

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Oregon Trail Broadcasting Phone _____Mailing address 902 E. Sherman, Pocatello, Idaho 83201 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative T.J. Budge Phone 208-232-6101Mailing address PO Box 1391, Pocatello ID 83204-1391 Email tjb@racinelaw.net☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Thomas J. Budge
Signature of Applicant or Authorized Representative

Thomas J. Budge, Attorney for Applicant
Print Name and Title if applicable

7-8-10
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

JUL 14 2010

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 Create Permissible Place of Use

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Applicant has entered into a contract to purchase 20 acres of combined Water Rights No. 35-12915 and 35-13316 from Idaho Water Company, LLC, subject to IDWR approval to transfer said water to Applicants' property. ESPA mitigation provided through off-setting transfers. See companion transfers #1, #3, #4 & #5

76804

SUPERCEDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

MAY 28 2009

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Oregon Trail Broadcasting Phone _____
Department Eastern Region
Mailing address 902 E. Sherman, Pocatello, Idaho 83201 Email _____

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Thomas J. Budge
Signature of Applicant or Authorized Representative

Thomas J. Budge
Print Name and Title if applicable

5-28-09
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 Create Permissible Place of Use
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Applicant has entered into a contract to purchase 20 acres of combined Water Rights No. 35-12915 and 35-13316 from Idaho Water Company, LLC, subject to IDWR approval to transfer said water to Applicants' property.
This transfer combined with other transfers to provide off-setting ESPA impact mitigation.

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MAY 28 2009

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-12915	0.08/21.1	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	35-13316	0.30/58.9	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	29-2459A	0.09/17.2	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	29-2459B	0.12/26.4	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	29-7386	0.21/36.0	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	29-11209	0.06/14.6	Stock/Domestic	1/01 to 12/31	Ground Water
☒ ☐	29-12181	0.04/14.6	Stock/Domestic	1/01 to 12/31	Ground Water
☒ ☐	29-13759	0.04/14.6	Domestic	1/01 to 12/31	Ground Water
☒ ☐	29-13760	0.04/1.2	Domestic	1/01 to 12/31	Ground Water

Total authorized under rights 0.90 cfs and/or 204.6 ac-ft

2. Total amount of water proposed to be transferred or changed 0.90 cubic feet per second and/or 204.6 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	NE	NE	18	7S	35E	Bannock	Ground water	Extg well 29-2459A,B
		NE	NE	NE	18	7S	35E	Bannock	Ground water	Extg well 29-13759
		SE	NE	NE	18	7S	35E	Bannock	Ground water	Extg well 29-13760
		NE	NW	NE	18	7S	35E	Bannock	Ground water	Extg well 29-2459A,B
		SE	SW	SE	7	7S	35E	Bannock	Ground water	Extg well 29-11209

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	35E	18	29.4	6.1															35.5
7S	35E	7															2.4	8.8	11.2

Total Acres (for irrigation use) 46.7 PPU

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Diversion system consists of existing wells capable of being metered.
Total irrigation will be limited to 43.1 acres within 46.7 acre permissible place of use.
- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: The place of use of water rights 35-12915 and 35-13316 will be decreased by 20 acres to provide water for this transfer. Correspondingly, the Applicant intends to irrigate an additional 20 acres within the 46.7 acre permissible place of use proposed by this transfer.
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: There are no other water rights with the same place of use as Water Right 35-12915 & 35-13316. The following seven water rights share the points of diversion and place of use proposed by this transfer: 29-2459A, 29-2459B, 29-7386, 29-11209, 29-12181, 29-13759, 29-13760. Collectively, these seven rights provide for the irrigation of 23.1 acres. This transfer of 20 acres will increase the collective place of use to 43.1 acres.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☒ | ☐ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: No irrigation will occur under 35-12915 and 35-13316 until released from the water supply bank.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-12915

Priority Date: 10/31/1986

Origin: Water Right

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Total Diversion

Diversion Rate

2.06 CFS

2.06 CFS

Annual Volume

560 AF

560 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4NE1/4

Sec. 31, Twp 05N, Rge 36E B.M.

