



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 11, 2026

GARY OYE
CHERYL CHIPMAN
2420 APACHE DR
BISHOP CA 93514-1952

RE: License No. 81-12040

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing 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 mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at 208-287-4925.

Sincerely,

Phill Hummer

Hummer, Phill
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2026, I served a true and correct copy of Water Right License No. 81-12040 by U.S. Mail, postage prepaid, to the following:

GARY OYE (Current Owner)
2420 APACHE DR
BISHOP CA 93514-1952

CHERYL CHIPMAN (Current Owner)
2420 APACHE DR
BISHOP CA 93514-1952

ALBERT P BARKER (Attorney)
MARTEN LAW LLP
PO BOX 2139
BOISE ID 83701-2139



Petula Lee
Technical Records Specialist 1

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 81-12040

Priority: April 25, 2022

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

GARY OYE 2420 APACHE DR BISHOP CA 93514-1952 AND
CHERYL CHIPMAN 2420 APACHE DR BISHOP CA 93514-1952

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 25, 2022, and has submitted Proof of Beneficial Use on August 31, 2026. An examination confirms water is diverted from:

Source: BRUSHY FORK CREEK

Tributary: CROOKED FORK CREEK

Beneficial Use
DOMESTIC

Period of Use
01/01 to 12/31

Rate of Diversion
0.04 CFS

Annual Volume
1.2 AF

Location of Point(s) of Diversion

BRUSHY FORK CREEK NW¼ SW¼, Sec. 5, Twp 37N, Rge 15E, B.M. IDAHO County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	15E	5										X							

Conditions of Approval

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. A fish screen of 3/32 inch or smaller mesh shall be installed and maintained at the point of diversion.
4. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
5. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 10th day of September, 2026.



Hummer, Phill
Water Rights Section Manager

State of Idaho
Department of Water Resources
Attachment to Water Right
81-12040
(DOMESTIC)

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- | | |
|-----------------------|------------------|
| Point of Diversion | Townships |
| Place Of Use Boundary | Sections |
| State Outline | Quarter Quarters |



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2023 Aerial Photography
Prepared By phummer
September 10, 2026

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held.)

The accompanying document is a "**Preliminary Order**" issued by the Idaho Department of Water Resources ("Department") pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer 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.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

CERTIFICATE OF SERVICE
(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.