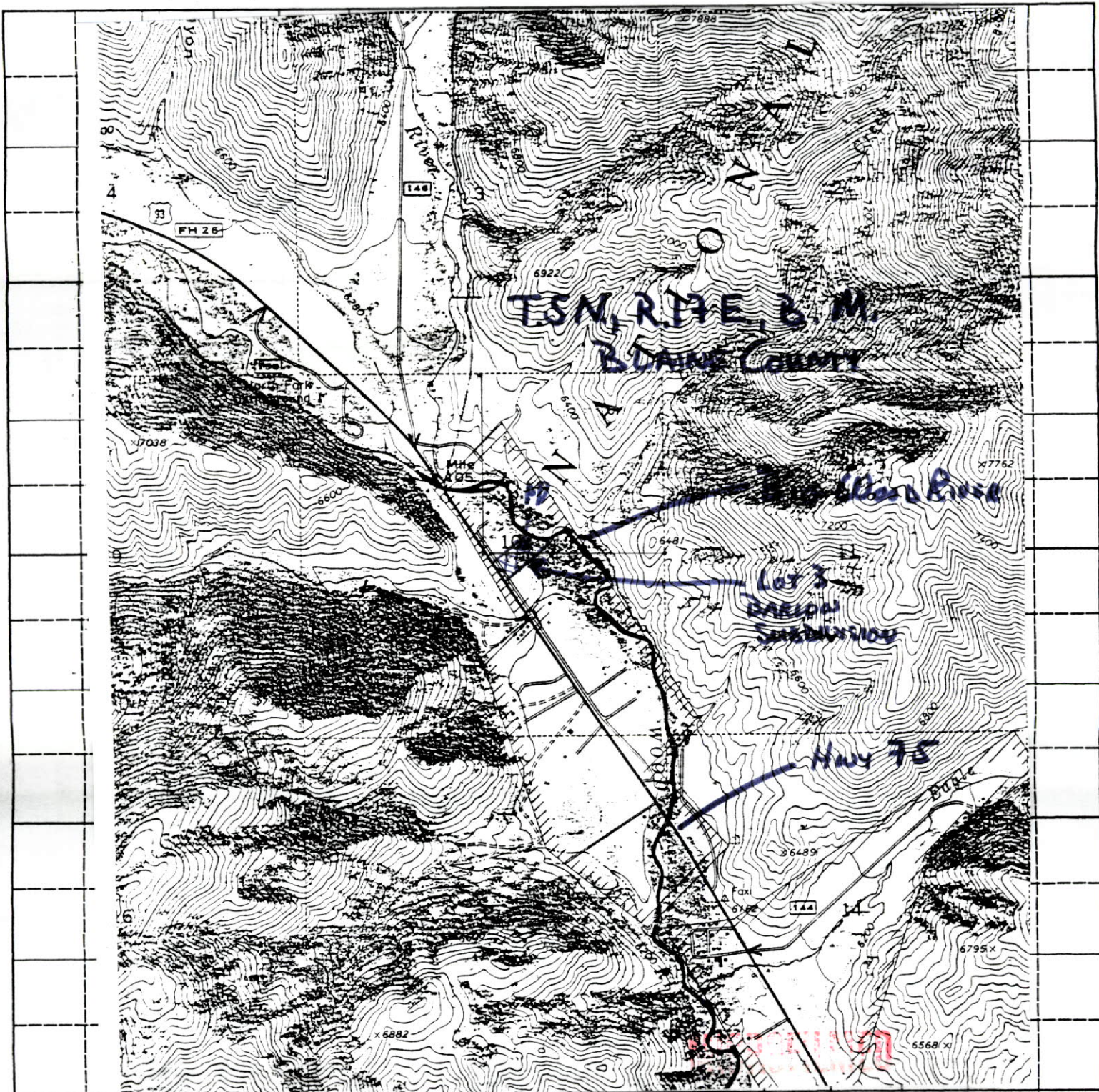


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

AUG 22 1989

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert D. Cacke, by
James D. Spack, his attorney-in-fact.
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

JUN 22 1989

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

, being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River Journal, a
newspaper published every week in Hailey, County of Blaine, State of Idaho; that
said newspaper has been continuously and uninterruptedly published for a period of
seventy-eight consecutive weeks prior to the first publication of the annexed notice,
and is a newspaper qualified to publish legal notices as provided by act of the 1919
session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive
issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 7th day of June, 1989, and

the date of the last publication was on the 14th day of July, 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 21st day of June, 1989.
(SEAL)

Roberta M. Kuehn
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 88
Number of Insertions 2
Lines tabular at 5¢/Pica
88 Lines straight at 43.56 4¢/Pica
88 Subsequent lines at 33.88 3¢/Pica
TOTAL COST 77.44

RECEIVED MICROFILMED

JUN 22 1989

AUG 22 1989

Department of Water Resources
Southern Region Office

COPY OF NOTICE

(Paste Here)

5 Applications (Updyke, Gache)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

Updyke, Gache
file on water rights

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have
been filed to appropriate the
public waters of the State of
Idaho:

37-08515
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversión Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.020 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08516
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversión Pt.: NENESW Sec 14 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08517
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversión Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.045 CFS)
STOCKWATER (.045 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 SESW
3.0 ACRES TOTAL

37-08518
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversión Pt.: NWNESW Sec 14 T
05N R 17E
Use: DOMESTIC (.053 CFS)
STOCKWATER (.053 CFS)
IRRIGATION (.053 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

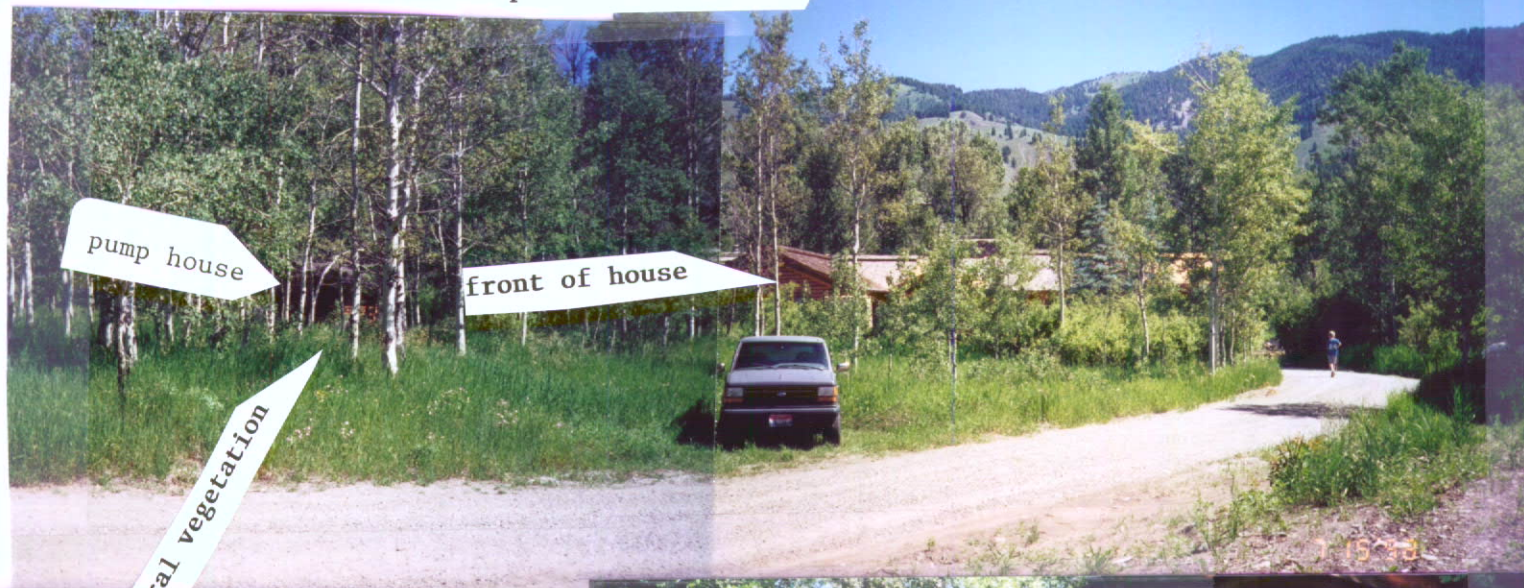
37-08519
GACHE, PETER DJONALD
C/O JAMES P. SPECK, ESO
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversión Pt.: SWSWNE Sec 10 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 5/24/1989
In: T05N R17E S10 SWNE NWSE
3.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code,
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 2148 4th Avenue
East, Twinn Falls, Idaho 83301, on
or before JUNE 26, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 7 & 14, 1989.

1/2

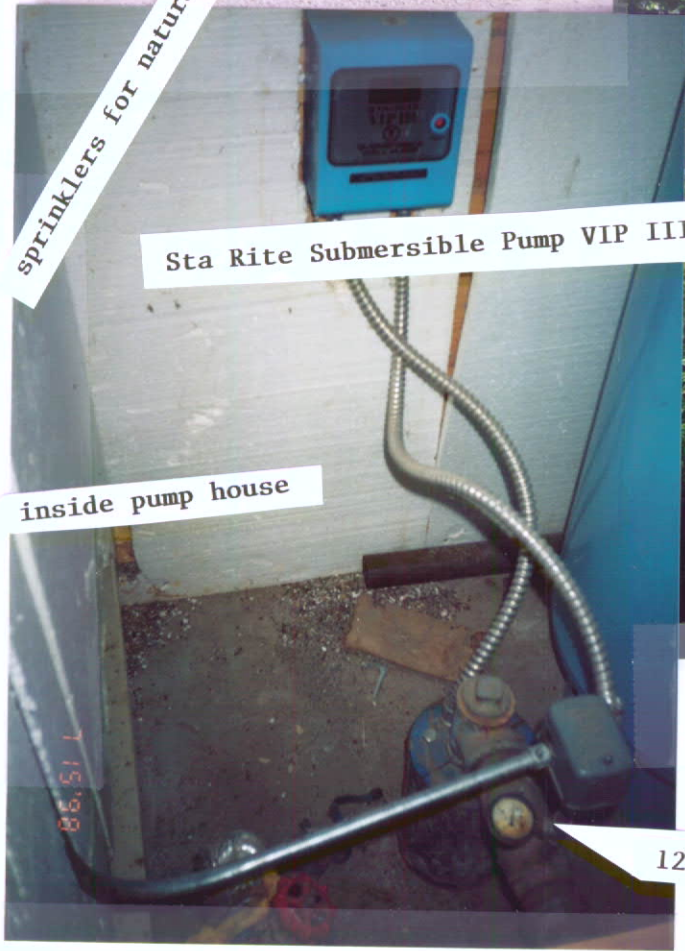
photo looking NE'ly



pump house

front of house

sprinklers for natural vegetation



Sta Rite Submersible Pump VIP III

inside pump house

125 PSI per gage

pump house

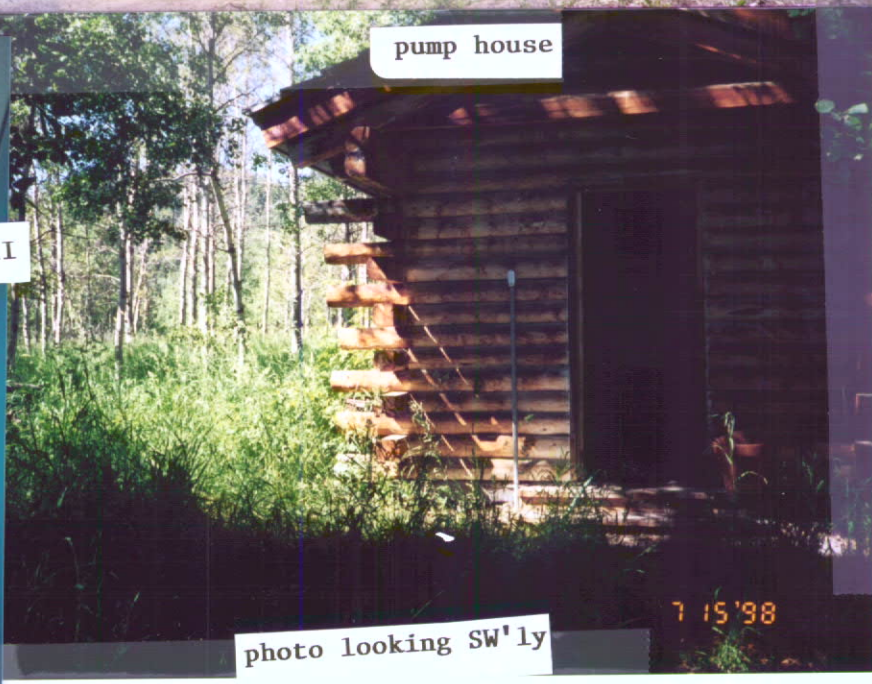


photo looking SW'ly

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2/2

back of house



sprinklers through out the yard, due
to construction they were not operating

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SEP 23 1999

Bryson, John & Henry, Louise
A37-12290 37-08519

SAWTOOTH NATIONAL
RECREATION AREA
HEADQUARTERS

BARLOW SUBDIVISION

136.17B

13598

TL 6923

2

4

166

162

N 55° W

Home

158

154

TL 6924

13576

U.S.

