

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK LEASE ACCEPTANCE**

This is to certify that: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 525
TWIN FALLS ID 83303-0525
(208) 734-1224

has requested to lease the water right(s) listed below to the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board") being authorized to operate a bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director", "Department") the acquisition of water rights for the Board's Bank, agrees to lease the water right to the Bank as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right	Lease Rate	Lease Volume	Acre Limit	Total Leased Acres
37-457A	0.42 CFS	NA	NA	5.0 AC
37-457B	4.38 CFS	NA	NA	52.0 AC
COMBINED LEASE TOTALS:	4.80 CFS	NA	NA	57.0 AC

TERM OF LEASE:

Lease Begin Date: February 28, 2011

Expiration Date: December 31, 2015

RENTAL AVAILABILITY:

Season of Use: January 1 to December 31 annually

MINIMUM PAYMENT ACCEPTABLE: Negotiated payment to lessor: \$20,000 less 10% IDWR administrative fee

Detailed Lease Acceptance attached.

Dated this 6th day of April, 2011


for GARY SPACKMAN, Interim Director
Department of Water Resources

WATER RIGHT NO. 37-457A **WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: DOUGLAS J BRADSHAW
 TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
 PO BOX 525
 TWIN FALLS ID 83303-0525
 (208) 734-1224

Priority Date: 04/01/1908

Source: TRAIL CREEK **Tributary to:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.42 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	
Total:			0.42 CFS	

LOCATION OF POINT(S) OF DIVERSION:

TRAIL CREEK SW¼SE¼ Sec. 7 Twp 04N Rge 18E BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	18E	19					5.0												5.0

Total Acres: 5.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.

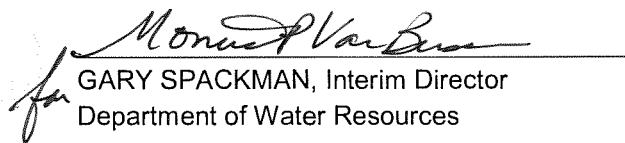
**WATER RIGHT NO. 37-457A
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. A portion of Right 37-457A is used for conveyance loss.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of April, 20 11


for GARY SPACKMAN, Interim Director
Department of Water Resources

**WATER RIGHT NO. 37-457B
WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 525
TWIN FALLS ID 83303-0525
(208) 734-1224

Priority Date: 05/01/1883

Source: TRAIL CREEK **Tributary to:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	4.38 CFS	
	Total:			4.38 CFS

LOCATION OF POINT(S) OF DIVERSION:

TRAIL CREEK SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7 Twp 04N Rge 18E BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	19					25			27									52

Total Acres: 52 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.

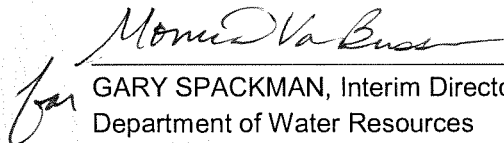
**WATER RIGHT NO. 37-457B
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. A portion of Right 37-457B is used for conveyance loss.
12. Upon release from the water supply bank and if the water right holder then intends to change the original place of use, the water right holder is required to file a transfer application pursuant to Idaho Code Sec. 42-222 to continue diversion and use of the water. For purposes of any such transfer application, the original place of use is the irrigation of 52 acres, as described herein.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of April, 20 11



GARY SPACKMAN, Interim Director
Department of Water Resources