

IDAHO DEPARTMENT OF WATER RESOURCES 10/23/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: OREGON TRAIL BROADCASTING CO
902 SHERMAN ST
POCATELLO ID 83201

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.12 CFS
26.4 AFY

PRIORITY DATE: 01/25/1962

POINT OF DIVERSION:

T07S R35E S18 NWNENE Within BANNOCK County

T07S R35E S18 NENWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS 26.40 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S18 NENE 6.6

6.6 ACRES TOTAL

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

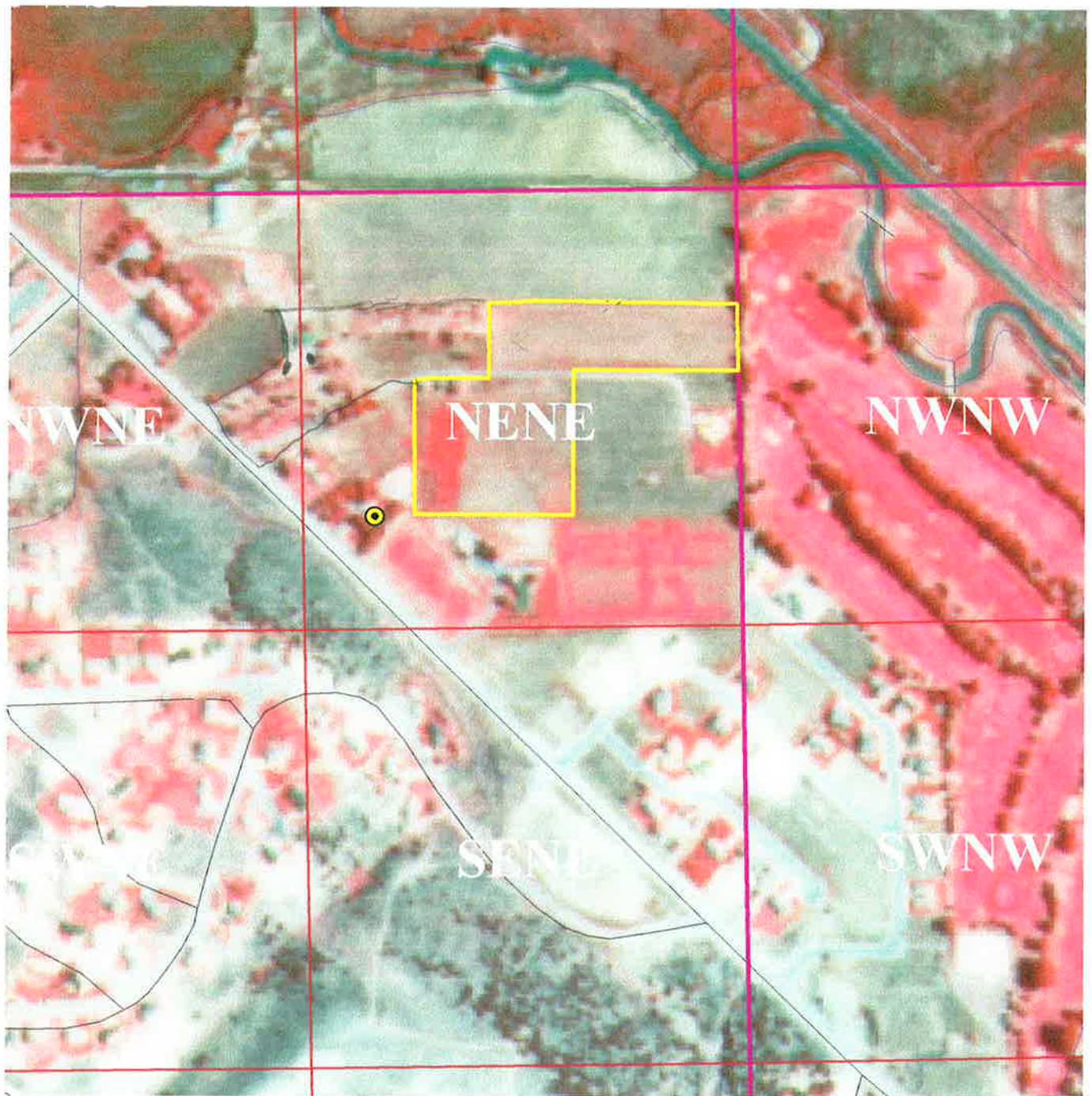
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-02459B
Township , 7S35E