13572

STORE

NORTH FORK CABINS &
TRAILERS 13574

101

TL 6416

13556

13554

TL 3508

13552

TL 3511

NORTH FORK SUBDIVISION

13542

13544

13546

130

126

75



Acres
Irrigated



0 250 500
SCALE IN FEET

SEC. 10, T. 5 N., R. 17 E.

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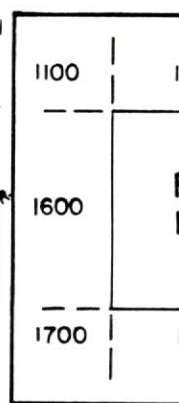
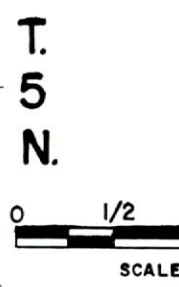
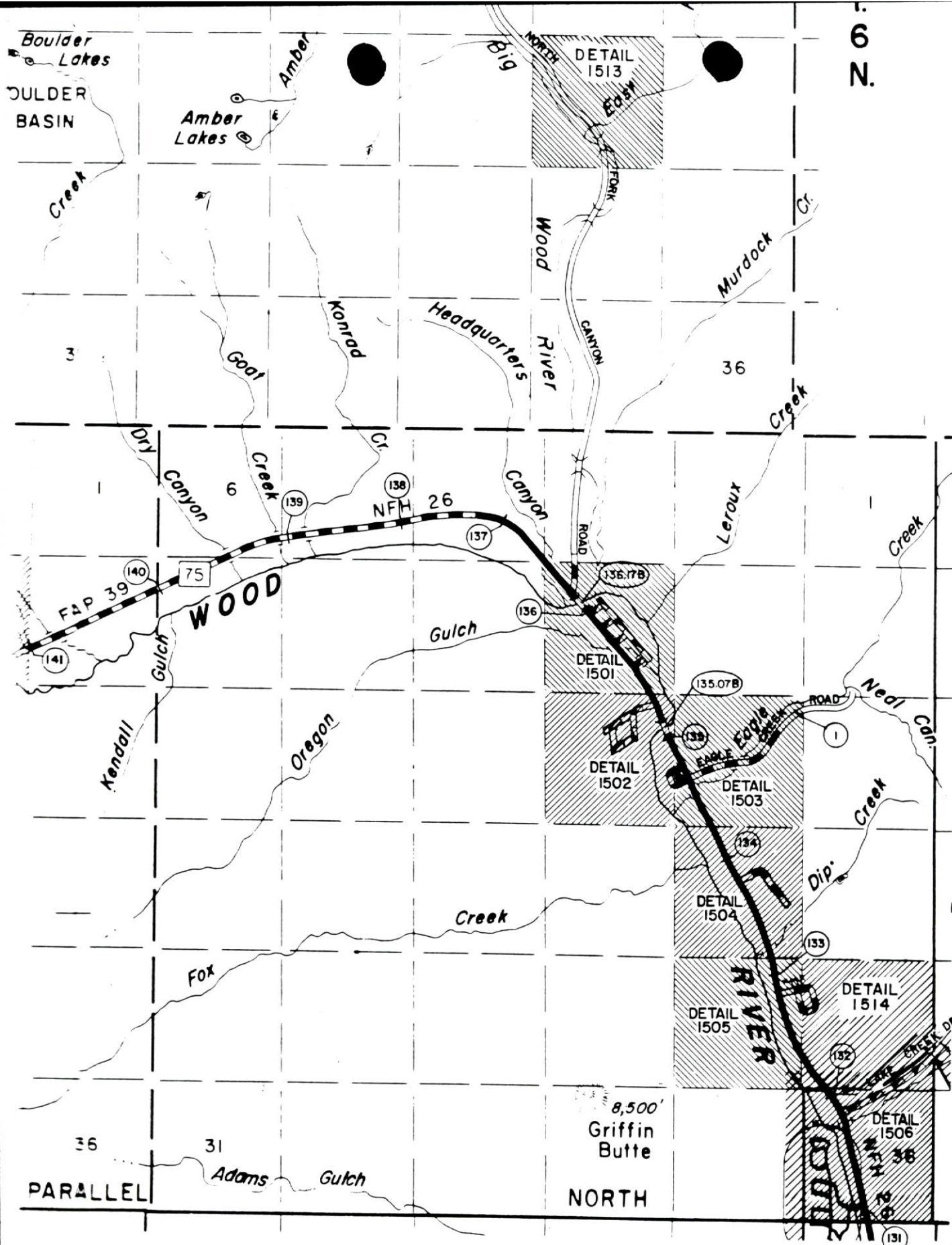
SEP 23 1999

A37-12290

37-08519

PAGE 1501

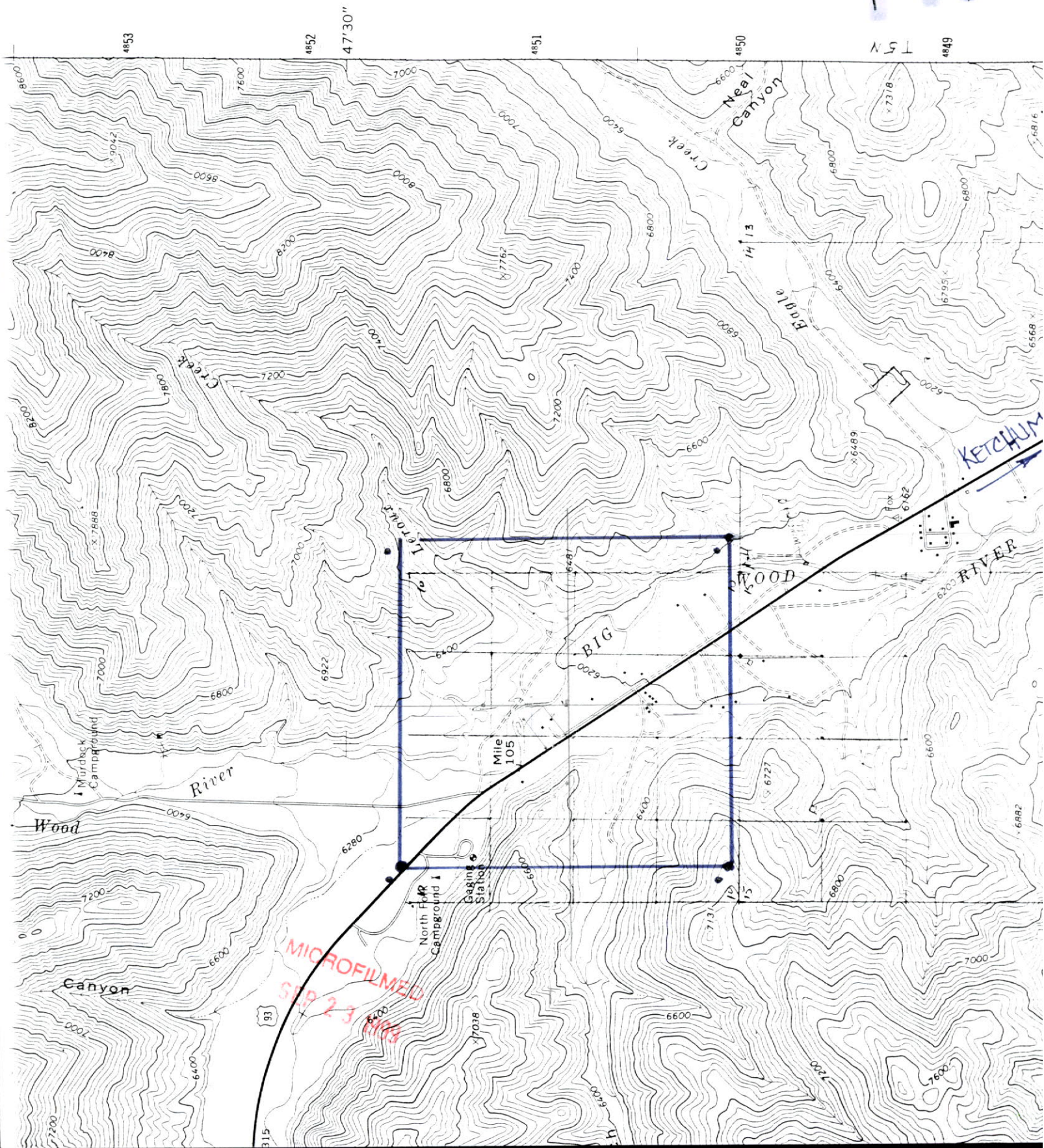
9 10
6 15



Edwards, New Mexico
ENGINEERS / PL

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SEP 23 1999

T5N,
R. 17E
Sec. 10



4853

4852

47'30"

4851

4850

T5N

4849

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

No GPS tag or location by GPS

Georgia Satterlee

Signature of Dept. Representative & Title

15 July 98

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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INSIDE
PUMPHOUSE;
PUMPHOUSE IS
IN FRONT OF
HOUSE;
HOUSE IS @ 158 BARLOW RD

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 08 1999
Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 37-08519
Adjudication Claim No(s): _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Peter Djonald Gache
c/o James P. Speck, Esq.
P.O. Box 987, Ketchum, ID 83340

4. New Owner/Claimant(s): John E. Bryson and Louise Henry Bryson,
Trustees of The Bryson Living Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 2244 Walnut Grove Avenue
City, State and ZIP Code: Rosemead, CA 91770
New Telephone Number: (626) 302-2265

5. Date you acquired the property: October 27, 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 3 Number and type of stock _____
Diversion rate in CFS .06 Number of homes one Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): [Signature] Date 9/2/99
[Signature] Date 9/2/99
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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SEP 23 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

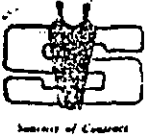
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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SEP 08 1999

Department of Water Resources

TRUSTEE'S DEED

THIS TRUSTEE'S DEED, made the 27 day of October, 1995 by BARBARA BALABER-STRAUSS, as Bankruptcy Trustee of the Estate of the Debtor, PETER GACHE A/K/A PETER D'JONALD GACHE, Case No. 91 B 21193 (JJC) ("GRANTOR"), with offices located at 81 Main Street, 5th Floor, White Plains, New York 10601 to JOHN E. BRYSON and LOUISE HENRY BRYSON, TRUSTEES OF THE BRYSON LIVING TRUST, dated June 11, 1990 ("GRANTEES"), 2244 Walnut Grove Avenue, Rosemead, California 91770.

WHEREAS, PETER GACHE a/k/a PETER D'JONALD GACHE was duly adjudged a Debtor by a voluntary chapter 11 petition duly filed in the Bankruptcy Court of the United States for the Southern District of New York on the 31st day of July, 1991 and which case was converted to chapter 7 on the 1st day of August, 1995; and

WHEREAS, by notice of appointment by the United States Trustee's Office for the Southern District of New York on the 1st day of August 1995, and filed in the office of the Clerk of such Court, GRANTOR was appointed Trustee of Debtor's estate and GRANTOR qualified as such Trustee, and now is acting as such Trustee; and

WHEREAS, notice was duly given to creditors and interested parties, pursuant to 11 U.S.C. § 363, by the Trustee on the 6th day of September, 1995 of the Trustee's intention to sell real property and improvements described as:

a single family house located at Lot 3, Barlow Subdivision, Blaine County, Idaho, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County Idaho, commonly known as 158 Barlow Road, Ketchum, Idaho ("REAL PROPERTY"),

and by Order of the United States Bankruptcy Court dated the 28th day of September 1995, Trustee was authorized and empowered to sell the Trustee's right, title and interest, in and to the REAL PROPERTY; and

WHEREAS, by Order Confirming Sale, dated October 17, 1995, the United States Bankruptcy Court confirmed the Trustee's sale of the REAL PROPERTY to GRANTEES for good and valuable consideration.

WITNESSETH: GRANTOR, for good and valuable consideration paid by GRANTEES, does hereby grant,

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312657

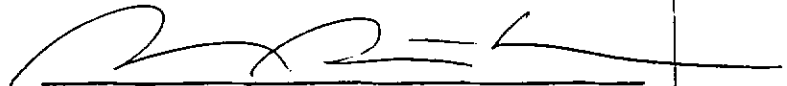
SEP 23 1999

remise and release unto GRANTEES, all of GRANTOR's right, title and interest in and to the REAL PROPERTY, to have and to hold the REAL PROPERTY, with their appurtenances unto GRANTEES, their heirs or successors and assigns forever. By this Trustee's Deed, GRANTOR grants, remises and releases the REAL PROPERTY to GRANTEES free and clear, of any and all liens, claims and encumbrances, security interests, mortgages, taxes and other charges.

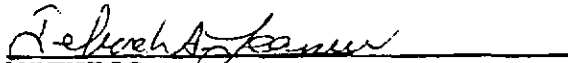
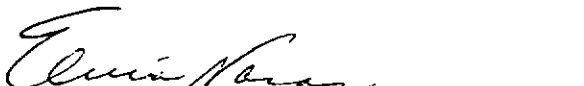
IN WITNESS WHEREOF, GRANTOR has duly executed this Trustee's Deed the day and year first above written, as Trustee of the Estate of the Debtor, PETER D. GACHE a/k/a PETER D'JONALD GACHE.

