

COLEMAN, RITCHIE & ROBERTSON

Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, Idaho 83303-0525

RECEIVED

MAY 29 2009

**DEPARTMENT OF
WATER RESOURCES**

JOHN R. COLEMAN, Retired
JOHN S. RITCHIE
THOMAS M. ROBERTSON
DAVID A. COLEMAN, CHTD.

TELEPHONE (208)734-1224

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May 28, 2009

ATTN: CARTER FRITSCHLE
Section Manager, Adjudication Bureau
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Notice of Change in Water Right Ownership
Adjudication Claim Nos. 37-00457A, 37-12559, 37-12752, 37-00457B

Dear Mr. Fritschle:

Enclosed please find two (2) Notices of Change in Water Right Ownership. One of these Notices covers Adjudication Claim No. 37-00457B, the other Notice covers Adjudication Nos. 37-00457A, 37-12559, and 37-12752. The new owner for all four (4) of these rights is Douglas J. Bradshaw, Trustee under Will of Eleanor Reinheimer.

Claim Nos. 37-457B and 37-457A are the subject of a contest in the SRDA. A status conference for subcase numbers 37-457B and 37-457A have been set for August 26, 2009. When I spoke to you on March 12, 2009, you suggested that I should send these Notice of Change in Water Right Ownership forms directly to you rather than through the usual channels in order that the change can be processed before the August 26th status conference.

Pursuant to your suggestion, a separate form has been provided for right No. 37-457B which was the subject of a quiet title action in District Court between Douglas J. Bradshaw as Trustee under the Will of Eleanor Reinheimer and the Idaho Foundation for Parks and Lands, Inc. A copy of the Order and Stipulation resolving that litigation in favor of Douglas J. Bradshaw is attached as an Exhibit to the Change of Ownership form for 37-00457B.

If you have any questions or if there is any further documentation or explanation required please do not hesitate to write or call.

ATTN: CARTER FRITSCHLE
Section Manager, Adjudication Bureau
Idaho Department of Water Resources
May 28, 2009
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Thank you for the assistance you have provided me in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Tom Robertson", with a large, stylized flourish at the end.

THOMAS M. ROBERTSON

TMR:ml

Encls.

Cc: Douglas J. Bradshaw
(h:\TMR\Reinheimer Trust\Carter Fritschle ltr 5-28-09)

RECEIVED

MAY 29 2009

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

DEPARTMENT OF
WATER RESOURCES

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	37-00457A				
	37-12559				
	37-12752				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) David M. Berenson, Philip Zimet and Douglas Bradshaw
Trustees under Will of Eleanor Reinheimer
1 Ashburn Place, Fair Lawn, NJ 07410
4. New Owner/Claimant(s) Douglas J. Bradshaw, Trustee under Will of
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Eleanor Reinheimer
- New Mailing Address PO Box 525
- City, State and ZIP Code Twin Falls, ID 83303-0525
- New Telephone Number (208) 734-1224 Email: crtrtflaw@msn.com

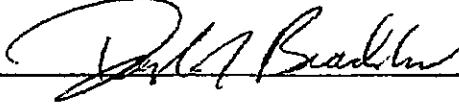
Form 42-34042-1409(6) 12/2004

5. Date you acquired the property May 31, 1977 (See Attachment)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. Signature(s) of New Owner(s) or Claimant(s)  Trustee
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

Attachment to Notice of Change in Water Right Ownership
Adjudication Claim Nos:

37-00457A

37-12559

37-12752

The water right was originally claimed in 1987 by the three co-trustees of the trust established under the Will of Eleanor Reinheimer who died in 1977. The three co-trustees were David Berenson, Philip Zimet and Douglas Bradshaw. David Berenson and Philip Zimet subsequently died, leaving Douglas Bradshaw, aka Douglas J. Bradshaw as the sole trustee of the trust. What was formerly owned by the three co-trustees is now owned by Douglas Bradshaw as the sole surviving co-trustee. The trust has not changed. The Eleanor Reinheimer estate was probated in the state of New York and the trust is subject to the jurisdiction of the Surrogate's Court of the County of New York.