08/31/2000



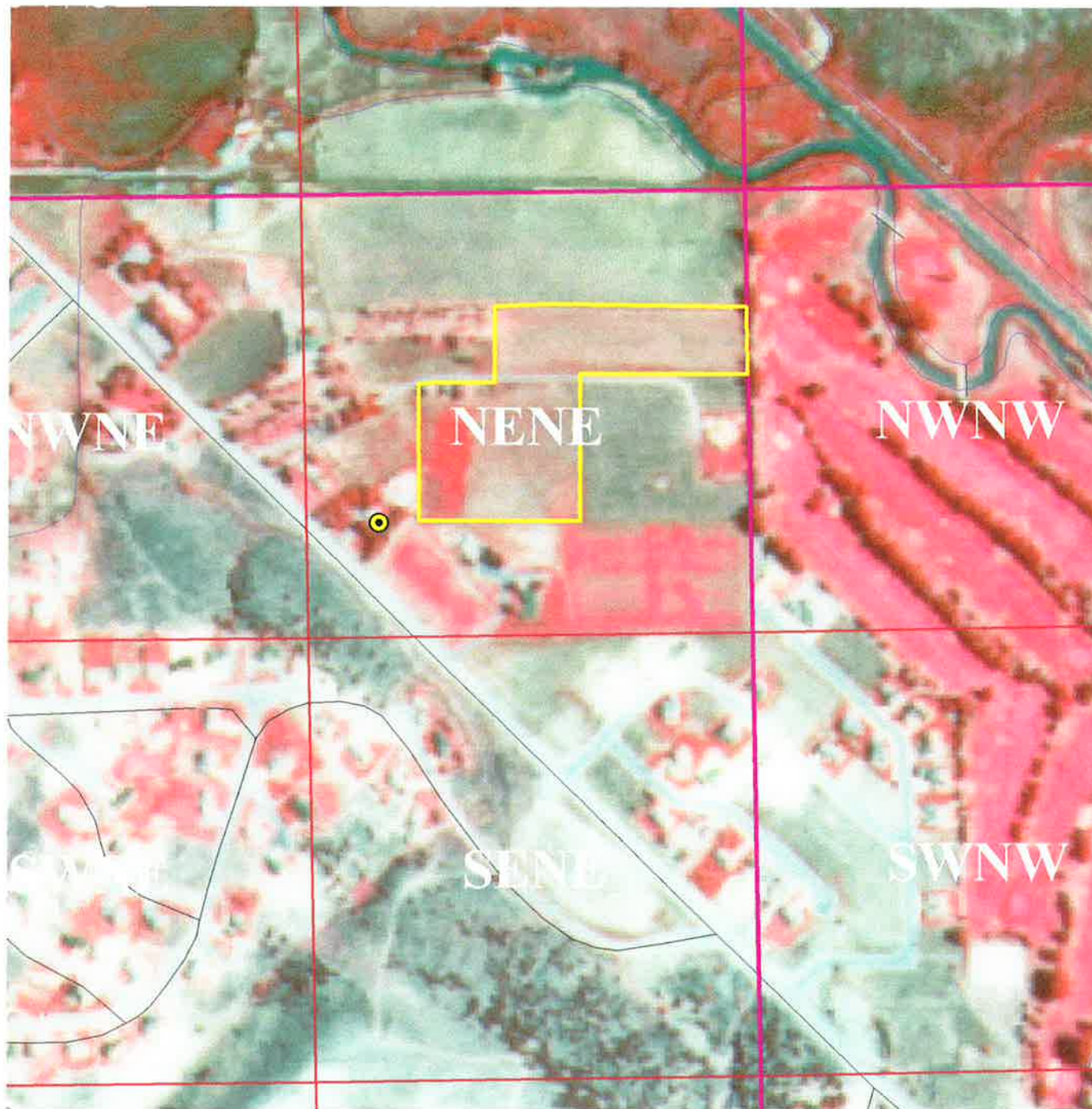
300 0 300 600 Feet



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Water Right Claim Number A29-02459B
Township , 7S35E