JEFFERSON County

Place of Use

IRRIGATION Within JEFFERSON County

			NE				NW				SW				SE					
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
05N	36E	31	32	33	35	38	34	34	38	35	37	34	3	1	32	38			424	
								L1	L2			L3	L4							
05N	36E	32						37	36			33							106	

Total Acres: 530

Conditions of Approval:

1. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
2. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
3. 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.
4. F05 RIGHT NO. 35-13316 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-13316 PURSUANT TO SECTION 42-1426, IDAHO CODE.
7. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2120 AF. COMBINED RIGHT NOS.: 35-12915, 35-13316
8. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 530 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-12915, 35-13316
9. X63 All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-13316

Priority Date: 1/27/1976
Origin: Water Right
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	7.82 CFS	1560 AF
	Total Diversion	7.82 CFS	1560 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4NE1/4 Sec. 31, Twp 05N, Rge 36E B.M.
JEFFERSON County

Place of Use

IRRIGATION Within JEFFERSON County

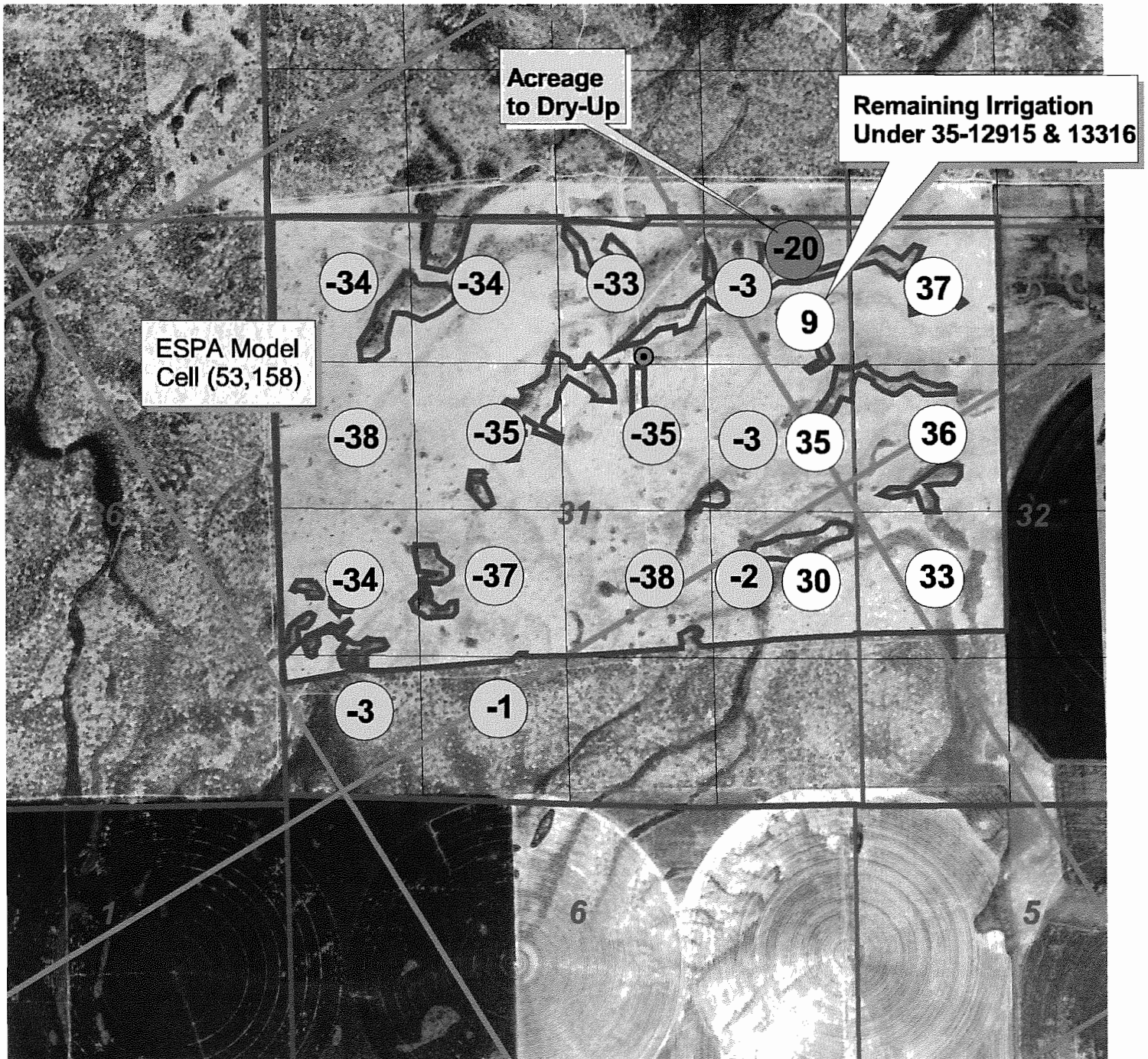
			NE				NW				SW				SE					
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
05N	36E	31	32	33	35	38	34	34	38	35	37	34	3	1	32	38			424	
								L1	L2			L3	L4							
05N	36E	32						37	36			33							106	