Attached is a copy of the Personal Representative's Deed with effective date of May 31, 1977, recorded as Instrument No. 174383, Records, Blaine County, Idaho by which David M. Berenson, Philip Zimet and Douglas Bradshaw Trustees under the Will of Eleanor Reinheimer originally acquired legal title to the water right.

Also attached is a Certificate of Letters of Trustee dated October 22, 2008, which recite that on May 7, 1976, Letters of Trustee under the will of Eleanor Reinheimer deceased were granted to Douglas J Bradshaw as trustee of the trust, and that David M Berenson and Philip Zimet are deceased.

PERSONAL REPRESENTATIVE'S DEED

Douglas Bradshaw, David M. Berenson and Philip Zimet, Personal Representatives under the Will of Eleanor Reinheimer, deceased, do hereby Grant, Sell and Convey to David M. Berenson, Philip Zimet and Douglas Bradshaw, Trustees U/W of Eleanor Reinheimer, deceased, whose mailing address is in care of Zimet, Haines, Moss & Goodkind, Attorneys at Law, 460 Park Avenue, New York, New York, 10022, all right, title, interest and estate of the decedent, Eleanor Reinheimer, at the time of her death, and all right, title and interest that the estate may have subsequently acquired by operation of law or otherwise, in and to the real property situated in the County of Blaine, State of Idaho, described as follows:

A parcel of land situate in and being in the NE 1/4 NW 1/4 of Section 19, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, bounded and described as follows:

BEGINNING at the southeast corner of said NE 1/4 NW 1/4; thence north and along the easterly line of said NE 1/4 NW 1/4 of Section 19 a distance of 600 feet; thence west and parallel with the southerly line of NE 1/4 NW 1/4 of Section 19 a distance of 600 feet; thence south and parallel to the easterly line of NE 1/4 NW 1/4 of Section 19 a distance of 600 feet and thence east along the southerly line of NE 1/4 NW 1/4 of Section 19 600 feet to the place of beginning.

Including 240 inches of the waters of Trail Creek dating from May 1, 1883, and also an undivided one-half interest in a certain Spring, the location of which is recorded in Book 2 of Water Rights, Page 355, on November 2, 1882, records of Blaine County, Idaho.

Except,

That part of the East half of the northwest quarter of Section Nineteen, Township Four North, Range Eighteen East, Boise Meridian, described as follows:

Beginning at a point S 2°18' W. 1031.2 feet from the quarter section corner common to Sections 18-19 in said township and range, running thence S 35°40' W. 378 feet thence N 44°50' W. 99 feet, thence N 40°38' East 375.3 ft. to point of beginning, containing 0.406 acres.

Also Except,

Beginning at a point on the N & S center line of said Section 19, which is S 0°38' W. 973 feet from the quarter section corner common to sections 18 and 19 aforesaid thence S 0°38' W. on said center line 876 feet, thence N 21°47' W 500 feet, thence North 25°40' East 454 feet to point of beginning, containing 1.91 acres.

Also Except,

A strip of land 66 feet wide, being 33 feet on either side of center line of said road as surveyed, across the N.E.1/4 N.W.1/4 of Section 19, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Beginning at Station 30-/-60 of the Sawtooth Park Highway Survey, which station is approximately 1380 feet from the north 1/4 corner of Section 18, Township 4 North, Range 19 East, Boise Meridian; thence running in a general south east direction approximately 1780 feet to station 48-/-40 of said survey, which station is approximately 1385 feet from the north 1/4 corner of Section 19, Township 4 North, Range 18 East, Boise Meridian, as shown on the official plats of said Sawtooth Park Highway Survey on file in the office of the Department of Public Works of the State of Idaho.