08/31/2000



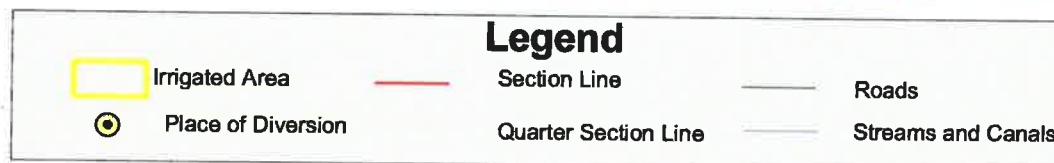
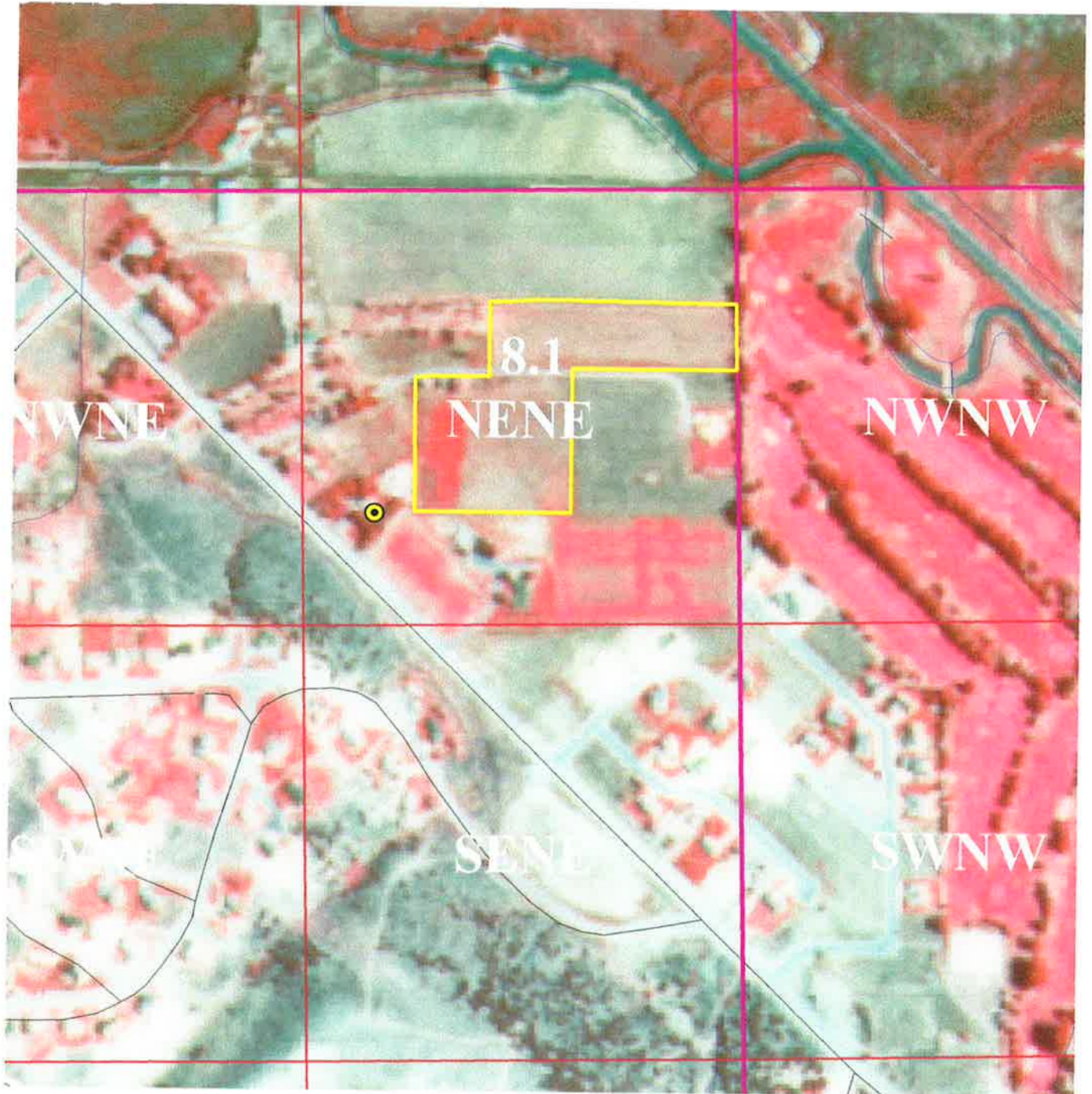
300 0 300 600 Feet



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Water Right Claim Number A29-02459B
Township , 7S35E

08/31/2000



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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2459B V1

WATER RIGHT NUMBER: 29-2459B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C MICHAEL REECE 5680 BANNOCK HWY POCATELLO, ID 83204 (208)232-1012
Original Owner	MARGARET GOLOB POCATELLO, ID 83201
Current Owner	OREGON TRAIL BROADCASTING CO 902 SHERMAN ST POCATELLO, ID 83201 (208)232-6666

Priority Date: 01/25/1962

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.120 CFS	26.40 AF
	<u>Total Diversion:</u>	0.120 CFS	26.40 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NE1/4	Sec. 18, Twp 07S, Rge 35E, B.M.
BANNOCK County		
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 18, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S18 NENE 6.6

Total Acres: 6.6

Conditions of Approval:

1. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2459B V1

Comments:

1. csaxton 10/23/2001 POD - Transfer

Comment: Transfer needs to be filed to accurately represent the point of diversion. New well completed 4/15/1999 but no transfer filed. Transfer solicited on 4/12/2001. Recommend POD as licensed.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	10/23/2001 2:56:34 PM	csaxton			Active
POD	10/23/2001 2:59:38 PM	csaxton			Active
Source	10/23/2001 3:03:29 PM	csaxton			Active
POU	10/23/2001 3:03:58 PM	csaxton			Active
Use	10/23/2001 3:06:18 PM	csaxton			Active
Season	10/23/2001 3:06:58 PM	csaxton			Active
Quantity	10/23/2001 3:08:28 PM	csaxton			Active
Summary	10/23/2001 3:11:04 PM	csaxton	10/23/2001 3:11:04 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/23/2001 3:04:01 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	10/23/2001 3:04:28 PM	csaxton	Edited shape boundary
POU	10/23/2001 3:04:46 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2459B V1

Use	10/23/2001 3:06:20 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Contacts	10/23/2001 2:56:03 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Spoke with Carrie Hodge - care taker of the ranch on 4/3/01.
POD	10/23/2001 3:01:02 PM	csaxton	Edited point location
Source	10/23/2001 3:03:32 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Priority Date	10/23/2001 2:56:37 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/23/2001 2:59:41 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (No) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Well log and Conversation with Carrie Hodge confirm new POD completed in 4/15/1999.
POD	10/23/2001 3:01:39 PM	csaxton	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2459B V1