IN PRESENCE OF:

Dated: 27 day of October, 1995



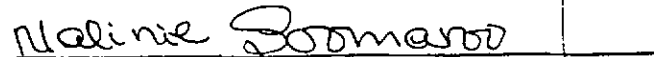
BARBARA BALABER-STRAUSS
Trustee of the Estate of the Debtor
PETER D. GACHE a/k/a PETER D'JONALD
GACHE
81 Main Street, 5th Floor
White Plains, New York 10601
(914) 949-9822


WITNESS
WITNESS

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS

383876
Blaine Co. Request
OF BLAINE COUNTY TITLE
95 NOV 1 PM 3 12
MARY GREEN, CLERK and
FEES \$ 6.00

On October 27, 1995, before me personally came BARBARA BALABER-STRAUSS, to me known and known to me to be the individual described herein and who executed the foregoing instrument, and they duly acknowledged that she executed the same.


NOTARY PUBLIC

[L228649.4]

- 2 -

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SEP 23 1999
NALINIE SOOMAROO
Notary Public, State of New York
No. 01505035776
Qualified in Westchester County
Commission Expires November 14, 19__

383875

MAIN COUNTY FILE

BCT#95007066

Miss (Sri)

95 NOV 1 PM 3 10

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

MARY GREEN, CLERK

FEES \$. 60⁰⁰

In re:

Converted Chapter 7

PETER D. GACHE
a/k/a PETER D'JONALD GAUCHO

RECEIVED

Case No. 91 B 21193 (JJC)

SEP 08 1999

Debtor.

Department of Water Resources

ORDER CONFIRMING SALE

The Chapter 7 Trustee, BARBARA BALABER-STRAUSS (the "Trustee"), whose notice of appointment is annexed hereto as Exhibit "A", having given Notice to all creditors, and other parties in interest in the form annexed hereto as Exhibit "B" of her intention to sell certain properties of the Estate which consists of a single family house located at Lot 3, Barlow Subdivision, Blaine County, Idaho, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County Idaho, commonly known as 158 Barlow Road, Ketchum, Idaho (the "Real Property"), as well as a Jeep Wagoneer vehicle and miscellaneous furniture also located at the premises in Blaine County, Idaho (the "Personal Property"), free and clear of all liens, claims, encumbrances, security interests, mortgages, taxes and other charges (collectively the "Liens") with the Liens to attach to the proceeds of the Sales, subject to determination by this Court as to the validity and extent thereof, the Proposed Sales (the "Sales"), to Ann Lamar McCarter and Paul L. Hansen for the sum of One Million, Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or to such higher and better offeror as may present itself, and a hearing pursuant to §363 and §506(c) of the Code having been held on September 28, 1995, and the United States Bankruptcy Court having authorized the Sale of the Real Property and the Personal Property by Order dated September 28, 1995 (Exhibit "C"), and the Sales having taken place on September 28, 1995 with the following result:

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SEP 23 1999

122

1. The Real Property was sold to JOHN E. BRYSON and LOUISE HENRY BRYSON or their assigns (the "Buyers") for the sum of One Million, Six Hundred Twenty-Five Thousand Dollars (\$1,625,000.00), as reflected by the Bill of Sale signed by attorney Thomas B. Walper on behalf of the Buyers, (See Exhibit "D" annexed hereto), and
2. The Personal Property was sold to JOHN E. BRYSON and LOUISE HENRY BRYSON or their assigns (the "Buyers") for the sum of Six Thousand, One Hundred Dollars (\$6,100.00), as reflected by the Bill of Sale signed by Thomas B. Walper on behalf of the Buyers, (See Exhibit "E" annexed hereto), and

a hearing to approve the aforementioned Sales having been held directly after competitive bids were taken by the Trustee, and the Court having heard Barbara Balaber-Strauss, P.C. in support of approval of said Sales, and no party having objected to the terms of the Sales as set forth by the Trustee on the record at the approval hearing, and it appearing to the satisfaction of the Court that the Sales comply with the requirements set forth in §363 of the Bankruptcy Code, are necessary and proper to effectuate the orderly liquidation of the estate, are in the best interest of creditors, and that the Sales were made in good faith;

THE COURT HEREBY FINDS THAT:

A. The Sale procedures were fair, reasonable and equitable and have given all interested parties adequate opportunity to bid on the Real Property and the Personal Property and the prices obtained for the Real Property and the Personal Property were the highest prices likely to be obtained.

B. The terms and condition of the Sales including the consideration to be paid

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SEP 23 1999

by Buyers thereunder, are fair and reasonable as to the Real Property and Personal Property sold.

C. There has been no collusion between the Trustee and the Buyers, and the Trustee and the Buyers have not taken unfair advantage of any party in interest, including other bidders, in connection with the Sales. The Buyers are purchasing the Real Property and the Personal Property in good faith, and the Buyers are and will be entitled to the protections afforded by 11 U.S.C. §363(m) of the Bankruptcy Code, as to all of the Real Property and Personal Property.

D. It is in the best interest of the Trustee and the estate and creditors to enter into the Bills of Sale and consummate the transactions contemplated thereby.

E. Except as otherwise expressly set forth in the Bills of Sale and the within Order, Buyers are not assuming or otherwise becoming obligated to honor any debts, liabilities, or obligations of the Debtor or the Trustee, express or implied, liquidated or unliquidated, contingent or otherwise;

NOW, THEREFORE, it is

ORDERED, that the Sales by the Trustee of her right, title and interest in and to the Real Property, a single family house located at Lot 3, Barlow Subdivision, Blaine County, Idaho, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County Idaho, also known as 158 Barlow Road, Ketchum, Idaho, for the sum of One Million, Six Hundred Twenty-Five Thousand Dollars (\$1,625,000.00), and the Personal Property, a Jeep Wagoneer vehicle, Vehicle I.D. No. 1JCNI15U8JT220702 and miscellaneous furniture located on the Real Property, for the sum of Six Thousand, One Hundred Dollars (\$6,100.00) to JOHN

E. BRYSON and LOUISE HENRY BRYSON or their assigns, be and it hereby is, confirmed and approved upon the terms set forth in the Notice of Sale, the Order Authorizing Sale, and the duly executed Bills of Sale signed by Thomas B. Walper on behalf of the Buyers, JOHN E. BRYSON and LOUISE HENRY BRYSON, (Exhibits "B", "C", "D" and "E" respectively, annexed to the Application), and it is further

ORDERED, that the Trustee shall not be liable for any brokerage or other commissions from the Sale prices, and any such commissions shall be the responsibility of the Buyers, and it is further

ORDERED, that the aforementioned Sales by the Trustee of Real Property and the Personal Property be free and clear of Liens, with said Liens to attach to the proceeds of the Sales subject to determination by the United States Bankruptcy Court of the extent and validity thereof, and it is further

ORDERED, that the Trustee shall be liable for real property taxes incurred to the date of closing and that the title company which will act as an escrow agent, shall pro rate and pay said taxes from the proceeds of the Real Property Sale, and it is further

ORDERED, that the Buyers purchase of the Real Property and the Personal Property shall constitute a purchase of property in good faith within the meaning of Bankruptcy Code Section 363(m), and it is further

ORDERED, that this Court shall retain jurisdiction over these Sales, and this Court may direct the Trustee and any other necessary party to execute and deliver or to join in the execution or delivery of any instrument required to effect the Sales and to perform any other act that is necessary for the consummation of the Sales, and it is further

ORDERED, that the closings shall take place on or before October 27, 1995, or within such additional time as the Trustee and the Buyers mutually agree or as this Court, for cause, approves and that the net proceeds of the Sales be placed in the Trustee's Estate Account, pending further determination by this Court of the disposition of same, and it is further

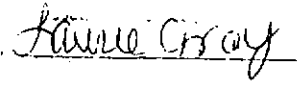
ORDERED, that pursuant to Bankruptcy Rule 7062, this Order shall become immediately effective upon entry, and no automatic stay under Rule 62(a) of the Federal Rules of Civil Procedure shall apply with respect to the within Order, and it is further

ORDERED, that any and all objections made at or prior to the hearing be and they hereby are overruled.

Dated: White Plains, New York
October / 7th, 1995


HONORABLE JOHN J. CONNELLY
UNITED STATES BANKRUPTCY JUDGE

10-17-95



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SEP 23 1999

Exhibit A

MICROFILMED
SEP 23 1999

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:
PETER D. GACHE,
a/k/a PETER DJONALD GACHE,

91 B 21193 JJC

Debtor(s).

APPOINTMENT OF INTERIM TRUSTEE AND TRUSTEE
AND DESIGNATION OF REQUIRED BOND

Barbara Balaber Strauss of White Plains, New York is hereby appointed, pursuant to 11 U.S.C. 701(a) as Interim Trustee for the estate(s) of the above named debtor(s). See 11 U.S.C. 701(c). If no trustee is elected, you shall serve as the Trustee in this case by operation of law. 11 U.S.C. 702(d).

The amount of your bond is covered by the bond of Interim Trustees in Chapter 7 cases issued by Seaboard Surety Company which is on file with the Office. See 11 U.S.C. 322(a) Federal Rules of Bankruptcy Procedure 2010(a). In addition, because your blanket acceptance of appointment is on file (FRBP 2008; FRBP 2010(a), you are required to notify the undersigned in writing within five (5) business days after receipt of this notice only in the event you reject this appointment.

Dated: New York, New York
August 1, 1995

ARTHUR J. GONZALEZ
ARTHUR J. GONZALEZ
UNITED STATES TRUSTEE
80 BROAD STREET
3RD FLOOR
NEW YORK, NEW YORK 10004

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SEP 23 1999

Exhibit B

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SEP 23 1999

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Return date:

September 26, 1995
at 10:00 a.m.

In re:

PETER D. GACHE a/k/a
PETER DJONALD GACHE

Debtor.

Chapter 7

Case No 91 B 21193 (JJC)

NOTICE OF SALE

NOTICE IS HEREBY GIVEN, that the voluntary petition filed under Chapter 11 of the Bankruptcy Code by PETER GACHE a/k/a PETER DJONALD GACHE (the "Debtor") on July 31, 1991 has been converted to a case under Chapter 7 on August 1, 1995 and that BARBARA BALABER-STRAUSS was appointed the Chapter 7 Interim Trustee (the "Trustee").

PLEASE TAKE FURTHER NOTICE, that the Estate owns certain property which consists of a single family house located at Lot 3, BARLOW SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County, Idaho, also known as 158 Barlow Road, Ketchum, Idaho, as well as a Jeep Wagoneer vehicle and miscellaneous furniture also located on the premises in Blaine County, Idaho. (Collectively, the "Property".)

PLEASE TAKE FURTHER NOTICE, that a hearing will be held before the Honorable John J. Connelly, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, on the fifth floor, Courtroom #520 on the 26th day of SEPTEMBER, 1995 at 10:00 A.M., or as soon thereafter as counsel can be heard, at which time and place the Court will consider the application of the Trustee for an order authorizing and empowering the Trustee, pursuant to 11 U.S.C. §363, Bankruptcy Rules 6004 and 2002, and the Local Rules of this Court, to sell, transfer, and convey all of her right, title and interest in and to the Property (the "Trustee's Application") upon the terms set forth herein and in the Trustee's application which is on file with the Clerk of the United States Bankruptcy Court, subject to HIGHER and/or BETTER offers.

PLEASE TAKE FURTHER NOTICE, that on the 26th day of SEPTEMBER, 1995 at the Courthouse on the Fifth Floor, immediately following the hearing on the Trustee's Application, the Property will be sold "AS IS" to Ann Lamar McCarter and Paul L. Hansen (the "Buyers") for the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00), with broker's commissions and closing costs being paid by the Buyers, pursuant to the real estate purchase and sales agreement offer received by the Trustee from Moore Properties, appearing on behalf of the Buyers (with an additional Five Thousand Dollar offer for the sale of the Jeep Wagoneer and the furnishings), OR for such HIGHER and/or BETTER offer as may be

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U.S. BANKRUPTCY COURT

-1-

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SEP 23 1999

presented to the Trustee. The Property shall be sold "AS IS" free and clear of all liens, claims, encumbrances, security interests, mortgages, taxes and other charges, if any (collectively, the "Liens"). The Liens shall attach to the net proceeds of such sale, subject to the determination by the Court of the validity and extent thereof.

PLEASE TAKE FURTHER NOTICE, that upon information and belief the Debtor had engaged the services of real estate brokers for more than one year, and had received and refused offers that were not acceptable to him.

PLEASE TAKE FURTHER NOTICE, that because the offer to the Trustee is One Million, Two Hundred Fifty Dollars (\$1,250,000.00) net of brokerage commissions and the Property was listed with real estate brokers for One Million, Six Hundred Thousand Dollars (\$1,600,000.00), this "ALL CASH" "AS IS" offer falls well within the realm of reasonableness.

PLEASE TAKE FURTHER NOTICE, that Time Is of the Essence in this sale since, according to the Debtor and the brokers with whom the Trustee has spoken, the winter sets in early in the Sun Valley, Idaho area and snow and freezing temperatures may cause deterioration to the Property and to the realizable proceeds.

