

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

Section 21, Township 6S, Range 13E

Sec. 21

point of diversion

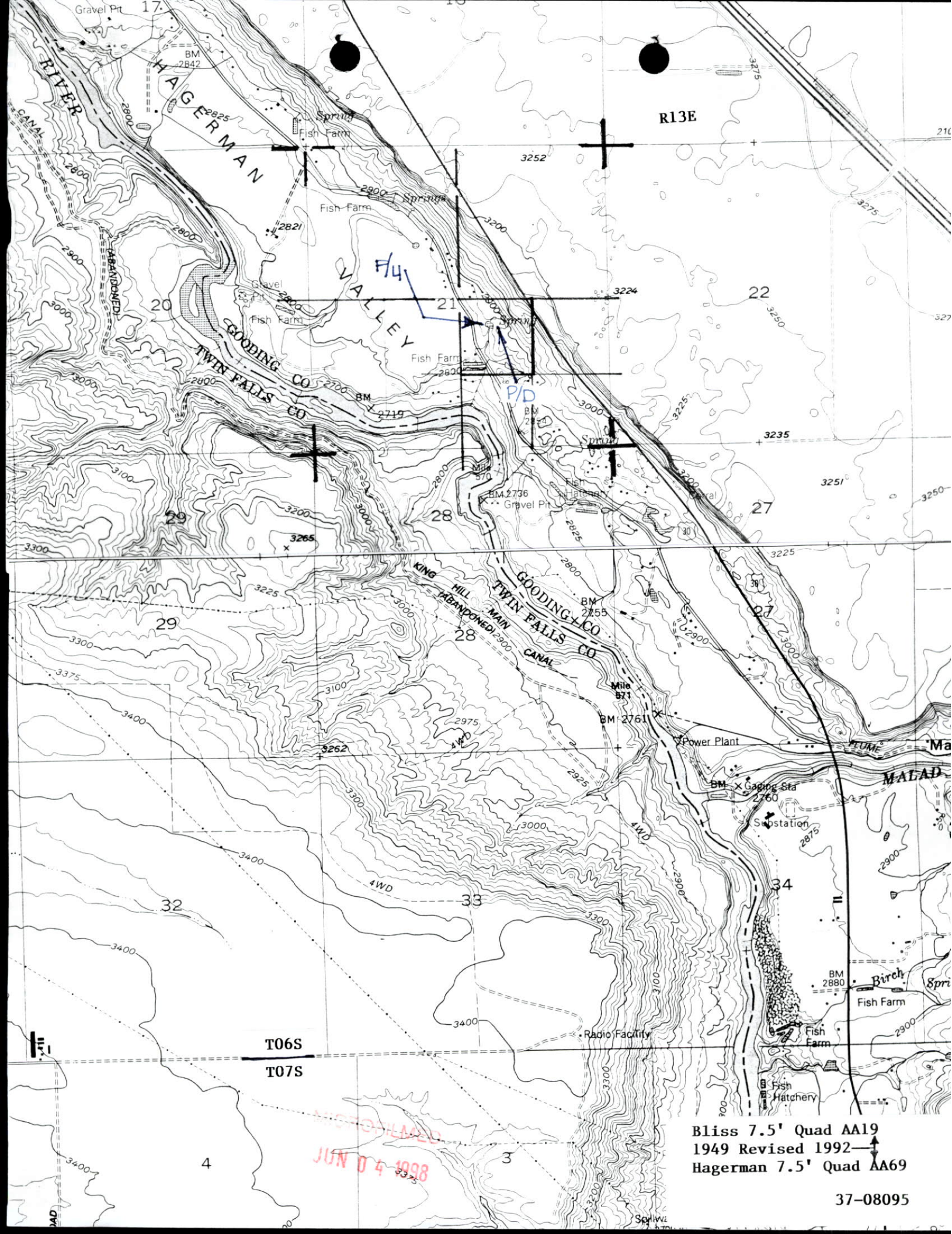
Scale: 2 inches equal 1 mile.

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.