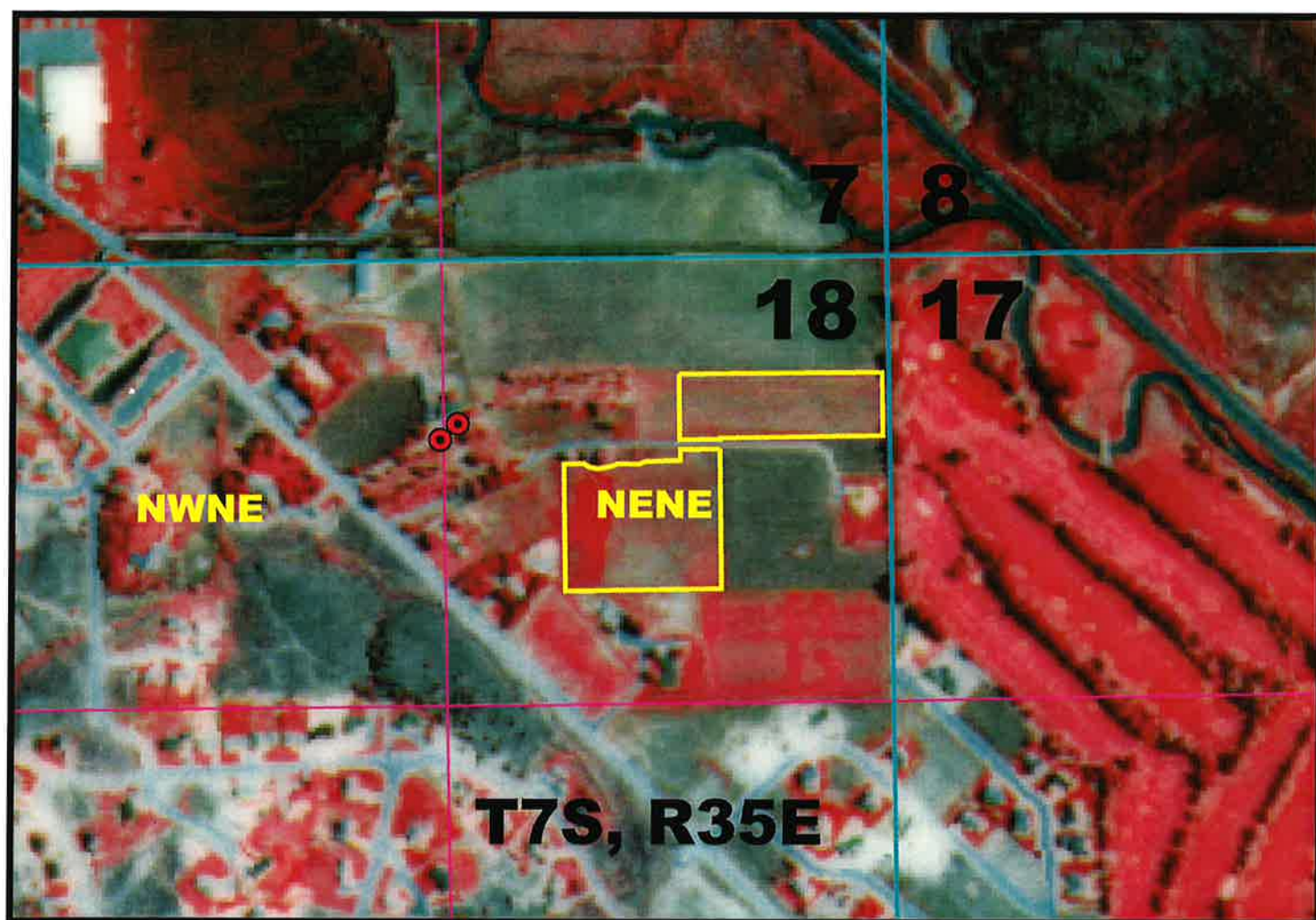
Season	10/23/2001 3:07:00 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	10/23/2001 3:08:31 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard for the area is 4af/acre.
Summary	10/23/2001 3:11:06 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02459B



0 1320 Feet

Total Irrigated Acres: 6.6



Point(s) of Diversion



Place of Use



Quarter Quarter Lines



Section Lines



SCANNED
FEB 10 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: October 2001

JUN 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

April 12, 2001

OREGON TRAIL BROADCASTING CO
C/O CARRIE HODGE
5688 BANNOCK HWY
POCATELLO ID 83204

RE: Adjudication Claim 29-02459B

Dear Carrie,

Since our conversation on April 4, 2001, I have located the well log for the irrigation well drilled on 4/15/1999. However, I was unable to find an approved transfer that would permit a change in the point of diversion associated with water right 29-02459B.

A transfer needs to be filed to allow water to be diverted from the new well. For your convenience, I have taken the liberty of filling out a portion of a transfer application. Please fill in the highlighted areas. I have also enclosed a blank transfer application form in case you wish to make any changes. A map is also enclosed for your convenience.

Upon completion of the transfer application, please return it to this office with the filing fee of \$100. Note that the application will need to be signed by a representative of Oregon Trail Broadcasting.

Until the transfer is approved, the point of diversion for claim 29-02459B will be recommend as the original well used to irrigate the land.

Please feel free to contact me at (208) 525-7161 if you have any questions.