THIS NOTICE IS GIVEN in order to permit parties in interest or their authorized and appointed representative to attend the sale and make HIGHER or BETTER offers and/or to file objections to the proposed sale. Unless a party in interest files a written objection the intended sale described in this notice will go forward. Objections, if any, shall be in writing and shall set forth in detail the basis for the objection and the relationship of the objectant to the Debtor. Pursuant to Rule 6004, objections must be filed with the Bankruptcy Court at the address set forth above with a copy thereof served upon counsel for the Trustee so that they are received on or before Friday, September 22, 1995, five (5) days prior to the September 26, 1995 hearing. In addition, a copy of said objection should be sent to the Honorable John J. Connelly, United States Bankruptcy Judge, 300 Quarropas Street, White Plains, New York 10601 and to the Office of the United States Trustee, 80 Broad Street, Third Floor, New York, New York 10004, Attention: Norma Ortiz.

PLEASE TAKE FURTHER NOTICE, that HIGHER and BETTER offers must be greater by Twenty-Five Thousand Dollars (\$25,000.00) than previous offers. HIGHER and BETTER offers must be accompanied by a 10% non-refundable deposit payable to the Trustee by cash, certified or official bank check at the sale, with the balance to be paid upon closing, which will be held within twenty (20) business days after the entry of an Order confirming sale. The sale shall be in accordance with the procedures set forth herein, and upon such terms and conditions as may ultimately be determined and set by the Trustee. The failure by the successful offeror to make the aforesaid deposit or to close and take title to the Property within twenty (20) business days after the entry of an Order by the Court confirming the sale becomes final in all respects shall be deemed a default. In the case of a default, the aforesaid deposit may, at the option of the Trustee, constitute liquidated damages, and the Trustee shall have the right to offer the Property to the next highest offeror. Unless extended by the mutual consent of the Trustee

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SEP 23 1999

and the successful offeror, transfer of the Property and payment of the balance of the consideration therefor shall occur at a closing to be held at the offices of Barbara Balaber-Strauss, P.C., 81 Main Street, Fifth Floor, White Plains, New York 10601, the Trustee's counsel, or pursuant to some agreed upon reasonable closing procedures, on the twentieth (20) business day after the order of the Court confirming the sale becomes final.

PLEASE TAKE FURTHER NOTICE, THAT THE PROPERTY IS BEING SOLD "AS IS" AND "WHERE IS" WITHOUT REPRESENTATIONS AND/OR WARRANTIES OF ANY KIND, NATURE OR DESCRIPTION, BY THE TRUSTEE, AND/OR HER AGENTS, EXCEPT AS MAYBE EXPRESSLY STATED HEREIN.

PLEASE TAKE FURTHER NOTICE, that the Trustee reserves the right to alter any and all terms and conditions of sale up to the conclusion of the sale.

PLEASE TAKE FURTHER NOTICE, that the hearing described above may be adjourned from time to time without further notice to creditors or interested parties other than the announcement on the adjourned date or dates at the said hearing.

PLEASE TAKE FURTHER NOTICE, that the Court shall retain jurisdiction to determine any matter arising out of or relating to the proposed transaction and all persons or entities by submitting an offer shall be governed by the conditions set by the Court herein, and such persons or entities shall, upon becoming an offeror, subject himself or itself to the jurisdiction of the Court in reference to all matters arising out of their offer and the consummation thereof and any matters related thereto.

PLEASE TAKE FURTHER NOTICE, that in the event that the Trustee, for any reason, does not consummate the sale, the sole obligation of the Trustee to the successful offeror shall be to refund, without interest, the deposit to said bidder or offeror.

PLEASE TAKE FURTHER NOTICE, that the Trustee reserves the right to:

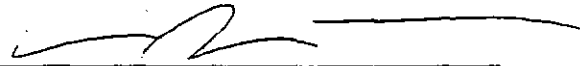
- a) determine in her sole discretion which offer, if any for the property is the highest or best offer, and
- b) reject at any time prior to entry of an order of the Bankruptcy Court confirming and approving the offer and sale, any offer which in the Trustee's sole discretion is deemed to be:
 - i) inadequate or insufficient.
 - ii) not in conformity with the requirements of the Bankruptcy Code or the terms and conditions of sale.
 - iii) contrary to the best interests of the estate and its creditors.

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SEP 23 1999

PLEASE TAKE FURTHER NOTICE, that the following additional terms of sale will apply:

- a) All successful offerors shall provide to the Trustee on the next business day after a request is made:
 - i) the full name and address of the proposed buyer.
 - ii) a current financial statement and such other proof of financial ability to purchase the Property as the Trustee may reasonably request.
- b) The Trustee, at or before the sale, may impose such other terms and conditions as she may determine to be in the best interests of its estate, creditors and other parties in interest.
- c) Each offeror will be responsible for and will indemnify the Trustee against any and all claims for brokerage commissions relative to their offer.
- 4) Failure to comply with the terms and conditions of the proposed sale as set forth herein will be grounds for the Trustee to refuse to accept a bid.

Dated: White Plains, New York
September 6, 1995


BARBARA BALABER-STRAUSS (BBS 6828)
Trustee/Attorney for Trustee
81 Main Street, 5th Floor
White Plains, New York 10601
(914) 949-9822

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SEP 23 1999

Exhibit C

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SEP 23 1999

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Return date: September 28, 1995
at 1:00 p.m.

-----X
In re:

Chapter 7

PETER D. GACHE
a/k/a PETER DJONALD GACHE'

Case No. 91 B 21193 (JJC)

Debtor.
-----X

ORDER AUTHORIZING SALE

BARBARA BALABER-STRAUSS, as Chapter 7 Interim Trustee (the "Trustee") of PETER D. GACHE a/k/a PETER DJONALD GACHE, the Debtor (the "Debtor"), having duly given notice to creditors, and other parties in interest in the form annexed hereto (the "Notice") of the Trustee's intended sale ("the Proposed Sale"), pursuant to 11 U.S.C. §§363 and 506(c), of certain real property which consists of a single family house located at Lot 3, Barlow Subdivision, Blaine County, Idaho, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County Idaho (the "Real Property"), as well as a Jeep Wagoneer vehicle and miscellaneous furniture also located at the premises in Blaine County, Idaho (collectively, the "Personal Property"), free and clear of all liens, claims and encumbrances, security interests, mortgages, taxes and other charges (collectively the "Liens") with the Liens to attach to the proceeds of the Proposed Sale, to Ann Lamar McCarter and Paul L. Hansen for the sum of One Million, Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or to such higher and better offeror as may present itself, and a hearing having been duly held before the undersigned on September 28, 1995 to consider the Proposed Sale, and the Court, having heard the Trustee by her attorney BARBARA BALABER-STRAUSS, P.C., in support of the Proposed Sale, and it appearing to the satisfaction of the Court that the Proposed Sale complies with the requirements

(1 of 3)

MICROFILMED
SEP 23 1999

set forth in §363 of the Bankruptcy Code, is necessary and proper to effectuate the orderly liquidation of the estate, and is in the best interest of creditors,

NOW, upon the Application of the Trustee and the annexed "Notice of Sale", dated September 6, 1995, together with proof of service thereof and upon the record of the proceedings held herein on September 28, 1995; it is

ORDERED, that the Trustee be, and she hereby is authorized to sell all of her right, title and interest in and to the Real Property and the Personal Property free and clear of Liens to the highest and best offeror at a sale to be held on September 28, 1995 immediately following the aforementioned hearing, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, and it is further

ORDERED, that all persons holding secured or unsecured claims be and they hereby are barred from asserting such claims against the successful offeror and purchaser of the Real Property and/or the Personal Property, or against the Real Property and/or Personal Property provided, however, that such claims shall attach to the sales proceeds with the same force and effect as they now have, if any, against all or any part of the Real Property and/or Personal Property, and provided further, that the force and effect, if any, of any such liens, interests, or claims shall be determined in subsequent proceedings before this Court, and it is further

ORDERED, that the Trustee be and she hereby is authorized to sell the Real Property and the Personal Property upon the terms set forth in the Notice of Sale, a copy of which is annexed hereto, and it is further

ORDERED, that the Trustee be, and she hereby is authorized to apply to this

(2 of 3)

MICROFILMED
SEP 23 1999

Court for confirmation of the sale at any time prior to the closing of title thereof, and it is
further

ORDERED, that pursuant to 11 U.S.C. §506(c), and the consent given on the
record by Dewey Ballentine, as counsel for Republic National Bank, the second mortgagee, the
Trustee be and she hereby is authorized to receive statutory Trustee's commissions, expenses
and attorney's fees, said attorney's fees not to exceed Seven Thousand, Five Hundred Dollar
(\$7,500.00) from the gross proceeds of the sale.

ORDERED, that the Trustee be, and she hereby is authorized and directed to hold
and retain any and all proceeds as and when received from the purchaser of the Property for
distribution subject to further orders of this Court.

Dated: White Plains, New York
September 28, 1995

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HONORABLE JOHN J. CONNELLY
UNITED STATES BANKRUPTCY JUDGE

(3 of 3)
MICROFILMED
SEP 23 1999

MICROFILME Exhibit D
SEP 23 1999

COPY

BILL OF SALE

REAL PROPERTY

Re: PETER D. GACHE DEBTOR, Case No. 91 B 21193 (JJC)

The property of the above named Debtor, which consist of a single family house located at Lot 3, BARLOW SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the Official Plat thereof, recorded in Book 1 of Plats, Page 3, Blaine County, Idaho, also known as 158 Barlow Road, Ketchum, Idaho (the "Real Property".)

BUILDING AND REAL PROPERTY IS SOLD AS-IS , NO GUARANTEE OR WARRANTY EXPRESSED OR IMPLIED, BUILDING AND REAL PROPERTY IS SOLD FREE AND CLEAR OF ANY AND ALL LIENS AND OR MORTGAGES, WITH TAXES BEING PAID BY THE TRUSTEE UNTIL SCHEDULED DATE OF CLOSING. Sale is subject to confirmation by the TRUSTEE, with Closing to be held within TWENTY (20) days after entry of a Federal Bankruptcy Court Order. Should an extension for Closing be requested by the Purchaser(s), and be granted by the Trustee, then the Purchaser(s) will be responsible for any taxes, utility costs, and any carrying charges incurred by the Trustee, from the original scheduled Closing Date, until the Actual Closing Date, and will be paid by the Purchaser(s) at the time of Closing.

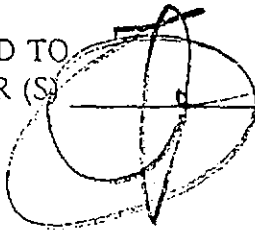
PURCHASER(S) IS RESPONSIBLE FOR OBTAINING OWN FINANCING. DEPOSIT IS REFUNDABLE ONLY IN THE EVENT THAT THE SALE IS NOT CONFIRMED EITHER BY THE TRUSTEE OR THE COURT, AND SAID DEPOSIT SHALL BE CONSIDERED LIQUIDATED DAMAGES AT THE OPTION OF THE TRUSTEE IF THE PURCHASER(S) DOES NOT CLOSE ON THIS PROPERTY WITH DUE DILIGENCE.

SELLING PRICE \$ 1,625,000

DEPOSIT \$ 162,500

BALANCE DUE IN FULL AT CLOSING \$ 1,462,500

TERMS AGREED TO
BY PURCHASER (S)



THOMAS B. WALTER
ON BEHALF OF BUYERS
JOHN E. BRYSON AND
LOUISE HELEN BRYSON

TRUSTEE IN BANKRUPTCY, BARBARA BALABER-STRAUSS, P.C.
81 MAIN STREET, WHITE PLAINS, NEW YORK 10601

MICROFILMED
SEP 23 1999

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SEP 23 1999

Exhibit E

C O P Y

BILL OF SALE

PERSONAL PROPERTY

Re: PETER D. GACHE DEBTOR, Case No. 91 B 21193 (JJC)

The property of the above named Debtor, which consist of Jeep Wagoneer vehicle and miscellaneous furniture located on the premises known as 158 Barlow Road, Ketchum, Idaho (the "Personal Property".)

PERSONAL PROPERTY IS SOLD AS-IS , NO GUARANTEE OR WARRANTY EXPRESSED OR IMPLIED, PERSONAL PROPERTY IS SOLD FREE AND CLEAR OF ANY AND ALL LIENS. Sale is subject to confirmation by the TRUSTEE, with Closing to be held within TWENTY (20) days after entry of a Federal Bankruptcy Court Order.

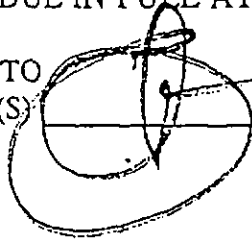
PURCHASER(S) IS RESPONSIBLE FOR OBTAINING OWN FINANCING. DEPOSIT IS REFUNDABLE ONLY IN THE EVENT THAT THE SALE IS NOT CONFIRMED EITHER BY THE TRUSTEE OR THE COURT, AND SAID DEPOSIT SHALL BE CONSIDERED LIQUIDATED DAMAGES AT THE OPTION OF THE TRUSTEE IF THE PURCHASER(S) DOES NOT CLOSE ON THIS PROPERTY WITH DUE DILIGENCE.