(Applicant)

MICROFILMED



Bliss 7.5' Quad AA19
1949 Revised 1992
Hagerman 7.5' Quad AA69

37-08095

inlet for irrigation
please see A37-00791E



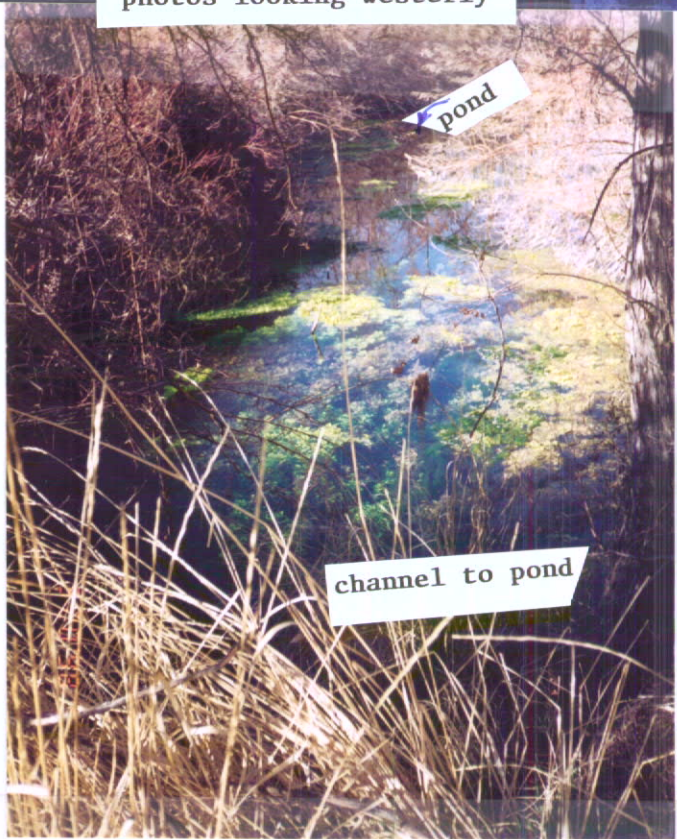
pond - photo looking S'ly



inlet for pond

spring

photos looking westerly



pond

channel to pond

MICROFILMED

JUN 04 1998

Frost, Allan R. & Frances M.
20 March 1998 1000 hrs.
Examiner: Satterlee, G.

37-08095

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-08095

Priority: June 17, 1983

Maximum Storage Volume:

1.5 AF

This is to certify, that PETER D GACHE
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 17, 1983; and
has submitted Proof of Beneficial Use on January 30, 1989. An examination indicates
that the works have a storage capacity of 1.500 af of water from:

UNNAMED STREAM

tributary to SNAKE RIVER

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>
AESTHETIC STORAGE	01/01 to 12/31		1.5 AF

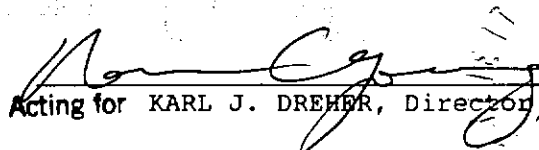
LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 21, Township 06S, Range 13E
GOODING County

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 27TH
day of MAY, 1998.

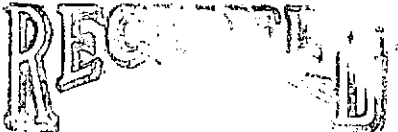

Acting for KARL J. DREHER, Director

MICROFILMED

JUN 04 1998

no enc.

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by 98
Sent to region _____



JAN 30 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 37-8095

Name(s) of Permit Holder: Peter D. Gache

Post Office Address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987

Ketchum, Idaho 83340 Telephone No. 208-726-4421

Source of Water: Unnamed Stream - Tributary to Snake River

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Storage for Aesthetics

Total rate and/or volume for which proof is submitted _____ cfs 1.5 acre-feet

Show the date water was first diverted and beneficially used under this permit: October, 1983

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ -0-
(See License Examination Fee Schedule)

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

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

James P. Speck, Hogue, Speck & Aanestad 208-726-4421
(Name) (Telephone Number)

P.O. Box 987, Ketchum, Idaho 83340 MAR 16 1989
(Address)

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.

January 26, 1989
Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

RECEIVED

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

MAY 2 1983

To appropriate the public waters of the State of Idaho Department of Water Resources
Southern District Office

1. Name of applicant Peter D. Gache Phone 213-392-6042
Post office address Box 5699, Ocean Park Station, Santa Monica, CA 90405
2. Source of water supply unnamed stream which is a tributary of the Snake River ✓
3. Location of point of diversion is NW ¼ of SE ¼ of Section 21 Township 6S
Range 13E B.M. Gooding County County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.5 for Storage for* aesthetic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated: *kw 3/20/84
a. _____ cubic feet per second and/or b. 1.5 acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. earthen dam with headgate

b. Height of storage dam 9 feet, active reservoir capacity 1.5 acre-feet; total reservoir capacity 1.5 acre-feet, materials used in storage dam: earth
Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NW ¼ of SE ¼ of Section 21 Township 6S
Range 13E B.M. Gooding County
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: aesthetic pond

RECEIVED

[illegible]

Peter J. Gache

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

Section 21, Township 6S, Range 13E

Sec. 21

Point
for
Emerson

Scale: 2 inches equal 1 mile.

