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March 31, 2009

RECEIVED
APR 03 2009
DEPARTMENT OF
WATER RESOURCES

ATTN: Aaron Marshall
Idaho Dept. of Water Resources
Water Supply Bank
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Application to lease water rights 37-457A and 37-457B to IDWR Water Supply Bank - 2009

Dear Mr. Marshall:

Please find enclosed an application to lease the above referenced water rights to IDWR's Water Supply Bank for the 2009 irrigation season.

The 4.8 C/F/S right was decreed to George W. McCoy with a priority date of May 1, 1883 for use on the E ½ NW ¼, §19, T4N, R 18 E.B.M. in Blaine County, Idaho. It is decreed right "03" of the Frost Decree of 12/17/2009, (now in water district 37 and 37M) authorizing a diversion from Trail Creek for irrigation purposes.

The McCoy property was owned by Eleanor Reinheimer who deeded the above described 80 acres to the Idaho Parks Foundation, thus permitting the use of the water on said premises "during said Myrle Bowcutt's continued leasing of said portion thereof on terms similar to those which shall be in existence at the time of my death".

In 2005 Myrle Bowcutt discontinued leasing the premises, thus facilitating this lease of the right by the legal title holder to the IWRB Water Supply Bank.

In 2009 an attempt was made by the Trustee to lease 37-457B water right to the water supply bank of the Idaho Water Resource Board (IWRB). The application was not formally accepted by the IWRB because of a then contest as to the ownership of the right between the Trust and the Idaho Parks Foundation. That contest has been resolved in favor of the Trust as owner, as shown on the Court approved stipulation attached to the enclosed application.

Please call me with your questions.

Barker, Rosholt & Simpson
Respectfully,

By: John A. Rosholt

Enclosure
Cc: Douglas Bradshaw
Thomas M. Robertson
Karen Reinheimer

JAR/jn

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

06/12/2009
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2009 JUN 19 PM 4 45

RIGHT NUMBER: 37-457B
NAME AND ADDRESS: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 525
TWIN FALLS ID 83303-0525

SOURCE: TRAIL CREEK TRIBUTARY: BIG WOOD RIVER
QUANTITY: 4.380 CFS
PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION: T04N R18E S7 SESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	4.380 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R18E S19 NENW 25.00	T04N R18E S19 SENW 27.00	
	52 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-457.

A portion of Right 37-457B is used for conveyance loss.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

06/12/2009
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED

2009 JUN 19 PM 4 45

RIGHT NUMBER: 37-457A

NAME AND ADDRESS: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 525
TWIN FALLS ID 83303-0525

SOURCE: TRAIL CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.420 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T04N R18E S7 SWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.420 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19 NENW 5.00

STOCKWATER same as IRRIGATION

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-457.

A portion of Right 37-457A is used for conveyance loss.