SELLING PRICE \$ 6,100

DEPOSIT \$ 610⁰⁰

BALANCE DUE IN FULL AT CLOSING \$ 5,490.00

TERMS AGREED TO
BY PURCHASER (S)



THOMAS B. WALPER
ON BEHALF OF BUYERS
JOHN E BLYSON AND
LOUISE HENRY BLYSON

TRUSTEE IN BANKRUPTCY, BARBARA BALABER-STRAUSS, P.C.
81 MAIN STREET, WHITE PLAINS, NEW YORK 10601

MICROFILMED
SEP 23 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08519

Priority: May 24, 1989

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 10.5 AF

This is to certify, that PETER DJONALD GACHE
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 24, 1989; and has submitted Proof of Beneficial Use on August 30, 1990. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	10.5 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 10, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	17E	10	SWNE 1.2	SENW 1.8		3

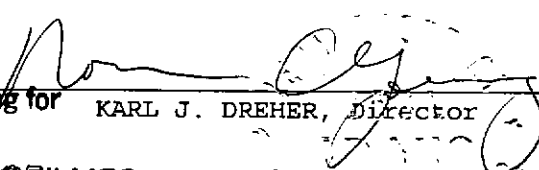
Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Point of diversion and place of use known as Lot 3, Barlow Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 7th day of

July, 1999.

Acting for  KARL J. DREHER, Director

MICROFILMED

SEP 23 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08519

Date of Priority: May 24, 1989

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

10.5 AF

Comes now

PETER DJONALD GACHE

C/O JAMES P SPECK ESQ

PO BOX 987

KETCHUM ID 83340

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08519, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	10.5 AF

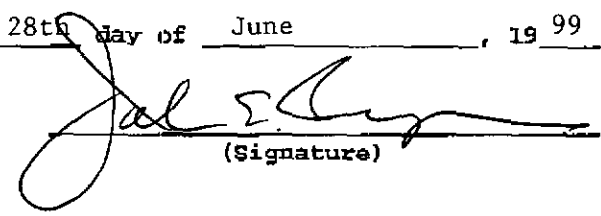
LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 10, Township 05N, Range 17E
BLAINE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	17E	10	SWNE 1.2	SENW 1.8		3

Total number of acres irrigated: 3

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Rosemead, California, this 28th day of June, 1999.

JOHN E. AND LOUISE HENRY BRYSON ARE
CURRENT LANDOWNERS.
(Signature)

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SEP 23 1999

PAGE 2

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08519

FOR DEPARTMENT USE ONLY

Preliminary check by HW Fee - 50.- Receipted by HW # C04589 Date 6/30/99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08519 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Point of diversion and place of use known as Lot 3, Barlow Subdivision.

Witness my hand this 7TH day of July, 1999.Acting for Karl J. Dreher
KARL J. DREHER, Director

MICROFILMED

SEP 23 1999

RECEIVED
AUG 30 1990
Department of Water Resources
Southern Region Office

For Office Use Only
Amt. of Fee \$ 50.00
Date 8-30-90
Receipt No. 8012613
Received by JRP

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 37-08519 Telephone No. 208 - 726-4421

Name(s) of Permit Holder(s): PETER DJONALD GACHE

Post Office Address: c/o James P. Speck P.O. Box 987, Ketchum, Idaho 83340

Source of Water: Groundwater

If ground water, well driller's name: Ken Smith Date drilled: 9/27/76

Extent of Use:
Domestic 1 (No. of households) Irrigation 3 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.13 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: September 27, 1976

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

James P. Speck, Esq. P.O. Box 987, Ketchum, ID 83340 (208) 726-4421
Name Telephone No.

Address

OCT 18 1990

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8/29/90
Date

Peter D. Gache by James P. Speck
his attorney-in-fact
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08519

Proposed Priority: May 24, 1989

Maximum Diversion Rate:

0.13 CFS

This is to certify, that **PETER DJONALD GACHE**
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSWNE Sec. 10, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 10	SWNE 1.5	NWSE 1.5		3

Total number of acres irrigated: 3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1990.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.
5. Domestic use is for one home within Lot 3, Barlow Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

17th day of August, 1989

MICROFILMED

for

R. Keith Higginson
R. Keith Higginson, Director

AUG 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Peter Dionald Gache Phone (208) 726-4421
James P. Speck, Esq
Post office address c/o Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, ID 83340
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 10 18 9PS Township 5N Range 17E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04cfs for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount 0.09cfs for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) 0.13cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well/pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ depth of well is 43 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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8. Description of proposed use irrigation only, go to item 9:

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. one (1) household
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	17E	<u>10</u> <u>18</u>			<u>1.5</u> <u>9PS</u>											<u>1.5</u> <u>9PS</u>			3
5N	17E	<u>10</u> <u>18</u>			D														

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

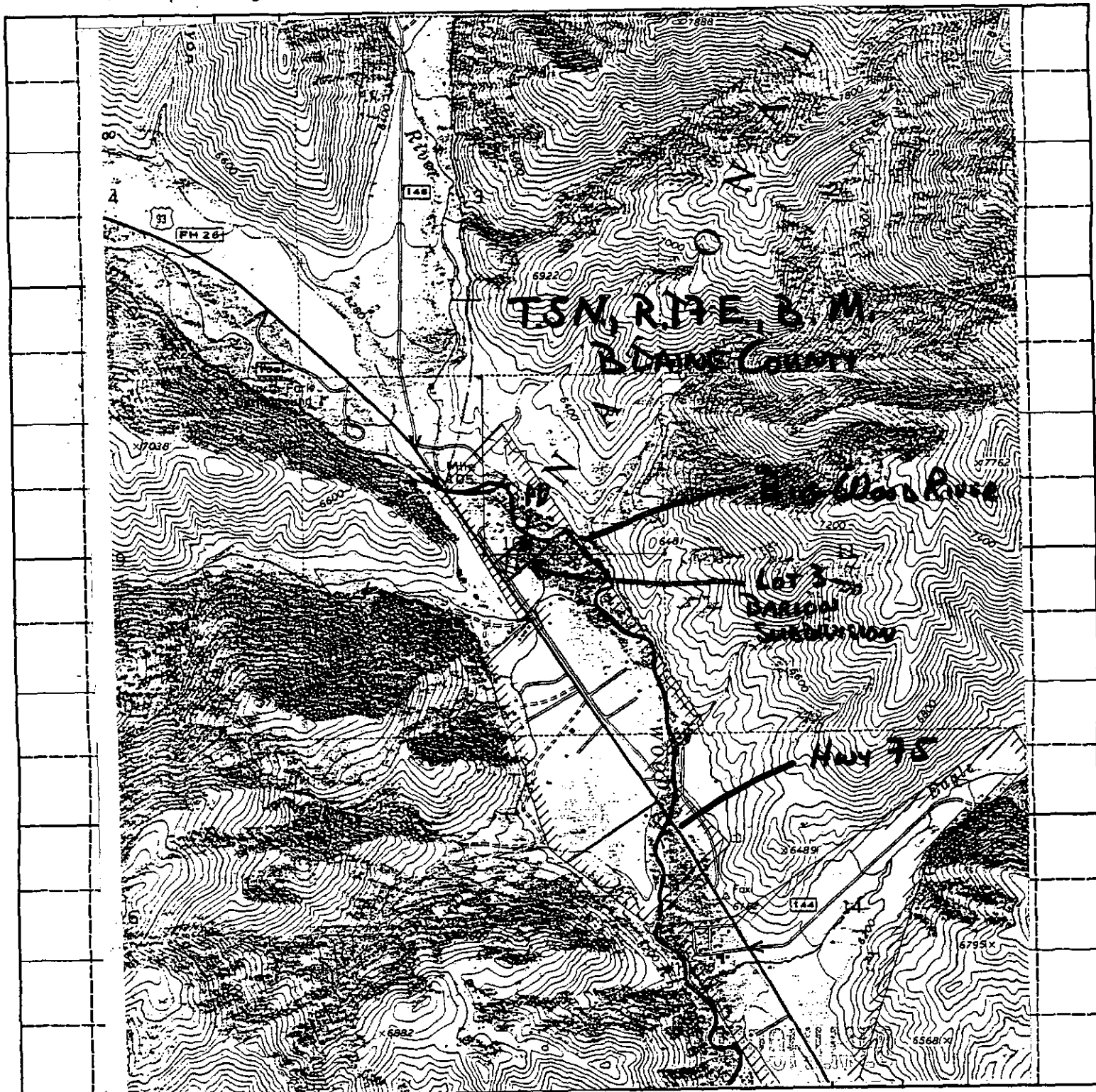
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Applicant filed a Notice of Claim (A37-12290) for this well in the Snake River Basin Adjudication. Applicant desires to obtain a license to irrigate 3A in connection with the domestic use of this well. Well and place of use are located on Lot 3A Barlow Subdivision.

AUG 22 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

AUG 22 1989

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert J. Gache, by
James P. Smith, his attorney-in-fact.
(Applicant)

Received by SC Date 5/24/89 Time 11:00 am Preliminary check by check attached
check attached
Fee \$ 30. Received by JS # 5007310 Date 5-25-89
Publication prepared by M. Baldwin Date 5/31/89 Published in Wood River Journal
Publication approved Correct Lloyd R Page Date 6-22-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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AUG 22 1989

RECEIVED

MAY 15 1989

Department of Water Resources
Southern Region Office

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

I, PETER D. GACHE, of 158 Barlow Rd, Ketchikan
designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as
my attorney in fact and agent (subsequently called "Agent") to act
in my name and for my benefit for the specific purposes stated
herein only. I grant to my Agent full power and authority to do
everything necessary in exercising any of the powers herein granted
as fully as I might or could do if personally present and fully
competent, hereby ratifying and confirming all that my Agent shall
lawfully do or cause to be done by virtue of this Special Power of
Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have
power to exercise or perform any act, power, duty, right or
obligation whatsoever that I now have or may hereafter acquire,
RELATING ONLY TO the preparation and filing of claims for water
rights in Twin Falls County District Court Civil No. 39576, In Re
the General Adjudication of Rights to the Use of Water from the
Snake River Basin Water System, and the preparation and filing of
applications for permits to or transfers of water rights, or claims
to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is
revocable, provided, that insofar as any governmental agency,
bank, trust company, insurance company, transfer agent, or other
person shall rely upon this power, this power may be revoked only
by a notice in writing executed by me or my Agent and delivered
to such person or institution.

3. INTERPRETATION. This instrument is to be construed
and interpreted as a Special Power of Attorney and shall be limited
in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of
Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon
the representations of the Agent as to all matters relating to any
power granted to my Agent, and no person who may act in
reliance upon the representations of the Agent or the authority
granted to my Agent shall incur any liability to us or our
estates as a result of permitting the Agent to exercise any
power.

MICROFILMED

SPECIAL POWER OF ATTORNEY - 1

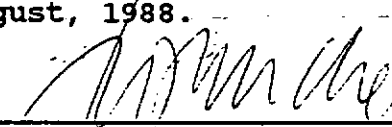
AUG 22 1989

37-08519

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

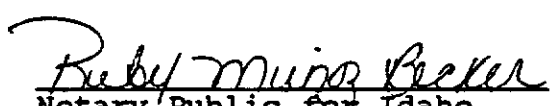
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 17th day of August, 1988.


PETER D. GACHE

STATE OF IDAHO)
) ss.
County of Blaine)

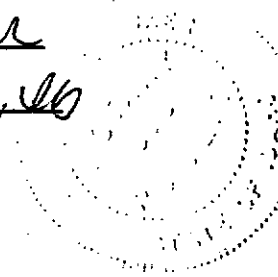
On this 26th day of August, 1988, before me, the undersigned notary public in and for said state, personally appeared Peter D. Gache, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at: Sun Valley, ID

SPPWRATY.MIS

SPECIAL POWER OF ATTORNEY - 2


AUG 22 1989

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

I, PETER D. GACHE, of 158 Barclay Rd, Ketchikan designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

MICROFILMED

AUG 22 1989

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

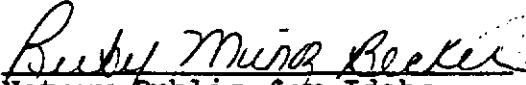
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 26th day of August, 1988.