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.

(Applicant)

(Applicant)

RECEIVED

Proposed Priority 6/17/83

Fee 6/17/83 11:30

Received by mary Date 5/2/83 Time 11:30a

Preliminary check by LH Fee \$ 65.00

Receipted by mary Date 6/17/83 # 30331

Publication prepared by Mary Date 7/27/83

Published in Gooding County Leader

Publication dates 8/3 + 8/10/83

Publication approved mary Date 8/12/83

Protests filed by: Remond rancher, inc withdrawn 3/9/84

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH KW

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. 37-8095, and said application is hereby APPROVED.

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 March 1, 19 89.

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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Use of water under this permit shall be non-consumptive.

Witness my hand this 22nd day of March, 1984.

J. Glen Saylor
Chief, Operations Bureau

AFFIDAVIT of PUBLICATION

RECEIVED

AUG 12 1983

State of Idaho,)
) SS.
County of Gooding)

Dep. of Water Resources
Southern District Office

Frank L. Crow, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 3 day of Aug 1983, and the date of the last publication was on the 20 day of Aug, 1983.

Timothy Brown
Subscribed and sworn to before me this 10 day of Aug, 1983.
(SEAL)

Gandy Jones
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice. 64
Number of Insertions. 2
Lines tabular at 42' 64
Lines straight at 32' 20.48
Subsequent lines at 21' 13.44
Total Cost 339.2

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

37-8092
BIRNIE, JOHN F.
STAR ROUTE, BLISS, ID 83314.
Source: WASTE WATER trib. to SNAKE RIVER
Date Filed: 05/09/1983
Diversion Pt: SESW Sec 08 T 06S R 13 E
Use: POWER (5.00 CFS)
In: SESW Sec 08 T 06S R 13E

37-8094
ARKOOSH, JOE
RT. 1, GOODING, ID 83330
Source: BIG WOOD RIVER
Date Filed: 04/28/1983
Diversion Pt: NWNW Sec 13 T 05S R 15E
Use: POWER (100.00 CFS)
In: SENE Sec 14 T 05S R 15E

37-8095
CACHE, PETER D.
BOX 5699, OCEAN PARK STATION, SANTA MONICA, CA 90405
Source: UNNAMED STREAM trib. to THE SNAKE RIVER
Date Filed: 06/17/1983
Diversion Pt: NWSE Sec 21 T 06S R 13E
Use: AESTHETICS (1.50 CFS)
In: NWSE Sec 21 T 06S R 13E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources: 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before AUGUST 22, 1983.

A. Kenneth Dunn
Director

PUB: 8-3, 10

No. _____

MICROFILMED



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

May 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PETER D GACHE
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

RE: WATER RIGHT NO. 37-08095

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 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