Respectfully Submitted,

Craig Saxton
Water Resource Agent
Adjudication Bureau

cc Oregon Trail Broadcasting Co

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FEB 10 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

Page _____ of _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant _____ Phone _____

Post Office address _____

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use☐ Change nature of use ☐ Change period of use ☐ Other _____2. Describe the reason for the proposed changes Right split due to change of ownership.
New Point of diversion added.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>29-02459 B</u>	<u>1/25/1962</u>	<u>0.12</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.12 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>18</u>	<u>7S</u>	<u>35E</u>	<u>Bannock</u>	

5. 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	
<u>7S</u>	<u>35E</u>	<u>18</u>	<u>6.6</u>																<u>6.6</u>

Not signed
as of
10/3/01Total Acres 6.6

FEB 10 2006

6. General Information:

a. Description of diversion system _____

_____b. Are the lands from which you propose to transfer the water right 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.c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:

New PDD is in same 40 acre tract as original PDD.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

SCANNED

FEB 10 2006

04/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-2459B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OREGON TRAIL BROADCASTING CO 902 SHERMAN ST POCATELLO, ID 83201 (208)232-6666
Original Owner	MARGARET GOLOB POCATELLO, ID 83201
Original Owner	C MICHAEL REECE 5680 BANNOCK HWY POCATELLO, ID 83204 (208)232-1012

Priority Date: 01/25/1962
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.12 CFS		
Total Diversion			0.12 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 18	Township 07S	Range 35E	BANNOCK County
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IRRIGATION Use:
Acre Limit: 6.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION	BANNOCK County
--	----------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	18		NENE	6.6									

Total Acres: 6.6

Remarks:

1. General 2 P/D IN NENE S18, T7S, R35E.
*** SPLIT BY CHANGE OF OWNERSHIP, 25MAR97, ABR. RECEIPT NO.E013328.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Water Right 29-2459B

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FEB 10 2006

Other Information:

Receipt Number(s): X777777

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 20 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

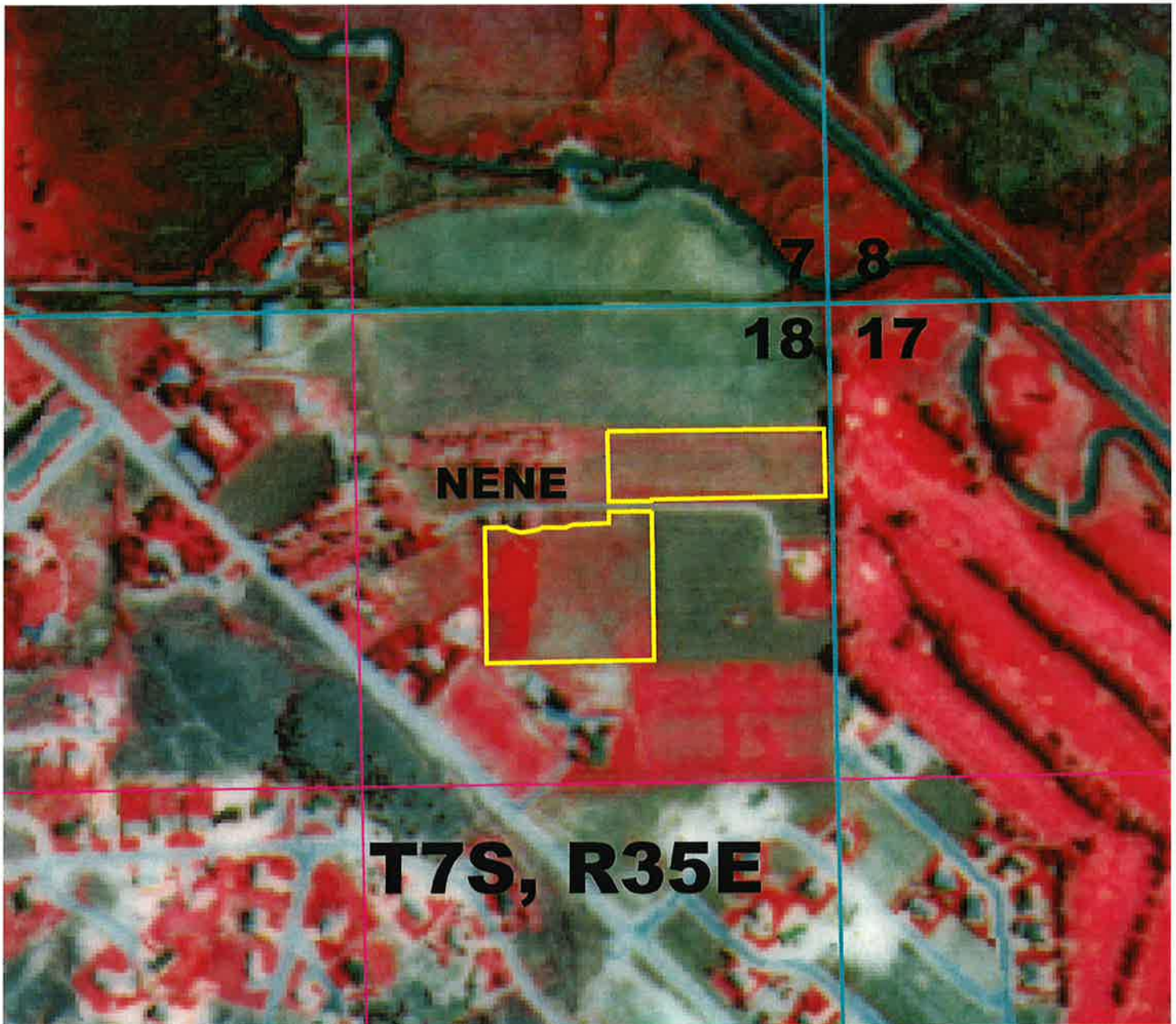
Copy of transfer sent to lien holder _____

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FEB 10 2006

Oregon Trail Broadcasting

WR # (s): 29-02459B

After Transfer



Transfer needed to Change Point of Diversion.