PETER D. GACHE

STATE OF IDAHO)
) ss.
County of Blaine)

On this 26th day of August, 1988, before me, the undersigned notary public in and for said state, personally appeared Peter D. Gache, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at Sun Valley, ID

SPPWRATY.MIS

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AUG 22 1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

JUN 22 1989

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 7th day of June, 1989, and

the date of the last publication was on the 14th day of July, 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 21st day of June, 1989.
(SEAL)

Roberta M. Kessler
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	<u>11</u>
Number of Lines in Notice	<u>88</u>
Number of Insertions	<u>2</u>
Lines tabular at	<u>5¢/Pica</u>
<u>88</u> Lines straight at	<u>43.56¢</u> 4¢/Pica
<u>88</u> Subsequent lines at	<u>33.88¢</u> 3¢/Pica
TOTAL COST	<u>77.44</u>

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JUN 22 1989

AUG 22 1989

Department of Water Resources
Southern Region Office

COPY OF NOTICE

(Paste Here)

5 Applications (Updyke, Gache)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Updyke, Gache file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08515
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.020 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08516
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NENESW Sec 14 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08517
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.045 CFS)
STOCKWATER (.045 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 SESW
3.0 ACRES TOTAL

37-08518
UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: DOMESTIC (.053 CFS)
STOCKWATER (.053 CFS)
IRRIGATION (.053 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08519
GACHE, PETER DJONALD
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt.: SWSWNE Sec 10 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 5/24/1989
In: T05N R17E S10 SWNE NWSE
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JUNE 26, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 7 & 14, 1989.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THE BRYSON LIVING TRUST
JOHN E BRYSON TRUSTEE
LOUISE HENRY BRYSON TRUSTEE
2244 WALNUT GROVE AVE
ROSEMEAD CA 91770

RE: Water Right 37-08519

Dear Mr. & Mrs. Bryson:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
SEP 23 1999

MUNGER, TOLLES & OLSON LLP

355 SOUTH GRAND AVENUE
THIRTY-FIFTH FLOOR
LOS ANGELES, CALIFORNIA 90071-1560
TELEPHONE (213) 683-9100
FACSIMILE (213) 687-3702

33 NEW MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94105-9781
TELEPHONE (415) 512-4000
FACSIMILE (415) 512-4077

EDWARD C. HAGEROTT, JR.
RICHARD E. DRODYAN
ALLISON B. STEIN
MARSHA HYMANSON
MONICA WAHL SHAFER
ANDREW J. THOMAS
ROBERT L. BELL ANGELO
BRUCE A. ABBOTT
SUSAN R. SZABO
BERNARDO SILVA
KRISTIN S. ESCALANTE
JONATHAN E. ALTMAN
GREGG W. KETTLES
MARY ANN LYMAN
JOHN C. ULIN
BURTON A. GROSS
STEVEN W. HAWKINS
DAVID M. ROSENZWEIG
DAVID C. DINIELLI
KEVIN S. MASUDA
ANDREA J. WEISS
PETER A. DETRE
MICHAEL J. O'SULLIVAN
STEVEN H. USDAN
DEVON ALEXANDER GOLD
JOSE F. SANCHEZ
KELLY M. KLAUS
MICHAEL E. GREANEY
HOJOON HWANG
DOUGLAS A. AXEL
RACHEL M. CAPOCCIA
BRUCE H. SEARBY

JONATHAN R. LEVEY
MELINDA J. DEMSKY
DAVID H. FRY
STEPHEN E. MORRISSEY
JANICE M. KROLL
TAMERLIN J. GODLEY
PAMELA D. BARNES
DAVID B. GOLDMAN
DOUGLAS M. FUCHS
DANA S. TREISTER
TODD E. MOLZ
LINDA M. BURROW
JEREMY B. ROSEN
LISA J. DEMSKY
ANDREW C. FINCH
MALCOLM A. HEINICKE
DONOVAN J. COCAS
STEPHEN P. SORENSEN
MARK D. WOOLWAY
LISA WIENS-SINKO
TUNG YIN
MICHAEL R. BARRA
JAMES C. RUTTEN

RICHARD D. ESBENSHADET
OF COUNSEL
E. LEROY TOLLES
(RETIRED)

PETER R. TAFT
ROBERT K. JOHNSON
ALAN V. FRIEDMAN
RONALD L. OLSON
DENNIS E. KINNAIRD
RICHARD S. VOLPERT
SIMON M. LORNE
DENNIS C. BROWN
ROBERT E. DENHAM
JEFFREY I. WEINBERGER
ROBERT L. ADLER
CARY B. LERMAN
CHARLES D. SIEGAL
RONALD K. MEYER
GREGORY P. STONE
VILMA S. MARTINEZ
BRAD D. BRIAN
BRADLEY S. PHILLIPS
GEORGE M. GARVEY
RITA J. MILLER
WILLIAM D. TENKO
STEVEN L. GUISET
ROBERT B. KNAUSS
R. GREGORY MORGAN
STEPHEN M. KRISTOVICH
JOHN W. SPIEGEL
TERRY E. SANCHEZ
STEVEN M. PERRY
RUTH E. FISHER
MARK B. HELM
JOSEPH D. LEE
MICHAEL R. DOYEN

MICHAEL E. SOLOFF
GREGORY D. PHILLIPS
JOHN B. FRAHK
LAWRENCE C. BARTH
KATHLEEN M. McDOWELL
GLENN D. POMERANTZ
THOMAS B. WALPER
RONALD C. HAUSMANN
PATRICK J. CAFFERTY, JR.
JAY M. FUJITANI
O'MALLEY M. MILLER
SANDRA A. SEVILLE-JONES
MARK H. EPSTEIN
HENRY WEISSMANN
KEVIN S. ALLRED
MARC A. BECKER
CYNTHIA L. BURCH
BART H. WILLIAMS
JEFFREY A. HEINTZ
JUDITH T. KITANO
KRISTIN LINSLEY MYLES
MARC T.G. DWORSKY
JEROME C. ROTH
STEPHEN D. ROSE
JEFFREY L. BLEICH
GARTH T. VINCENT
TED DANE
MARK SHINDERMAN
STUART N. SENATOR
MARTIN D. BERN
DANIEL P. COLLINS
STEVEN B. WEISBURD

LA PROFESSIONAL CORPORATION

September 7, 1999

WRITER'S DIRECT LINE

213-683-9193

walpertb@mto.com

VIA FEDEX

Mr. Shelley Walter Keen
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right 37-08519

Dear Mr. Keen:

Enclosed please find an executed Notice of Change of Water Right Ownership in the above-referenced matter. Also enclosed are copies of the Trustee's Deed and the recorded Order Confirming Sale.

Please contact me if you have questions regarding the enclosures.

Very truly yours,

Thomas B. Walper

TBW:mm
Enclosures

[578548.1]

RECEIVED
SEP 08 1999
Department of Water Resources

MICROFILMED
SEP 23 1999

To Shelley K.
Date 7.15 Time 11:11 ☐ AM ☒ PM

WHILE YOU WERE OUT
M Tom Walper

of _____

Phone Numbers
Office 213 683 9193 ☒ Telephoned
Area Code Number Ext
☒ Please call
Voice mail _____ ☐ Returned your call
FAX _____ ☐ Called to see you
Page _____ ☐ Wants to see you
Mobile _____ ☐ Will call again
e-mail _____ ☐ URGENT

Message
LC: #37-08579

LM 7.15.99 @ 3:24 K

 **AMPAC EFFICIENCY®** Operator  Recorder #23-000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PETER DJONALD GACHE
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08519

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
SEP 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRYSON
LOUISE HENRY
C/O TOM WALPER
355 S GRAND AVE 35TH FLOOR
LOS ANGELES CA 90071

RE: WATER RIGHT 37-08519

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of the Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED
SEP 23 1999

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right 37-08519

PETER DJONALD GACHE
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

JOHN BRYSON
LOUISE HENRY
C/O TOM WALPER
355 S GRAND AVE 35TH FLOOR
LOS ANGELES CA 90071


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 23 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED

JUN 30 1999

Madeline M. Peters
Executive Assistant
to the Chairman

Department of Water Resources

June 29, 1999

Mr. Shelley Walter Keen
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, ID 83720-0098

Dear Mr. Keen:

In accordance with your letter dated June 24, I am forwarding the Application for Amendment for Water Right No. 37-08519, together with a \$50.00 filing fee.

If you have any questions, please call Tom Walper, the attorney for John and Louise Bryson. You may reach Mr. Walper at (213) 683-9193. It is my understanding that you spoke with Mr. Walper yesterday.

Sincerely,



Encl.

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SEP 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRYSON
LOUISE HENRY
C/O TOM WALPER
355 S GRAND AVE 35TH FLOOR
LOS ANGELES CA 90071

RE WATER RIGHT 37-08519

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED
SEP 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRYSON
LOUISE HENRY
C/O TOM WALPER
355 S GRAND AVE 35TH FLOOR
LOS ANGELES CA 90071

RE: WATER RIGHT 37-08519

Dear Mr. Bryson & Ms. Henry:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on the permit. Therefore, before a license can be issued, the permit must be amended to depict the water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED

SEP 23 1999

SRBA

SUBCASE SUMMARY REPORT 37-12290

[Return to SRBA Home Page](#)

SRBA
05-28-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 37-12290 FILE#: 00000
CLAIMANT: BRYSON, JOHN
STATUS: UNOBJECTED TO W/R
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

JOHN BRYSON	PRO SE
LOUISE HENRY	PRO SE

**** ROA ENTRIES ****

[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 37-12290

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 37-12290

Name and Address: JOHN BRYSON
LOUISE HENRY
2244 WALNUT GROVE AVE
ROSEMEAD, CA 91770

Source: GROUNDWATER

Quantity: .04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 09-27-1976

Diversion Point: T05N R17E S10 SWSWNE Within Blaine County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic 1 HOME	01-01 TO 12-31	.04 CFS

Place of Use:	Domestic	Within Blaine County
	T05N R17E S10	SWNE

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

NO PARCEL NUMBER

[Return to SRBA Home Page](#)

WR0749NP
No. L37-08519

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETER DJONALD GACHE C/O JAMES P SPECK ESQ PO BOX 987 KETCHUM ID 83340 (208) 726-4421	05/24/1989	IRRIGATION	04/15 10/15	0.060 CFS	10.50 AFA
TOTAL DIVERSION:					0.060 CFS	10.50 AFA

Water Source: GROUNDWATER ✓

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.060 CFS ✓

Point(s) of Diversion: T05N R17E S10

SENW ✓

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	17E	10	:																	
			:			01						01								3.0
TOTAL ACRES																			3.0	

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-04029 37-04230 37-04329 37-08258 37-08492 37-08760

Other Water Rights Listing Overlapping Place(s) of use:

37-02168 37-04230 37-04329 37-08475 37-08492 37-08519 37-08760

Conditions of Approval:

- ✓ R67 - This right when combined with all other rights shall provide no
- more than 0.03 cfs per acre nor more than 3.5 afa per acre at the
- field headgate for irrigation of the lands above.

Remarks: GEN / Point of diversion and place of use known as Lot 3, Barlow
Subdivision.

Dates: App. Received: 05/24/1989 Priority Date: 05/24/1989
Proof Due Date: 09/01/1990 Proof Made Date: 08/30/1990
Exam Made Date: 07/15/1998 Exam Sent to S.O.: 09/30/1998
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

WR0749NP
No. L37-08519

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/28/99
PAGE: 2

=====

Comments: Date: 06/30/1998 User-ID: SKEEN Subject: Water Right Ownership
John Bryson and Louise Henry submitted a Notice of Change of
Water Right Ownership that was returned to them because the
right is still in the permit stage. Today their attorney, Tom
Walpers, called to say that his clients are unable to reach the
permit holder of record to obtain an assignment of permit. Mr.
Walpers would like the field examiner to contact him at
213-683-9193 to schedule the field examination.

Audit: 05/28/99 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac						
L3708519	T05N R17E S10	GROUNDWATER																																
	:					01								01	:														2					
A3700833P	BIG WOOD R :	<i>Figge</i> :																																
3702168	OREGON CRE :	<i>Brueger</i> :																																
A3702168A	OREGON GUL :	:																																
R3702168A	OREGON GUL :	:																																
A3702168B	OREGON CRE :	:																																
A3702168C	OREGON CRE :	:																																
3704000	OREGON GUL :	:																																
3704006	SPRING :	:																																
3704238	GROUNDWATER :	<i>Matsuura</i> :																																
3704329	GROUNDWATER :	<i>Young</i> :																																
3708141	GROUNDWATER :	:																																
3708372	GROUNDWATER :	:																																
L3708372	GROUNDWATER :	:																																
3708414	GROUNDWATER :	01 :																																
3708475	GROUNDWATER :	<i>Christensen</i> 03 :																																
3708492	GROUNDWATER :	<i>O'Brien</i> 01 :																																
3708519	GROUNDWATER :	01 :																																
3708598	GROUNDWATER :	:																																
3708760	GROUNDWATER :	<i>Figge</i> :																																
A3708760	GROUNDWATER :	:																																
A3711540	GROUNDWATER :	03 :																																
A3711852	UNNAMED SP :	:																																
A3711854	UNNAMED SP :	:																																
NO MAPPING INFO AVAILABLE																																		

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08519 DATE 5/28/99 REVIEWER: SHARLA

NAME Change/OK
Address / - no assignment - license in Bach's name

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV chg ☒ Change (P39/P47) ☐ Add (P45/P42) Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

Overlaps: Right(s):
File reviewed ☐ Profile reports printed ☐

PLACE OF USE chg ☒ Change (P41/P47) ☐ Add (P41/P42) Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

lot 3, Barlow subd.