Total Acres: 530

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 390 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2120 AF. COMBINED RIGHT NOS.: 35-12915, 35-13316
3. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 35-7575.
5. X36 Right 35-12915 is also diverted through the point(s) of diversion described above.
6. 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.
7. X63 All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
8. K01 RIGHT NO. 35-12915 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
9. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 530 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-12915, 35-13316

**Oregon Trail Broadcasting
 DRY-UP Areas : 35-12915, 35-13316
 (TWP. 5N, RNG. 36E, Sections 31 & 32)**



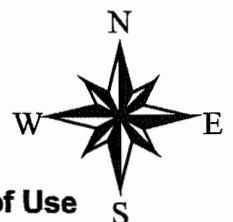
0.3 0 0.3 0.6 Miles

2006 NAIP Aerial Photo

- PLSS Township Boundaries
- PLSS Section Lines
- 40's

Authorized P.O.D.

- ESPA Model Grid
- 35-12915 & 35-13316 Authorized Place of Use
- DRY-UP (Falls Water: 330 Ac.)
- DRY-UP (Oregon Trail Broadcasting: 20 Ac.)



**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-2459A

Current Owner: JAMES E ROGERS
BEVERLY A ROGERS

Priority Date: 1/25/1962

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.09 CFS	17.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
	Total Diversion	0.09 CFS	17.2 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 Use

IRRIGATION Within BANNOCK County

T07S R35E S18	NENE	3.50	T07S R35E S18	NWNE	0.80
Total Acres: 4.3					

Place of Use: DOMESTIC same as IRRIGATION

Page _____ of _____

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. 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.
4. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 3/22/2004

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-2459B

Current Owner: OREGON TRAIL BROADCASTING CO
Priority Date: 1/25/1962
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.12 CFS	26.4 AF
	Total Diversion	0.12 CFS	26.4 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 Use

IRRIGATION Within BANNOCK County

T07S R35E S18 NENE 6.60
Total Acres: 6.6

Conditions of Approval:

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

Decreed Date: 3/22/2004

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-7386

Current Owner: OREGON TRAIL BROADCASTING CO INC

Priority Date: 4/7/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04/01	to 11/01	0.21 CFS	36 AF
	Total Diversion		0.21 CFS	36 AF

Location of Point(s) of Diversion

GROUND WATER
BANNOCK County

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

Place of Use

IRRIGATION Within BANNOCK County

T07S R35E S18 NENE 10.20
Total Acres: 10.2

Conditions of Approval:

1. 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.

Decreed Date: 3/22/2004

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-11209

Current Owner: OREGON TRAIL BROADCASTING CO INC

Priority Date: 9/1/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
	Total Diversion		0.06 CFS	

Location of Point(s) of Diversion

GROUND WATER
BANNOCK County

SW1/4SE1/4 Sec. 7, Twp 07S, Rge 35E B.M.