2 JUN 04 1998

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08095

PETER D GACHE
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 04 1998

B/U FIELD EXAM REVIEW

by *Cindy Lou*Permit #: 37-8095 Name: Gache Date: 5/18/98 ✓ Lots ✓

NAME	Chng ☒	Same ☐	Or Address Change? <u>new owners; no assignment</u>
SOURCE	☐	☒	Clarify source _____ Prelim. Order to Void - Source change.
P/D	☐	☒	Amendment Needed? Addn'l 1/4? _____ Legal _____ P39 Same 1/4? _____ W32 _____ P36 Overlap(s) <u>none</u>
P/U	☐	☒	Amendment Needed? _____ P41 Overlap(s) <u>pond catches wastewater from A37-00791A & A37-2411A</u> (Gov't use special #'s) _____ *P/D & P/U Amend? P37
RATE	☐	☒	Permit/proof fee limits <u>1.5 AF</u> / <u>4.0 AF</u> Measured Quantity = _____ cfs Theoretical Quantity = _____ cfs _____ Recommended capacity _____ cfs Recommended rate _____ cfs
VOLUME	☐	☒	Season: (<u>1</u>) <u>1/1 to 12/31</u> = <u>365</u> days Calculations: <u>pond size = 1.7 AF</u> <u>permit limit = 1.5 AF</u> Flow limit: _____ cfs x _____ days/yr. x 1.9835 = _____ AF Recommended volume <u>1.5</u> AF
USES	☐	☒	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS	☐	☒	Multiple p/d's in same 1/4? Use W32 _____ <u>1 Aest. stor. pond</u>
CONDITIONS	☐	☒	Measuring Device (R43) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplements surface water (065) _____ Water Quality _____ Other <u>065</u>
PRIORITY	App Rcd <u>6/17/83</u>	Due <u>3/1/89</u>	Rcd <u>1/30/89</u> Receipt# <u>None</u> Fee OK? <u>(Yes) No</u> OK up to <u>4.0 AF</u> Order to Reinstate Needed? Yes <u>No</u> Done? _____ Advanced to: _____ Priority <u>6/17/83</u> Examined <u>3/20/98</u>

COMMENTS: license as permitted

USE	CFS	VOLUME
Aest. Stor.	<u>—</u>	<u>1.5</u>
<u>/</u>	<u>/</u>	<u>/</u>
TOTAL	<u>—</u>	<u>1.5</u>

 SRBA Overlap none
 Adjustment Memo _____
 LICENSE
 #1 AMEND: _____/P38
 #2 AMEND: (R)P42/(C)P47

04 1998

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
headgate on	photo pg. 1/1		"inlet for pond"		