Overlaps: Right(s):
File reviewed ☐ Profile reports printed ☐

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .13 cfs

Fee limit .20 cfs \$50⁰⁰

Measured .06 cfs

Theoretical .04 cfs

Recommended Total Div Rate .06 cfs

WATER USES	Change (P46)		
<u>Inv.</u>	<u>.06</u> cfs	<u>3x3.5</u> af	Irrig -
	cfs	af	overlap (R58-R61, R62-R65, R66-R69)
	cfs	af	supp. gw (WB7/065/079)
	cfs	af	overlap spec. combined rts (W35)
	cfs	af	<1acre (W31)
	cfs	af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.06</u> cfs	<u>10.5</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .06 cfs X 184 days X 1.98 = 21.9 af

REMARKS _____

ADD'L CONDITIONS ☐ Watermaster Control WD# ☐
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no SRBA Claim N/A Adjust Memo P37 P38
Amend letters P47

A37-12290

dom use
covered

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08519

1. Owner: John Bryson & Louise Henry Phone No. (213) 683-9193

Current Address: % Tom Walper 3550 S. Grand Ave., L.A., CA. 90071

2. Accompanied by: Brian Bishop EXAM DATE: 15 July 98

Address: Ketchum Office Phone No. 726-9717

Relationship to Permit Holder: Contractor for the remodeling work

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A37-12290

2. Other water rights with the same point of diversion: " " "

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NW	10	05N	17E	BLAINE	FIELD VERIFICATION

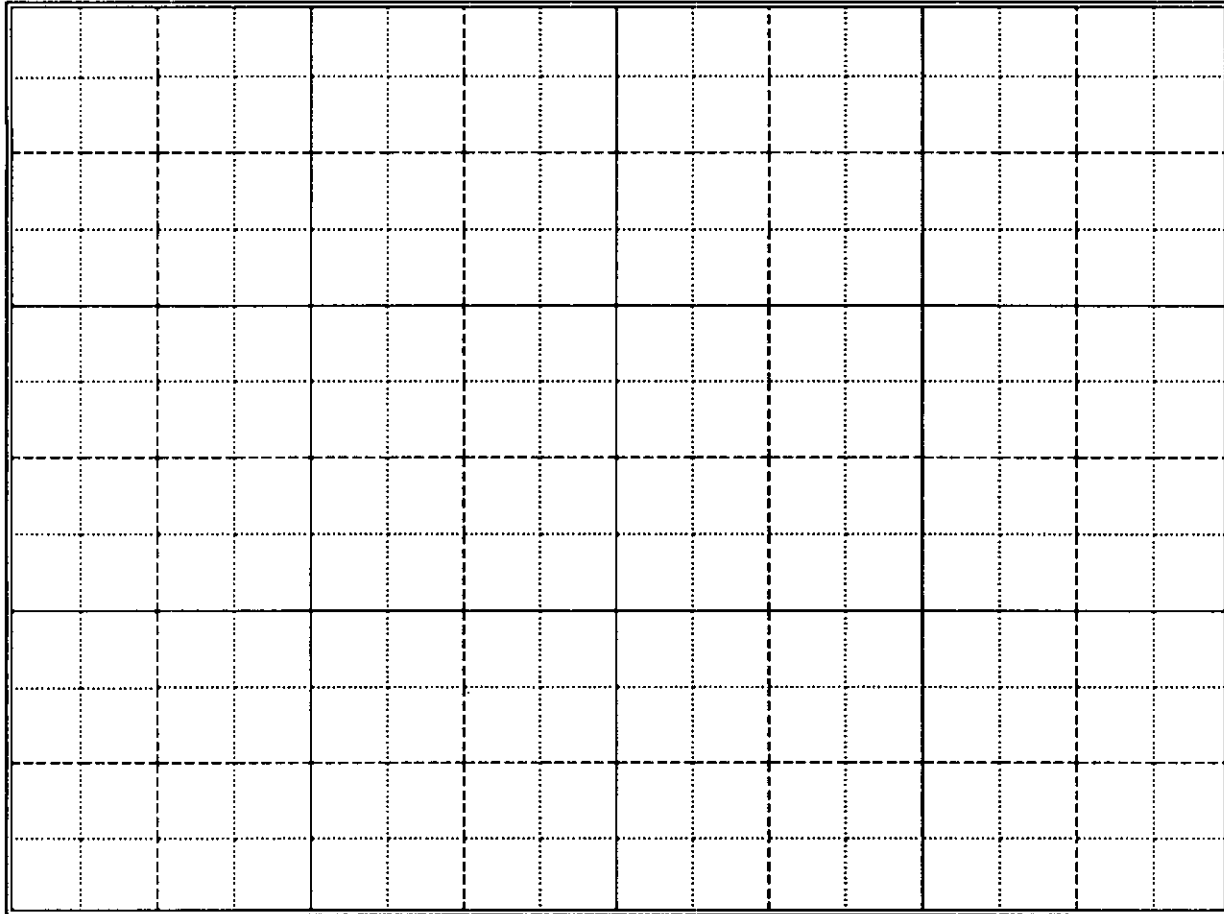
2. Place(s) of Use:

Indicate Method of Determination Same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	17E	10			1.2					1.8									
					*					*									

* 1 home straddles 1/4 corner; domestic will be recommended in adj. claim, A37-12290

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1		2HP		STAKITE VIP4E	MOD#VIP4E02-01

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: BUCKET/STDPWATCH 3 gal @ 6.30" = 29 gpm
MIDPOINT = 0.06 cfs

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 28 July 1998
RE: 37-08519

John Bryson and Louise Henry have bought the property that was once owned by Peter Djonald Gache. Although the permit calls to domestic and irrigation use, the adjudication claim, A37-12290, appropriately covers the domestic use.

After verbal permission by Tom Walper, attorney for Bryson and Henry, I conducted a field examination on 15 July 1998. The home is being remodeled extensively. Because of the massive construction, the yard was being used as a thorough fare for trucks and deliveries. However, I saw Rainbird Maxi-Paws/Model 2045A scattered through out the property. The output of this type of impact sprinkler is approximately 2.5-3.0 gpm.

The well was found in the pumphouse which is in front of the home. The pressure was extremely high and the gage read 125 psi. In addition to a calculated theoretical rate, measurements were taken with a bucket and stopwatch. I will recommend the latter of the two rates.

RECOMMENDATION:

37-08519 3 acres of irrigation with a total of 0.06 cfs includes lawn, garden, and surrounding ground.

A37-12290 domestic use for one home only 0.04 cfs

ons of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Measured Method:

BUCKET/STOPWATCH
THEORETICAL

✓ Additional Computation Sheets Attached

0.06 cfs
0.04 "

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3(3.5) = 10.5$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.06) 184 (1.9835) = 21.9$$

$$V = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} = 10.5$$

2. Volume Calculations for Other Uses:

Permit Rate 0.13 cfs
Exam Fee Limit 0.20 "
Recommended 0.06 "

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	From 4/15	To 10/15	0.06 cfs	10.5 afa
Totals:			0.06 cfs	10.5 afa

System Capacity

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

☒ Change P.U. as reflected above

Add P.U. as reflected above

Other

included in file

unsurveyed area, difficult to delineate from 7.5' Quad; other maps verified P/D & P/U.

I. AUTHENTICATION

Field Examiner's Name Benjamin Sutterlee Date 28 July 98

Reviewer _____ Date _____

SEAL

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1/2

photo looking NE'ly



pump house

front of house

sprinklers for natural vegetation

pump house

Sta Rite Submersible Pump VIP III

inside pump house

photo looking SW'ly

7 15 '98

125 PSI per gage

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SEP 23 1998

Bryson, John & Henry, Louise
A37-12290 37-08519

2/2

back of house



photo looking up river

sprinklers through out the yard, due
to construction they were not operating

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SEP 23 1999

Bryson, John & Henry, Louise
A37-12290 37-08519

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08519

DATE: A37-12290

BY: 28 JULY 1998

THEORETICAL RATE OF FLOW:

$$Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (2) \times (0.70)}{[(15) + (125 \times 2.31)]} = \frac{12.32}{303.75} = 0.04 \text{ cfs}$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs (X)

Booster (Y)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage (X)

(N)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

STARITE VIP III

MOD # VIP 4 EDZ-01

REMARKS

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annun} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$$

POTENTIAL =

REQUIRED Acre Feet/Acre/Annun =

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

SAWTOOTH NATIONAL
RECREATION AREA
HEADQUARTERS

BARLOW SUBDIVISION

136.17B

13598

TL 6923

136

TL 6924

162

166

Home

158

154

150

146

142

138

134

130

126



Acres
Irrigated

0 250 500
SCALE IN FEET

NORTH FORK CABINS &
TRAILERS 13574

13572

STORE

101

105

109

TL 6416

13556

13554

TL 3508

13552

TL 3511

13542

13544

13546

NORTH FORK SUBDIVISION

SEC. 10, T. 5 N., R. 17 E.

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SEP 23 1999

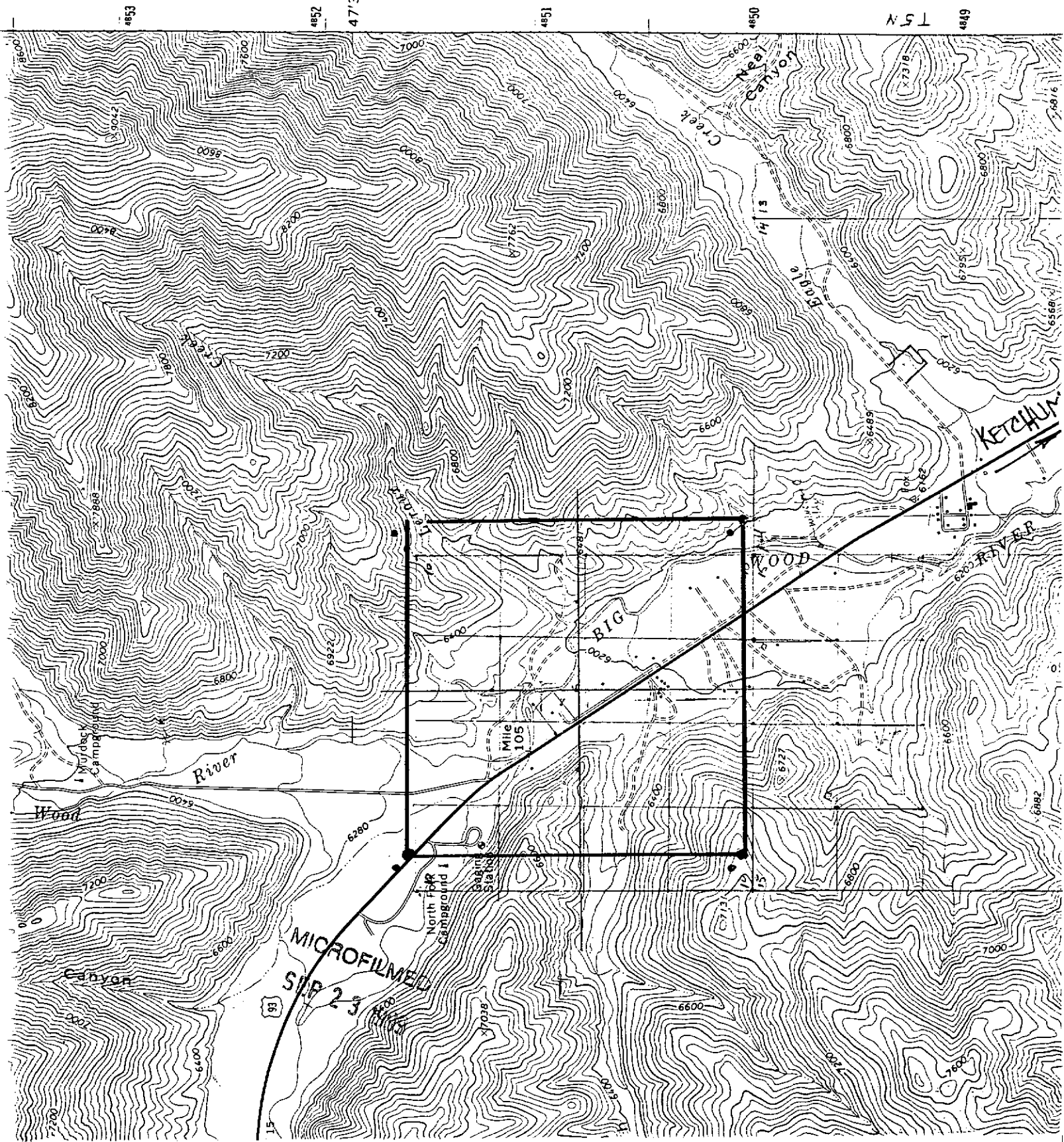
37-12290

37-08519

PAGE 1501

9/10
6/15

75N,
R. 17E
Sec. 10



4853

4852

47'30"

4851

4850

75N

4849

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: UNKNOWN OTHER APPLICABLE NO: A37-12290
37-08579
2. OWNER: John Bryson & Louise Henry Phone: (213) 683-9193
Address: 70 Tom Walper, 355 S. Grand Ave. 35th Floor, L.A., CA. 90071
3. WELL LOCATION: Twp 05N, Rge. 17E, Sec. 10, SE 1/4 NW 1/4
County BLAINE (Provide sketch map and photo on reverse.)
4. DRILLER: KEN SMITH ± Lic. No. _____
When Drilled? 1989 ±
5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☐ Yes ☒ No - Describe 10" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 15 ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: 125 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

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SEP 23 1999

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9.