**Please indicate the location of the new
Point of Diversion (well).**

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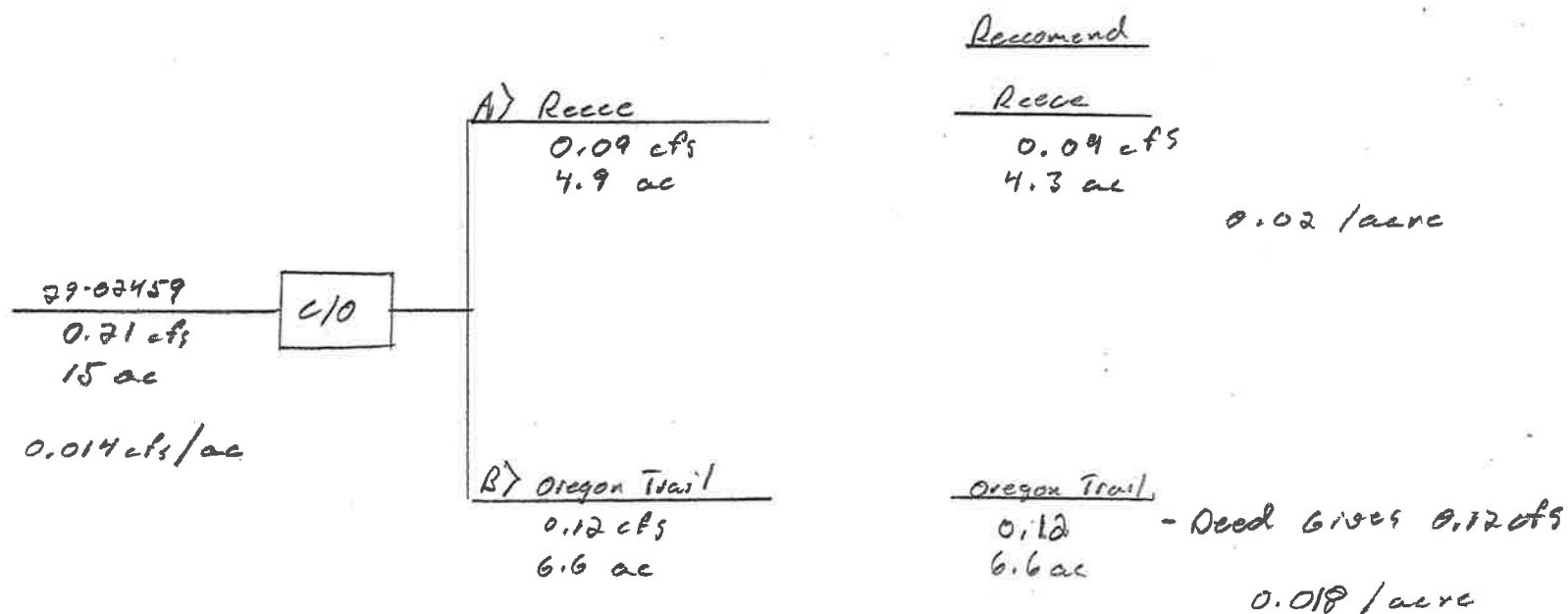
FEB 10 2001

Prepared By: Craig Saxton
April 2001

Split History for 29-02459

Claimed & split cfs = Licensed
 Claimed & split ac = 11.5 (under claimed)

Actual Irrigated acreage b/w splits = 10.9 ac
 Rec. diversion Rate as on deed to B portion
 Remainder to A portion.



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 FEB 10 2006



Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 1 by 1 meters of earth. This image was extracted from a Color Infra-Red (CIR) digital orthophoto quadrangle provided by the USGS. To find out more information about this image, visit the USGS's [**Digital Backyard**](#)

The image was photographed on **16 Aug 1993** by the National Aerial Photography Program and digitized by the USGS DOQ Program on 27 Feb 1995. The image you are viewing can be downloaded at no charge to your PC. DOQ's may be purchased from selected USGS dealers. Alternatively, DOQ's may be obtained directly from the USGS.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983. The latitude and longitude in degrees, minutes, and seconds and the UTM coordinates in meters are shown for each image tile.



POU for 29-02459A and B

Craig Saxton 4/3/01

PROTECTED

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FEB 10 2006

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	18	NENE	6.6	8.1	POD placement?

Totals: 6.6 8.1

Phone Conversation 4-3-01

Contact Bill Fouch = Told me to contact Carrie Hodge.
She runs the Ranch

Carrie Hodge (702) 523-0778

5688 Bannock Hwy

Pocatello Id 83204

4/3/01 spoke with Carrie and she says Area is irrigated from a well that was drilled 2 years ago. Previously to that she just used Hoses

- At this point, no transfer filed

4/12/01

IF Transfer Not filed or approved By Close of B29.