To hold the hereinabove described premises for the duration of the Trust created by the provisions of Article NINTH of the Will of Eleanor Reinheimer, which Will is on file in the office of the District Court of Blaine County, Hailey, Idaho, Case No. 7992 which Will is hereby incorporated by reference and to hold the hereinabove described premises in its present state without any change or alteration, to be used by Howard E. Reinheimer, Jr., during his lifetime and by his issue him surviving, and at the time the principal of the trust created by the provisions of said Article NINTH of said Will of Eleanor Reinheimer are distributed, the hereinabove described premises shall be conveyed to the issue of Eleanor Reinheimer then living provided they will agree to retain the same in its present state (except for repairs and maintenance) and, in the event said issue should not so agree, then and in such an event, the hereinabove described premises shall be distributed to the Idaho Park Foundation, Inc., if it agrees to keep said hereinabove described premises

agrees further not to cause any structures to be erected except that the Idaho Park Foundation, Inc., shall maintain and keep the present structures as a museum.

Dated this 13 day of July, 1977.

ESTATE OF ELEANOR REINHEIMER,
DECEASED.

BY Douglas Bradshaw
Douglas Bradshaw,
Personal Representative

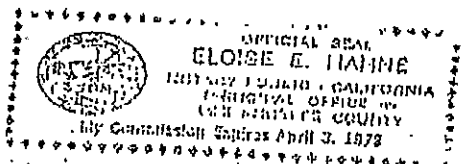
BY David M. Berenson
David M. Berenson,
Personal Representative

BY Philip Zinger
Philip Zinger,
Personal Representative

STATE OF CALIFORNIA }
County of San Diego } ss.

On this 13 day of July, in the year 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Douglas Bradshaw, known to me to be the person whose name is subscribed to the within instrument as Personal Representative, and acknowledged to me that he executed the same as such Personal Representative.

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



Eloise E. Haine
NOTARY PUBLIC FOR CALIFORNIA

STATE OF NEW YORK

County of New York

ss.

On this 31 day of April, in the year 1977,
before me, the undersigned, a Notary Public in and for said
County and State, personally appeared Philip Zimet, known
to me to be the person whose name is subscribed to the within
instrument as Personal Representative, and acknowledged
to me that he executed the same as such Personal Representative.

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

[Signature]
NOTARY PUBLIC FOR NEW YORK

LOUIS MCELINIO
Notary Public, State of New York
No. 3176005500
Qualified in New York County
Commission Expires March 30, 1978

STATE OF NEW YORK

County of New York

ss.

On this 23rd day of May, in the year 1977,
before me, the undersigned, a Notary Public in and for said
County and State, personally appeared David M. Berenson,
known to me to be the person whose name is subscribed to
the within instrument as Personal Representative, and acknow-
ledged to me that he executed the same as such Personal
Representative.

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

[Signature]
NOTARY PUBLIC FOR NEW YORK

STEFAN KAPLAN
Notary Public, State of New York
No. 312-17524
Qualified in New York County
Commission Expires March 30, 1979

no. 174383

Personal Representatives Heed

STATE OF IDAHO, 1st
COUNTY OF BLAINE 1st

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY

OFFICE AT THE REQUEST OF James Robertson, Wiley T. Larson

AT 1:20 O'CLOCK P.M.

June 20, A.D. 1922

RECORDED IN BOOK ON PAGE

OF Heed's

WILLIAM MELBY

BY Patricia K. Snapp CLERK

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Surrogate's Court
464652 of the County of New York

CERTIFICATE OF LETTERS OF TRUSTEE
The People of the State of New York

Index# 1976-2389

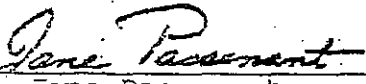
To all to whom these presents shall come or may concern,

Know Ye, that we, having inspected the records of our Surrogate's Court in and for the County of New York, do find that on May 7, 1976 by said court, LETTERS OF TRUSTEE under the will of Eleanor Reinheimer deceased, late of the County of New York were granted unto Douglas J Bradshaw, As TRUSTEE(s) of the trust(s) created in and by said will and that it does not appear by said records that letters have been revoked.

REMARKS: David M Berenson & Philip Zimet - Deceased (See Affirmation)

In Testimony Whereof, we have caused the Seal of the Surrogate's Court of the County of New York to be hereunto affixed.

WITNESS, Honorable Kristin Booth Glen, a Surrogate of the County of New York, this 22nd Day of October, 2008.


Jane Passenart

Clerk of the Surrogate's Court

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