REMARKS:

No GPS tag or location by GPS

Georgia Satterlee

Signature of Dept. Representative & Title

15 July 98

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



MICROFILM

SEP 23 1990

INSIDE
PUMPHOUSE;
PUMPHOUSE IS
IN FRONT OF
HOUSE;
HOUSE IS @ 158 BARLOW RD

MEMORANDUM

DATE: June 30, 1998

TO: Water Right File 37-08519

CC: IDWR Southern Region

FROM: Shelley W. Keen ^{SUK}

RE: Water Right Ownership

RECEIVED

JUL 02 1998

Department of Water Resources
Southern Region

Today Tom Walper, attorney for John Bryson and Louise Henry, called to inform IDWR that his clients are unable to obtain an assignment from permit holder Peter Djonald Gache for permit 37-08519. Mr. Bryson and Ms. Henry have already submitted a Notice of Change of Water Right Ownership, but it was returned to them because an assignment is required while the right is in the permit stage. I explained to Mr. Walper that IDWR can still issue the license in the name of the permit holder of record, then accept the Notice of Change of Water Right Ownership after the license is issued.

I told Mr. Walper I would encourage Water Allocations staff in Southern Region to conduct a field examination soon. Mr. Walper would like the examiner to contact him to schedule the examination. His phone number in Los Angeles is 213-683-9193.

Attny: Tom Walper Attnys Address

355 S. Grand Ave.

35th Floor

LA, CA

Put on Beneficial Exam

~~Delinicate~~

Called 09 July 0830am
left message

90071

MICROFILMED

SEP 23 1999

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 37-08519
Adjudication Claim No(s).: A37-12290

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Peter Djonald Gache
Z Speck, Esq. PO Box 987, Ketchum, ID. 83340

4. New Owner/Claimant(s) John Bryson and/or Louise Henry
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2244 Walnut Grove Ave.
City, State and ZIP Code Rosemead, CA. 91770
New Telephone Number () _____

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 3.0 Number and type of stock _____
Diversion rate in CFS 0.09 Number of homes 1 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) _____
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

SEP 23 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

MICROFILMED
JUN 1 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1998

John Bryson and/or Louise Henry
2244 Walnut Grove Avenue
Rosemead, CA. 91770

RE: 37-08519, A37-12290

Dear Mr. Bryson and/or Ms. Henry,

Pursuant to notification that you presently own the property in which the above referenced claims are appurtenant, I have enclosed a Notice of Change Of Water Right Ownership form. Please complete it per the instructions on the back of the form, attach the required information and return them to our office in the enclosed self-addressed envelope. The adjudication staff will make the changes in our computer records and forward copies back to you.

In addition to updating the claim ownership, the next step in the process of developing a perfected water right is for the department to conduct a field examination to get the permit licensed. I need to make an appointment with you or a contact person to set up an appointment.

Please respond by May 15, 1998, to ensure the claims can remain valid. If no contact is made, I will recommend non-use and the claims will be disallowed.

Thank you for your attention in this matter.

Cordially,

Georgia Satterlee
Water Resource Agent

enclosures

MICROFILMED
SEP 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 3, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRYSON
LOUISE HENRY
2244 WALNUT GROVE AVE
ROSEMEAD CA 91770

RE: Change of Ownership - Permit 37-08519

Dear Mr. Bryson & Ms. Henry:

I have received the Notice of Change of Water Right Ownership form and copy of the Trustee's Deed and Order Confirming Sale for the above-mentioned permit.

An Assignment of Permit form and a \$25.00 filing fee are required to change ownership of a permit. I have enclosed a copy of this form for your information.

I am returning the change of ownership form and the accompanying paperwork since it is not appropriate for this process.

If you have any questions in this matter, you may call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

/k

Enclosures

MICROFILMED
SEP 23 1999

October 3, 1990

PETER DJONALD GACHE
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08519

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

OCT 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8519

Date: 10-02-90

General Considerations:

9 Name same as permit
9 Signature the same as permit holder
41 Address change _____ If yes, prepare a data entry
9 Proof received timely
_____ Reinstated

Source of Water:

9 Surface water
9 Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

9 Rate of diversion appropriate for uses
9 Is rate or volume and fee appropriate?
9 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

9 Is a measuring device or access port required?
9 Has one been installed?
9 Waiver or modification of measuring device requested

Remarks:

Recommend accepting proof

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	_____
NEW PRIORITY DATE	_____	_____

10-4-90

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

August 29, 1990

CERTIFIED MAIL #P442-927 691;
RETURN RECEIPT REQUESTED

Mr. Loren Holmes
State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

AUG 30 1990

Department of Water Resources
Southern Region Office

Re: Idaho Water Permit No. 37-08519

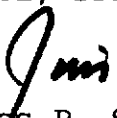
Dear Loren:

Enclosed please find the Proof of Beneficial Use form for the above-referenced licensed permit together with our check in the sum of \$50.00 for filing same.

If you have any questions concerning this Proof of Beneficial Use form, please do not hesitate to give me a call.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/jal
Enclosure
cc: Mr. Peter D. Gache

MICROFILMED

OCT 18 1990

RECEIVED
AUG 30 1990

Department of Water Resources
Southern Region Office

RECEIVED

MAY 15 1989

Department of Water Resources
Southern Region Office

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, PETER D. GACHE, of 158 Barlow Rd, Ketchikan
designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as
my attorney in fact and agent (subsequently called "Agent") to act
in my name and for my benefit for the specific purposes stated
herein only. I grant to my Agent full power and authority to do
everything necessary in exercising any of the powers herein granted
as fully as I might or could do if personally present and fully
competent, hereby ratifying and confirming all that my Agent shall
lawfully do or cause to be done by virtue of this Special Power of
Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have
power to exercise or perform any act, power, duty, right or
obligation whatsoever that I now have or may hereafter acquire,
RELATING ONLY TO the preparation and filing of claims for water
rights in Twin Falls County District Court Civil No. 39576, In Re
the General Adjudication of Rights to the Use of Water from the
SNAKE RIVER BASIN WATER SYSTEM, and the preparation and filing of
applications for permits to or transfers of water rights, or claims
to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is
revocable, provided, that insofar as any governmental agency,
bank, trust company, insurance company, transfer agent, or other
person shall rely upon this power, this power may be revoked only
by a notice in writing executed by me or my Agent and delivered
to such person or institution.

3. INTERPRETATION. This instrument is to be construed
and interpreted as a Special Power of Attorney and shall be limited
in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of
Attorney shall not be affected by disability of the principal.

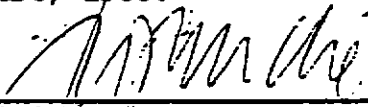
5. THIRD-PARTY RELIANCE. Third parties may rely upon
the representations of the Agent as to all matters relating to any
power granted to my Agent, and no person who may act in
reliance upon the representations of the Agent or the authority
granted to my Agent shall incur any liability to us or our
estates as a result of permitting the Agent to exercise any
power.

OCT 18 1990

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

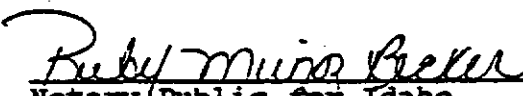
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 11/17/88 day of August, 1988.


PETER D. GACHE

STATE OF IDAHO)
) ss.
County of Blaine)

On this 26th day of August, 1988, before me, the undersigned notary public in and for said state, personally appeared Peter D. Gache, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at: Sun Valley, ID

SPPWRATY.MIS

RECORDED

OCT 18 1988

138035
June 30, 1990

PETER DJONALD GACHE
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. P37-08519

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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OCT 18 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 17, 1989

PETER DJONALD GACHE
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P37-08519

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water.

Handwritten signature

AUG 22 1989

Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM

AUG 22 1989

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J.F. Clinton DATE 5-25-89 APPLICATION NUMBER 37-08519REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

JUL 11 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6/26/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 37
☒ Yes ☐ No Special conditions of approval or cover letter below. 43

See below for additional information
Date of priority recommended 5/24/89
By Loren O'Halloran Date 7/5/89

STATE OFFICE REVIEW P05, P23

46 41

See below for additional information
By kw Date 8/10/89

ADDITIONAL INFORMATION

App. in TRUST area - DCMI

31-May-1989

Peter Djonald Gache
c/o James P. Speck, Atty.
P.O. Box 987
Ketchum, ID 83340

Re: Application for Permit No. 37-08519

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 6/7 & 6/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

000000 FILMED

AUG 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MAY 31, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 26, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

MICROFILMED

AUG 22 1989

37-08519

GACHE, PETER DJONALD
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SWSWNE Sec 10 T 05N R 17E

Use: DOMESTIC (.040 CFS)
- IRRIGATION (.090 CFS)

Date Filed: 5/24/1989

In: T05N R17E S10 SWNE NWSE

3.0 ACRES TOTAL

MICROFILMED

AUG 22 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08515

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.020 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08516

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NENESW Sec 14 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08517

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.045 CFS)
STOCKWATER (.045 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 SESW
3.0 ACRES TOTAL

37-08518

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: DOMESTIC (.053 CFS)
STOCKWATER (.053 CFS)
IRRIGATION (.053 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08519

GACHE, PETER DJONALD
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt.: SWSWNE Sec 10 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 5/24/1989
In: T05N R17E S10 SWNE NWSE
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JUNE 26, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 7 & 14, 1989.

OK
6/5/89
m

RECEIVED

AUG 22 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 26, 1989.

R. Keith Higginson, Director

Published 6/07/1989 & 6/14/1989

MICROFILMED

AUG 26 1989

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

May 22, 1989

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

RECEIVED

MAY 24 1989

Department of Water Resources
Southern Region Office

CERTIFIED MAIL/RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301

RE: Peter Djonald Gache - Application for Permit and
Amendend Notice of Claim A37-12290

Dear Loren:

Enclosed you will find the following for filing with
your office:

1. Application for Permit;
2. Filing fee check in sum of \$30.00;
3. Amended Notice of Claim - A37-12290;
4. Special Power of Attorney.

The errors which you drew my attention to were an oversight on
my behalf in preparing the Application for Permit. I have made
and initialed the corrections. Please call me immediately if
this is not satisfactory.

Your letter also drew my attention to the claim filed
on Mr. Gache's behalf in the Snake River Basin Adjudication.
Unfortunately, I made the same error in that claim with respect
to the identification of the proper Section. Therefore, I have
prepared an Amended Notice of Claim to make that change. Please
call me immediately if you have any questions about this.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

MICROFILMED

JPS/CMM

AUG 22 1989

37-08519



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

Hogue, Speck & Aanestad
Attorneys
120 East Avenue P.O. Box 987
Ketchum, Idaho 83340

May 16, 1989

R. KEITH HIGGINSON
Director

RECEIVED

MAY 17 1989

Hogue, Speck & Aanestad

Dear Applicant:

Returned herewith is your application for a water permit and any fees submitted.

Preliminary review of the application indicates that some of the information required to make the application acceptable for receipt by the department needs to be completed or clarified.

The attached checklist shows which items need to be completed.

If you need assistance in completing an application, please feel free to contact this office at (208) 734-3578 or visit us at 2148 4th Ave. East, Twin Falls.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

RECEIVED

MAY 24 1989

Department of Water Resources
Southern Region Office

MICROFILMED

AUG 22 1989

37-08519

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
OF
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
TELECOPIER (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

May 11, 1989

RECEIVED

MAY 15 1989

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
2148 4th. Ave. East
Twin Falls, Idaho 83301

RE: Peter Donald Gache - Application for Permit

Dear Loren:

Enclosed you will find an Application for Permit which we have prepared for our client, Peter Donald Gache, together with our check payable to the Department in the sum of \$30.00 as the filing fee. I have also enclosed a copy of the Special Power of Attorney granting me the authority to sign this Application on behalf of Mr. Gache.

Please let me know as soon as possible your anticipated schedule for publishing of this Applciation. If there are any questions concerning the Application, please do not hesitate to call me. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS:rlk
encl.
cc: Peter Gache(w/encl)

P.S. Also enclosed is a copy of Special Power of Attorney.

MICROFILMED

AUG 22 1989

RECEIVED

MAY 24 1989

Department of Water Resources
Southern Region Office

37-08519

DEPARTMENT OF WATER RESOURCES - SOUTHERN REGION
APPLICATION PRELIMINARY REVIEW REPORT

Applicant Peter D. Gache

Correction or completion of the following items is required before the application can be accepted for processing by the department:

(.) Name _____

() Address _____

() Source of water _____

(X) Point of Diversion
Does not agree with map - Sec 10 vs 18

() County _____

() Quantity (Flow and/or Volume) _____

() Period of use _____

() Nature of proposed use _____

() Description of diverting works _____

() Time required for beneficial use _____

(X) Place of use Does not agree with map - 1/4 1/4 Section No.

() Map _____

() Signature (If applicant is a corporation, partnership, or municipality, title of signator is required) _____

() Fee _____

ENCLOSURES

The following are enclosed for your use in making a complete application

() Application form

() Instructions

() Map (For use as the required application map)

Reviewed by Loren O'Halloran

FILED

AUG 22 1989

37-08519

3/79

IDENT. NO. 37-08519

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

MB

5/30/89

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office