Recommend as claimed with POD at Recc home.

shape is 6.6 acres. = completed

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SPATIAL
DYNAMICS
SCANNED

FEB 10 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 25, 1997

OREGON TRAIL BROADCASTING CO
902 SHERMAN ST
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A29-02459B

Dear Sirs:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

Oregon Trail, A29-02459B, 0.12 cfs, 6.57 acres
M. Reese, A29-02459A, .09 cfs, 4.93 acres (.04 cfs for Domestic)

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

CC: C. Michael Reece/copy letter/claim

SCANNED
FEB 10 2006

PROCESSED

AJ5809NP
No. A29-02459B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 156

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OREGON TRAIL BROADCASTING CO 902 SHERMAN ST POCATELLO ID 83201 (208) 232-6666	01/25/1962	IRRIGATION	03-15 11-15	0.120 CFS	
TOTAL DIVERSION:					0.120 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S18

NENE

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NENE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S	35E	18	: 06	:		:		:		:		:		6.6		
TOTAL ACRES													6.6			

POU County: BANNOCK

Non-Irrigation Uses: D/ ONE HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10652 A29-02459A A29-10649 A29-10652

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02459 A29-02459A A29-07386

Remarks: GEN 2 P/D IN NENE S18, T7S, R35E.

SPLIT BY CHANGE OF OWNERSHIP, 25MAR97, ABR. RECEIPT NO.E013328.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/25/97 ARUBERRY 04/13/00 CVANDERM



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Data entered
c/o log
AR. 3-5-97
RECEIVED

MAR 05 1997

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S. Range 35 E. Section 18, 1/4 of 1/4 of NE 1/4 Govt. Lot, BM. Department of Water Resources
Eastern Region

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) 29-02459, A29-02459
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C. Michael and Barbara Reece
5860 Bannock Highway
Pocatello, ID 83204
- ☐ New Owner/Claimant (Purchaser): Oregon Trail Broadcasting Company, a Nevada Corp.
authorized to do business in Idaho
- ☐ New Mailing Address: 902 Sherman Street
Pocatello, ID 83201
- ☐ New Telephone Number: (208) 232 - 6666
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Seller Reece retained 6.07 acres and sold to new owner 7.35
acres. Water right of 0.210 cfs split proportionately: 0.09
retained by Reeces, 0.12 transferred to new owner.
- ☐ Attach proof of ownership, describe proof attached: Attached warranty deed to new owners.
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Oregon Trail Broadcasting Company Date 2-24-97
By: James Hayes President Date _____
- ☐ Signature of Former Owner/Claimant(s): C. Michael Reece Date 2-14-97
Barbara Reece Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PROFIT

FEB 10 2006

01361

Escrow #: 48147TA

96015547

Approved by: *JSB*

**RE-RECORDED TO ADD WATER RIGHTS LANGUAGE TO DEED

WARRANTY DEED

96015931

FOR VALUE RECEIVED, C. MICHAEL REECE AND BARBARA REECE, HUSBAND AND WIFE

the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto OREGON TRAIL BROADCASTING CO., A
 NEVADA CORPORATION
 the Grantee(s), whose address is 1500 FOREMASTER LANE, LAS VEGAS, NV 89101
 (Mailing Address), VACANT LAND ON BANNOCK HIGHWAY, POCA TELLO, ID 83204 (Property Address),
 the following described premises, situated in BANNOCK County, Idaho:

EXHIBIT A ATTACHED

"TOGETHER WITH 0.12 CFS OF WATER EVIDENCED BY IDAHO DEPARTMENT
 OF WATER RESOURCES WATER RIGHT NOS. 29-02959 AND A29-02459."

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s)
 heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that
 the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances,
 EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock
 County, Commitment No. 48147TA, dated 9/9, 1996; those made, suffered, assumed,
 or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties
 in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate
 survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including
 irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will
 warrant and defend the same from all lawful claims whatsoever.

DATED this 11 day of September, 1996.

C. Michael Reece
 C. MICHAEL REECE

Barbara Reece
 BARBARA REECE

STATE OF IDAHO
 County of BANNOCK

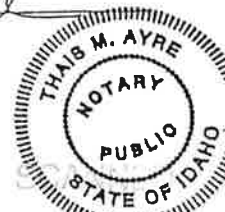
} ss

On this 13 day of September, 1996, before me, the undersigned, personally appeared
 C. MICHAEL REECE AND BARBARA REECE
 known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to
 me that they executed the same.

