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DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
(For Department Use Only)

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

CO. DAVID B.

Name of Seller/Lessor MARY B. REAY ESTATE / REAY PER. REP. Phone 208-793-2237

Mailing address # 8 PINE PATCH RD., HORSESHOE BEND, ID. 83629 Email PINE PATCH@FRONTIER
NET.NET

A. DESCRIPTION OF WATER RIGHT, OR PORTION THEREOF, OFFERED TO THE BANK

If the entire right is for sale or lease, show "ALL" below and skip the remainder of part A. Attach a copy of the water right report.

1. Water Right Number 65-2856 Amount (cfs/ac-ft) ALL Nature of Use _____ Period of Use _____
_____ to _____
_____ to _____
_____ to _____

Total Amount: ALL

2. Source of water MIDDLE FORK PAYETTE tributary to _____

3. Point(s) of Diversion: RIVER

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County
9N	4E	16		SESE			BOISE

4. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	16																30ac	30Ac

If the right is for irrigation, show total number of acres offered to the bank. Total Acres _____

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank? Yes ☐ No ☒
If no, provide documentation of your authority to sign on behalf of the right holder OR attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.

2. Is the water right appurtenant to land subject to any liens, deeds of trust, mortgages, or contracts? Yes ☐ No ☒
If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes and list name of entity: _____

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.

25 H.P. PUMP & SPRINKLER LINES

2. Describe any other water rights used for the same purpose or at the same place of use as described above.

N/A

3. Will the present place of use continue to receive water from any source?

Yes ☐ No ☒

If yes, describe.

4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes ☐ No ☒

If yes, describe and attach watermaster records or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.

5. Is this water right involved in any other Department process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe.

D. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale ☐ or lease ☐?

If Lease, for a period from _____ to _____ (not to exceed 5 years).

IN PROBATE

2. Show the minimum payment acceptable to the Seller/Lessor. The minimum payment may be shown as the "current rental rate" as established by the Idaho Water Resource Board. Include the method of determining the minimum payment if other than the current rental rate.

CURRENT RENTAL RATE

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner/lessor of the right may not use the right even if the right is not rented from the bank.
3. A right accepted into the bank stays in the bank until the Board releases it or the lease term expires.
4. While a right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

David B. Reay
Signature of Applicant

DAVID B. REAY
Printed Name and Title*
PERSONAL REPRESENTATIVE
MARY B. REAY ESTATE

JAN. 31, 2011
Date

Signature of Applicant

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098

Stephen L. Pruss, ISBN 3456
Kellie D. Kuster, ISBN 6789
Ahrens & DeAngeli, p.l.l.c.
P.O. Box 6561
Boise, Idaho 83707-6561
Telephone: (208) 395-0001
Facsimile: (208) 395-0002

Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE

IN THE MATTER OF THE ESTATE OF

MARY B. REAY

Deceased.

CASE NO.

CV-2010-184

LETTERS TESTAMENTARY WITH
ACCEPTANCE

(I.C. §§ 15-3-602 and 15-3-702)

David B. Reay, also known as Bruce Reay, is hereby
appointed Personal Representative of the Estate of Mary B. Reay,
deceased, with all authority pertaining thereto. Administration
of the estate is unsupervised.

These Letters are issued to evidence the appointment,
qualification, and authority of the Personal Representative.

WITNESS, my signature and the seal of the Court, this

4 day of August, 2010.

FOURTH JUDICIAL DISTRICT

STATE OF IDAHO } SS.
COUNTY OF BOISE }

I hereby certify that the foregoing instrument is a
full, true and correct copy of the original on file in
the office of the undersigned Clerk.

Dated 8-5-10

CONSTANCE SWEARINGEN WITH ACCEPTANCE - 1

BY Susan Robinson
DEPUTY CLERK


MAGISTRATE

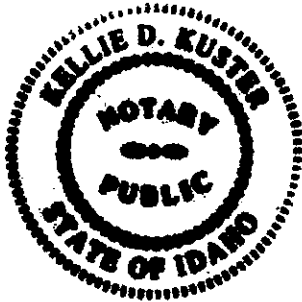
STATE OF IDAHO)
 : ss
COUNTY OF ADA)

I, the undersigned, hereby accept the appointment to the office of Personal Representative of the Estate of Mary B. Reay, deceased, and do solemnly swear that I will perform, according to law, the duties of Personal Representative of said estate.

Dated: July 20, 2010

David B. Reay
David B. Reay,
also known as Bruce Reay
Address: c/o Ahrens & DeAngeli
 P.O. Box 6561
 Boise, Idaho 83707
Telephone: (208) 395-0001

SUBSCRIBED AND SWORN to before me this 20th day of July,
2010.



Kellie D. Kuster
NOTARY PUBLIC
Residing at: Garden City, ID
My Commission Expires: 11-25-2011