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

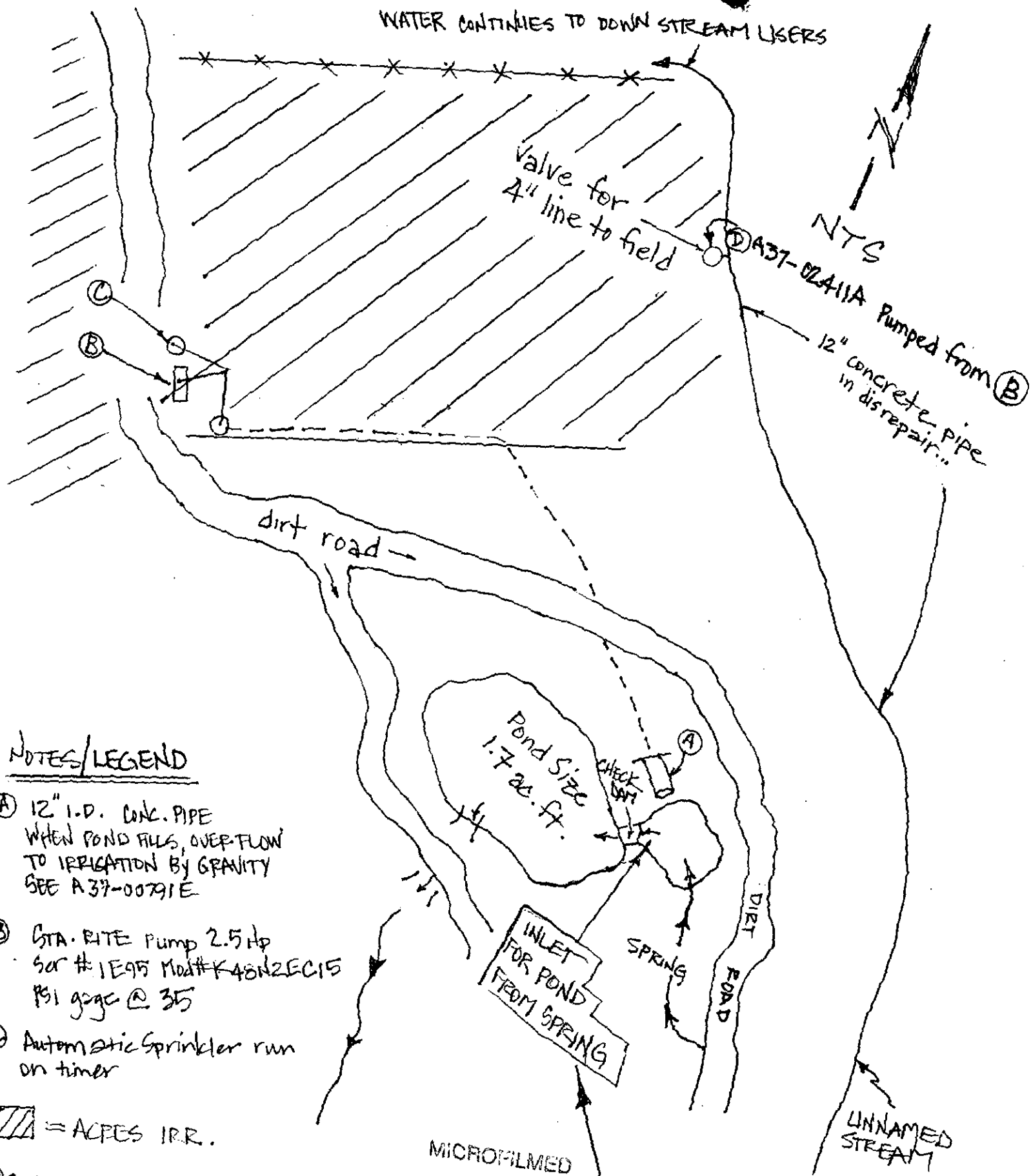
D. FLOW MEASUREMENTS

1.

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

2. Measurements:

none except dimensions of pond



NOTES/LEGEND

- ① 12" I.D. CONC. PIPE
WHEN POND FILLS, OVERFLOW
TO IRRIGATION BY GRAVITY
SEE A37-00791E
- ② GSA. RTE Pump 2.5 Hp
Ser # 1E95 Mod # K48N2EC15
PSI gage @ 35
- ③ Automatic Sprinkler run
on timer
- ▨ = ACRES IRR.
- ④ SEE A37-02411A

MICROFILMED
JUN 04 1998

Frost, Allan & Frances
20 Mar 1998 1100 hrs
Examiner: Satterlee

POND ONLY → 37-08095

inlet for irrigation
please see A37-00791E

inlet for pond

spring

photos looking westerly

320-98

pond - photo looking S'ly

pond

channel to pond

MICROFILMED

JUN 04 1998

Frost, Allan R. & Frances M.
20 March 1998 1000 hrs.
Examiner: Satterlee, G.

37-08095

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 26 March 1998
RE: 37-08095

The Frost's bought the property from Peter Djonald Gache in 1991. Although the change of ownership was completed for claims, A37-00791E,-02411A, the permit, 37-08095, was not assigned from Gache to the Frost. The beneficial use field report shows the current owner information.

On 20 March 1998 at 0830 hrs., I met with Allan Frost to perform a field examination on the above permit. The permit is year round use for aesthetic storage for a spring fed pond.

There is one pond formed by direct flow on-stream. The pond area is 100 feet by 150 feet with a depth of 5 feet. The total volume is 1.7 acre feet.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

JUN 04 1998

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\quad \quad \quad}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\quad \quad \quad}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\quad \quad \quad}$$

2. Volume Calculations for Other Uses:

$$\text{POND} = 100 \times 150 \times 5' = \frac{75,000}{43,560} = 1.7 \text{ af}$$

PERMIT LIMIT 1.5 af
MEASURED 1.7 "
RECOMMEND 1.5 "

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
AESTHETIC	1/1	12/31		1.5 ac ft.
AES TO STORAGE	1/1	12/31		1.5 " "
Totals:				1.5 ac ft. diversion volume

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

NEED EXAM FEE.
GLS 10Apr98

I. AUTHENTICATION

Field Examiner's Name George Satterlee Date 10 April 1998

Reviewer _____ Date _____

SEAL

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
March 17, 1998 1:30pm

CUSTOMER
Frost, Allan R. & Frances M.

SUBJECT: A37-00791E, -02411A & 37-08095
phone call (x) walk-in (.)

Time changed to 08:30 a.m., same day 20 March 1998,
A. Frost will call before 20th w/ directions.

Wendell / Hagerman Exit

8:30 am

→ E. left
after Malad
Bridge

1.7 mi. on Rav. Rd.

Past Snk Rav Pottery
200 yds to:
log cabin

Green Explorer

~~18 Mar~~ 19 March 1998: T. Fawcett schooled me regarding
amending claims A37-02411A; 00791E
per correcting range in P/D & P/L

MICROFILMED

JUN 04 1998

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

February 20, 1998 4:30pm

CUSTOMER

Frost, Allan R. & Frances M.

SUBJECT: A37-00791E,-02411A & 37-08095
phone call (x) walk-in (.)