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

NO 96015931 NO 96015547
 RECORDED AT REQUEST OF PIONEER TITLE RECORDED AT REQUEST OF PIONEER TITLE
 96 SEP 19 PM 4 18 96 SEP 13 PM 4 42
 BANNOCK COUNTY IDAHO BANNOCK COUNTY IDAHO
 LARRY W GIAN RECORDER LARRY W GIAN RECORDER
 FEE 6.00 DEPUTY 6.00 FEE 6.00 DEPUTY 6.00

Thais M. Ayre
 Notary Public
 Residing at: CHUBBUCK, IDAHO
 Commission Expires: 2-27-2001



FEB 10 2006

A tract of land in the NE1/4 of Section 18, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, described as follows:

Commencing at the Northeast corner of Section 18, Township 7 South, Range 35 East, Boise Meridian; thence South 00°23'00" East along the East line of Section 18 for a distance of 340.0 feet to the Northeast corner of the land described in instrument no. 802529, the true point of beginning;

thence South 89°55'00" West along the North boundary of the land described in instrument 802529 for a distance of 621.15 feet; thence South 00°23'00" East for a distance of 253.98 feet to a point in the South boundary line of the land described in instrument no. 802529;

thence South 89°28'24" West along the said South boundary line for a distance of 342.40 feet to the Northeast corner of the land described in instrument no. 96003317; thence South 00°03'00" East along the East boundary line of the lands described in instruments no. 96003317 and 792189 for a distance of 394.17 feet; thence North 89°42'54" East along the North boundary line of the land described in instrument no. 778733 for a distance of 475.84 feet to the Southwest corner of the land described in instrument no. 96000187;

thence North 00°23'00" West along the West boundary line of the land described in instrument no. 96000187 for a distance of 446.16 feet; thence North 89°55'00" East along the South boundary line of the land described in instrument no. 802529 for a distance of 490.0 feet to a point on the East line of Section 18; thence North 00°23'00" West for a distance of 202.96 feet to the point of beginning.

TOGETHER WITH an easement for ingress and egress, described as follows:

Commencing at the Northeast corner of Section 18, Township 7 South, Range 35 East, Boise Meridian; thence South 00°23'00" East along the East line of Section 18 for a distance of 340.0 feet to the Northeast corner of the land described in instrument no. 802529; thence South 89°55'00" West along the North boundary of the land described in instrument no. 802529 for a distance of 621.15 feet; thence South 00°23'00" East for a distance of 202.97 feet to the true point of beginning.

thence South 89°55'00" West for a distance of 344.33 feet; thence South 66°27'00" West for a distance of 567.80 feet to a point in the Northeasterly right of way line of the Bannock Highway; thence South 45°05'29" East along the said right of way line for a distance of 53.36 feet to the Northwest corner of the land described in instrument no. 96003317;

thence North 66°30'06" East for a distance of 528.84 feet to the Northeast corner of the land described in instrument no. 96003317; thence North 89°28'24" East along the South boundary line of the land described in instrument no. 802529 for a distance of 342.40 feet; thence North 00°23'00" West for a distance of 51.01 feet to the point of beginning.

LAW OFFICES
JONES, CHARTERED

415 SOUTH ARTHUR
P.O. BOX 967
POCATELLO, IDAHO 83204-0967

LAMONT JONES
JACK H. ROBISON
THOMAS J. HOLMES
JESSE C. ROBISON
M. THOMAS JOLLEY

TELEPHONE: (208) 232-5911
FAX: (208) 232-5962
E-MAIL: joneslaw@poky.srv.net

March 5, 1997

IDAHO DEPARTMENT OF WATER RESOURCES
Eastern Division Office
900 N. Skyline Drive
Idaho Falls, ID 83402
ATTN: Al Ruberry

RECEIVED
MAR 07 1997
Department of Water Resources
Eastern Region

Dear Mr. Ruberry:

Pursuant to our telephone conversation, enclosed please find the Record of Survey reflecting the property of Oregon Trail Broadcasting Company purchased from Michael Reece.

Sincerely,


Lamont Jones

LJ:em
Enclosure

SEE A29-02459B PARENT RECORD
FOR REFERENCED MAP.

SCANNED
FEB 10 2006



AZ9-024598

T.75
R.35E.

MAP REF.
AA-89

1 INCH = 7 MI.
MC CAMMON EXIT 17 MI.

LAW OFFICES
JONES, CHARTERED

415 SOUTH ARTHUR
P.O. BOX 967
POCATELLO, IDAHO 83204-0967

LAMONT JONES
JACK H. ROBISON
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JESSE C. ROBISON
M. THOMAS JOLLEY

TELEPHONE: (208) 232-5911
FAX: (208) 232-5962
E-MAIL: joneslaw@poky.srv.net

March 3, 1997

RECEIVED
MAR 05 1997
Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES
Eastern Division Office
900 N. Skyline Drive
Idaho Falls, ID 83402

TO WHOM IT MAY CONCERN:

Please file the enclosed Notice of Change of Water Right Ownership.

Sincerely,


Lamont Jones

LJ:em
Enclosure

2/5/97 TELECON WITH LAMONT JONES.
M. REEB WILL RETAIN DOM PORTION OF
A29-02459.

JUN 11 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02459B
Date Received: 4/19/1990
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: OREGON TRAIL BROADCASTING CO. 208-232-6666
Address: 902 SHERMAN STREET
POCATELLO ID 83201

2. Date of Priority: JAN 25, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	18		NE	NE		BANNOCK

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	18		NE	NE	IRR	6.6

A29-02459B

Page

1

Date: 03/25/97

FEB 10 2001

A2902459B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.6
					Total Acres	6.6

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

2 P/D IN NENE S18, T7S, R35E.

SPLIT BY CHANGE OF OWNERSHIP, 25MAR97, ABR. RECEIPT NO.E013328.

15. Basis of Claim: LICENSE

Water Right Number: 30374