Change of Ownership for the adjudication claims, however, it appears there is an error (from the initial claim) regarding the township (states R16E, should be R13E). Talked to Kelly Christianson about this. He suggested that when I do the field examination for the permit 37-08095 have the Frost's acknowledge the range change on claims (they can have claim notarized, also) and send the claims back in.

Appt. set up for 20 March 1998 @ 2p.m. A. Frost will call before 20th w/ directions.

MICROFILMED

JUN 04 1998

15-Mar-1989

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

Re: 37-8095

Dear Mr. Speck:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

MICROFILMED
JUN 04 1998

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

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNN

RECEIVED
JAN 30 1989

January 26, 1989

Department of Water Resources

Idaho Department of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
Attn: Ms. Rita Fleck

RE: Permit No. 37-8095 - Peter D. Gache
of Beneficial Use

Proof

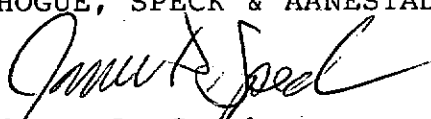
Dear Rita:

Enclosed you will find a Proof of Beneficial Use for the above-referenced Permit. Since the storage amount is less than four acre feet, no fee is required. Please contact me when the Department is ready to do a field examination.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
encl.

cc: Peter D. Gache(w/encl)

MICROFILMED

MAR 16 1989

Peter D. Gache
P.O. Box 942
Smithtown, NY 11787

December 31, 1988
138832

PROOF DUE NOTICE

RE: PERMIT NO. 37-08095

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 March 1, 1989. (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

MICROFILMED

MAR 16 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No.

37-8095

Name(s) of Permit Holder(s)

Peter D. Gache

Post Office Address:

P.O. Box 942
Smithtown, N.Y. 11787

Tel. No.

516-724-3118

☒ I hereby certify that construction of diversion works for the above referenced permit began on July 6 - 1984 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

Date

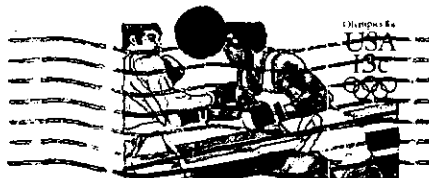
July 6-84

Signature of Permit Holder

[Handwritten Signature]

MAR 16 1989
ED

D. Aulley
Box 1593
Sun Valley



RECEIVED

JUL 24 1984



MICROFILMED

MAR 16 1989

IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

To: file ●

From: Kay Walker

● 4-10-84

Re: S.O. Protest File Copy

file copy could not be
located - if it shows
up please destroy.



Kay

Do Not Film!! (this note)

April 9, 1984

RE: Permit No. 37-8095

Peter D. Gache
Box 5699
Ocean Bark Station
Santa Monica, CA 90495

Dear Mr. Gache:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please be advised that the dam shall be under 10' in height where height is defined as the vertical distance from the natural streambed or water course at the downstream toe ~~of the~~ barrier to the maximum water storage elevation.

The 1982 Idaho Legislature added a requirement that you as a permit holder must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed instructions entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:Sc
Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 12, 1984

Peter D. Gache
Box 5699
Ocean Park Station
Santa Monica, California 90405

Re: Application for Permit No. 37-8095

Dear Mr. Gache:

This is to advise you that the protest against your application has been withdrawn by Riverside Ranches.

We will now proceed with processing of your application.

The hearing scheduled for March 15, 1984, in the matter has been cancelled.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

cc: Paul Hurley

MICROFILMED

Bliss, Idaho
March 7, 1984

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho

Attention: Loren Holmes

Riverside Ranches Inc. would like to withdraw its protest
against the application for permit #378095 for Peter D. Gabhe.

The hearing was scheduled for March 15, 1984, at 10:00 a.m.
in Gooding, Idaho.

Sincerely yours,

Vernita Talbott

Vernita Smith Talbott
for Laurence Smith &
Riverside Ranches, Inc.

RECEIVED

MAR 9 1984

Department of Water Resources
Southern District Office

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: T.G. Blau / JAB APPLICATION NUMBER: 37-8095 GACHE, Peter D.

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: NA
Date: 3/9/84

Comments: Other Rts from this Spring
etc 37-2411, 37-7082 & 37-8013.
15.84 cfs was measured in exam
of 37-7082 on 10/8/74.
Owners of 37-7082 & 8013 have
withdrew protests.

- ☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

65⁰⁰ Filing Fee Received 6/17/83 JAB

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. AA-19
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/22/83
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/12/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 6/17/83 Date of priority recommended.
Special conditions of approval or cover letter.
DTF NA? permitted

By: Loren D. Hahne Date: 3/9/84

STATE OFFICE REVIEW:

217 36

- ☐ See attached sheet for more information.
By: kw Date: 3/20/84

RECEIVED
MAR 18 1984

Swan Falls area - nonconsumptive
use - ok to date.

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered ☐ Show to whom, date, and address of delivery ..

- 2.
- ☐
- RESTRICTED DELIVERY**
-
-

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$**

- 3.
- ARTICLE ADDRESSED TO:**

Steve Crabtree- Attny Law
Box 2155 - Ketchum, ID 83340

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL
ARTICLE NUMBER

160

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

G. Heizer

- 5.
- DATE OF DELIVERY**

2-24-84

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)*

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**

D



RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits; otherwise affix to back of article.
- Endorse article "Return Receipt Requested".
- adjacent to number.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN OFFICE
1041 BLUE LAKE BLVD. NORTH
TWIN FALLS, IDAHO 83301



PENALTY FOR PRIVATE

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RETURN
TO

RECEIVED

FEB 27 1984

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SALT LAKE CITY, UTAH

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$** _____

- 3.
- ARTICLE ADDRESSED TO:**

Paul C. Hurley

Box 1593

Sun Valley, Idaho 83353

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL
ARTICLE NUMBER

159

(Always obtain signature of addressee or agent).

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY****POSTMARK**
(may be on reverse side)

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)*

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**


RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RECEIVED
RETURN
TO
FEB 28 1984

Department of Water Resources
Southern Division

Dept of Water Resources
(Name of Sender)

Box Lakes Blvd
(Street or P.O. Box)

Twins Falls Id 83301
(City, State, and ZIP Code)

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered \$

☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

- 3.
- ARTICLE ADDRESSED TO:**

Peter D. Gache - Box 5699
Ocean Park Station
Santa Monica, CA 90405

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

157

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent


- 5.
- DATE OF DELIVERY**

3-6-84

POSTMARK*(may be on reverse side)*

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)*

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**


RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT OFFICE
1041 BLUE LAKES BLVD. NORTH
TWIN FALLS, IDAHO 83301

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RETURN

Department of Water Resources
Southern District Office

MAR 12 1984

RECEIVED

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$**

- 3.
- ARTICLE ADDRESSED TO**

Lawrence Smith

Riverside Ranches, Inc. - Box 134

Miss, Idaho 83314

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED☐ INSURED☐ CERTIFIED☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

158

(Always obtain signature of addressee or agent)

- I have received the article described above.

SIGNATURE☐ Addressee☒ Authorized agent

- 5.
- DATE OF DELIVERY**

2-27-84

POSTMARK
(may be on reverse side)

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**

O.A.N.

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

IDAHO DEPARTMENT OF WATER RESOURCES

SOUTHERN DISTRICT OFFICE

4041 BLUE LAKES BLVD, NORTH

TWIN FALLS, IDAHO 83301

FEB 29 1984

Department of Water Resources
Southern District Office

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		POSTAGE		FEE		Handling Charge		Actual Value (if Registered)		DUE SENDER IF C.O.D.		R. R. FEE		S. D. FEE		S. H. FEE		REST. DEL. FEE	
No.	ARTICLE																				REMARKS
1	151	Peter d. Gache		20	60	75															
2	158	Blanche Smith - Nevada & Carobba																			
3	159	Paul C. Huley																			
4	160	Helen Gachter																			
5																					
6																					
7																					
8																					
9																					
10																					
11																					
12																					
13																					
14																					
15																					
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.															
4																					

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

* U.S. GOVERNMENT PRINTING OFFICE : 1980 O - 317-867

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF APPLICATION FOR PERMIT NO. 37-8095)
IN THE NAME OF PETER D. GACHE)

NOTICE OF HEARING
AND/OR CONFERENCE

On June 17, 1983, Peter D. Gache of Santa Monica, California filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 19, 1983, the Department received a protest against approval of said application from Riverside Ranches, Inc.

The Department has set the matter of protest for hearing for Thursday, March 15, 1984, at 10:00 a.m. in the Commissioners Conference Room of the Gooding County Courthouse, 624 Main, Gooding, Idaho. The hearing will be held in accordance with Chapter 2, Title 42 of the IDAHO CODE and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

DATED This 23 day of February, 1984.


LOREN O. HOLMES
Southern Region Supervisor

RECEIVED
FEB 24 1984
WATER RESOURCES
DIVISION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 23, 1984

Deputy Karma Davidson
Gooding County Courthouse
624 Main
Gooding, Idaho 83330

Dear Karma -

This is to confirm the use of the Commissioners Conference Room for conference and/or hearing to be held by this office on Thursday, March 15, 1984, at 10:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM

LH

DATE 2/17/84

TO

File 37-8095

SUBJECT

T.C. with Paul Hatlet - Representing Peter Gache
Mr Hatlet requested the App be set for hearing
because he had not been able to get a written
withdrawal of protest from Riverside Pouches.

RECEIVED
FEB 21 1984
FBI - BOSTON

SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 10, 1984

Lawrence Smith
Riverside Ranches, Inc.
Box 134
Bliss, Idaho 83314

Re: Application for Permit 37-8095

Dear Mr. Smith:

This office is holding Application for Permit No. 37-8095 in the name of Peter D. Gache, which was protested by you on behalf of Riverside Ranches.

Our file indicates that you met with Mr. Paul Hurley, in August, 1983, and were at that time planning to withdraw your protest.

Please advise us of whether you still wish to withdraw your protest so we can determine the need for a hearing.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

cc: Paul Hurley

RECEIVED
JAN 11 1984

INTER-DEPARTMENT MEMO — 1

DATE 8/14/83

FROM

TO

SUBJECT

Mr. Lawrence Smith was in office this date and will submit in writing a withdrawal of protest - Mr. Paul Hurley called this date to varify a meeting with Mr. Smith - Hold setting a hearing -

Hurley -

Box 1593

Sun Valley

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

September 15, 1983

Peter D. Gache
Box 5699
Ocean Park Station
Santa Monica, California 90405

Re: Application for Permit No. 37-8095

Dear Mr. Gache:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing water rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

*mailed to
Steve Crabtree
attny at law
Box 2155
Ketchum, id 83340*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 13, 1983

Riverside Ranches, Inc.
Box 134
Bliss, Idaho 83314

Re: Application for Permit No. 37-8095

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing water rights?
- 2) Is the proposed water supply insufficient for the purpose intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

RECEIVED
SEP 15 1983
TWIN FALLS, IDAHO

August 17, 1983
Bliss, Idaho

Water Resource Board
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

Attention: Director A. Kenneth Dunn

Riverside Ranches, Inc. protests the filing #37-8095 by Peter D. Gache' filed 6-17-83 for 1.50 cfs diverted from unnamed stream tributary to the Snake River at NWSE Sec. 21T 06S R 13E situated in Gooding County for Aesthetics in NWSE Sec. 21T 06S R 13E.

Our reasons for protesting are the following:

1. All water is previously filed on.
2. Water quality could be changed by this use causing damage to existing use.
3. Pond structure failure could cause damage in relation to fish ponds below.

Thank you.

Yours truly,

Riverside Ranches, Inc.,
Box 134
Bliss, Idaho 83314

RECEIVED

AUG 19 1983

Department of Water Resources
Southern District Office

RECEIVED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

32-8095-

GACHE, PETER D.

BOX 5699 OCEAN PARK STATION, SANTA MONICA, CA 90405

Source: UNNAMED STREAM trib. to THE SNAKE RIVER

Date Filed: 06/17/1983

Diversion Pt: NWSE Sec 21 T 06S R 13E

Use: AESTHETICS (1.50 CFS)

In: NWSE Sec 21 T 06S R 13E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before AUGUST ~~15~~ 1983.

A. KENNETH DUNN

Director

Published ~~7/27 & 8/3/1983.~~

8/3 & 8/10/83

RECEIVED
AUG 11 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 21, 1983

Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 AUGUST 15, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED
JUL 27 1983
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JUN 17 1983

Department of Water Resources
Southern District Office

Sir's,

The enclosed check is payment for the permit for water use presently in your file under the name Peter Cooke. We thought there was a check sent with the application but apparently this was not the case. This application was received by your office in early May, when I called to check on its progress on May 27 (approx) I was not informed that the check was not enclosed. It was not until I called on June 13th and asked again about the applications progress that I was told that the check was missing. This water use is very important to the completion of a subdivision presently in progress. I would appreciate it if upon receiving this check you could give this application your immediate attention. Thank you for your help.

Yours Truly,

Paul R. Henley