Place of Use

STOCKWATER Within BANNOCK County

T07S R35E S7 SWSE

DOMESTIC Within BANNOCK County

T07S R35E S7 SWSE

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT
A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. R4013000901 STOCKWATER, 18 CATTLE.

Decreed Date: 6/15/1998

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-12181

Current Owner: JAMES E ROGERS
BEVERLY A ROGERS
Priority Date: 10/10/1958
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31		0.04 CFS	
STOCKWATER	1/01 to 12/31		0.02 CFS	
	Total Diversion		0.04 CFS	

Location of Point(s) of Diversion

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

Place of Use

STOCKWATER Within BANNOCK County

T07S R35E S18 NWNE

DOMESTIC Within BANNOCK County

T07S R35E S18 NWNE

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RPCPP144900 STOCKWATER, 4 CATTLE

Decreed Date: 6/24/1998

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-13759

Current Owner: OREGON TRAIL BROADCASTING CO INC

Priority Date: 10/1/1980

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	01/01 to 12/31	0.04 CFS	
	Total Diversion	0.04 CFS	

Location of Point(s) of Diversion

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

Place of Use

DOMESTIC Within BANNOCK County

T07S R35E S18 NENE

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. X01 Domestic use is for 1 home and up to one-half acre of lawn and garden irrigation.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. 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.

Decreed Date: 9/28/2007

76804

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-13760

Current Owner: OREGON TRAIL BROADCASTING CO INC
Priority Date: 7/3/2006
Origin: Water Right
Status: Active
Basis: License

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Total Diversion	0.04 CFS	1.2 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4NE1/4 Sec. 18, Twp 07S, Rge 35E B.M.
BANNOCK County

Place of Use

DOMESTIC Within BANNOCK County

T07S R35E S18 NENE

Conditions of Approval:

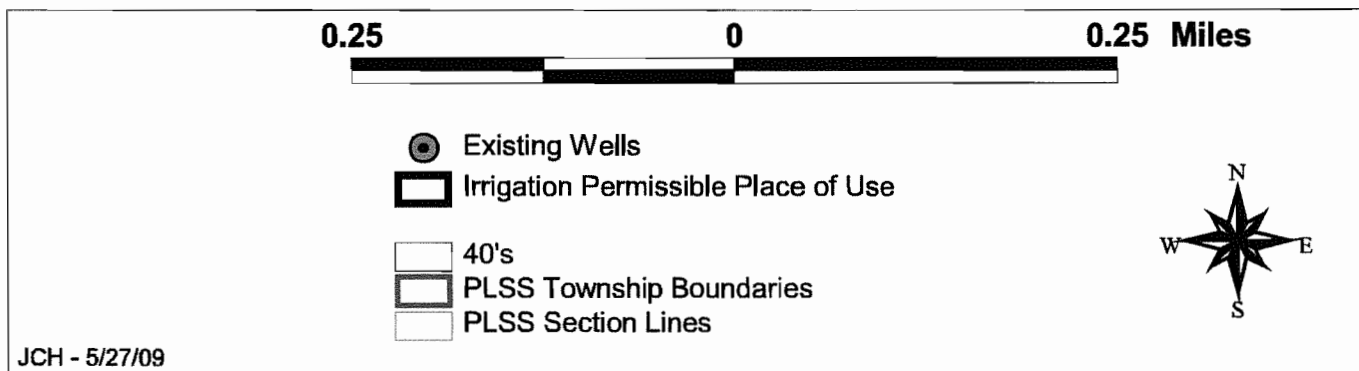
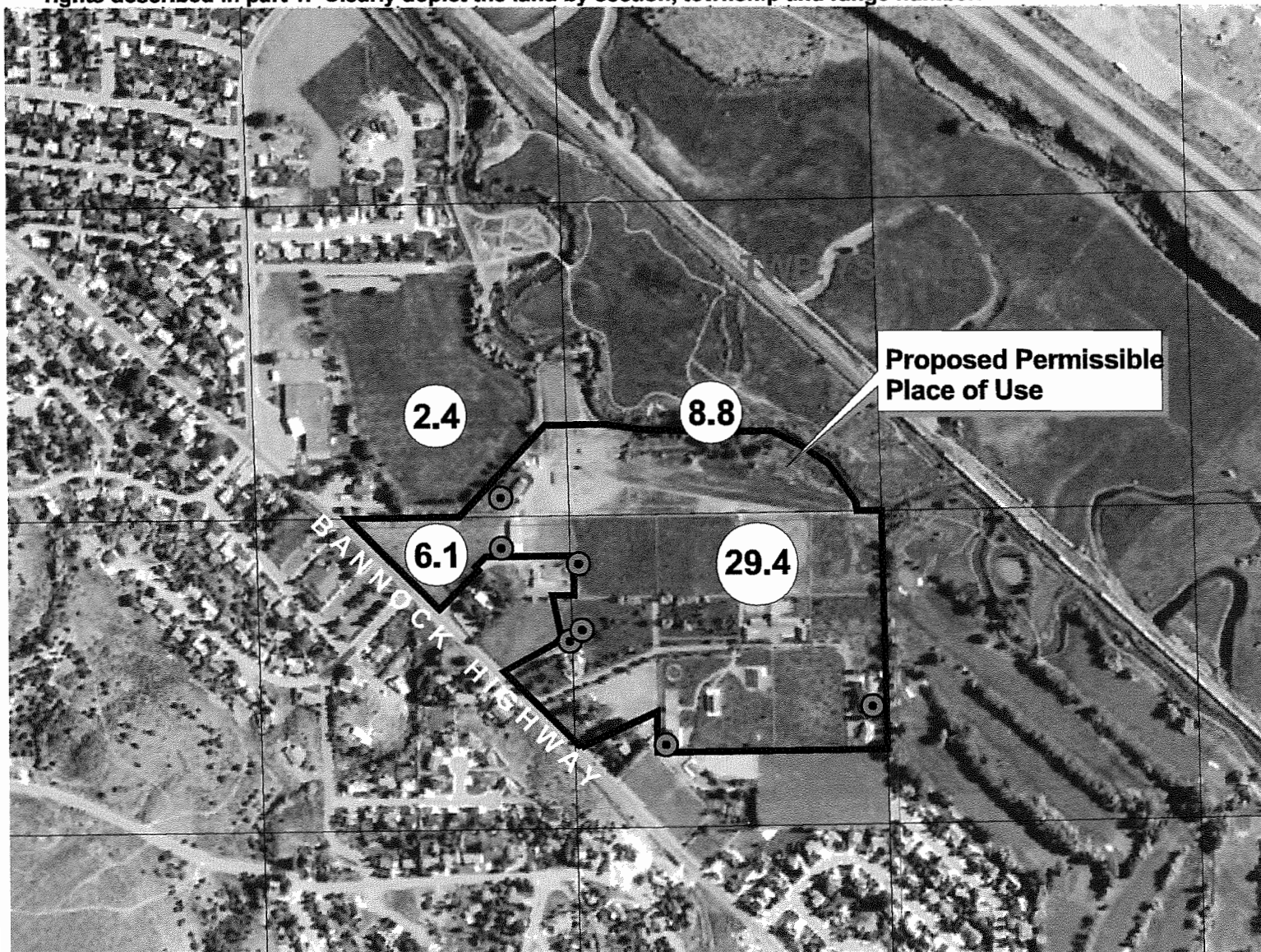
1. 187 The irrigation occurring under this domestic use shall not exceed 1/2 acre.
2. X01 Domestic use is for one home.
3. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day.

Licensed Date: 1/8/2009

76804

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A

*** Means the item is always required and must be included with the application.**

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Proof Report (obtained from Department) or Details Report (obtained on website) describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/water/rights/>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Other. Please describe: This transfer provides off-setting ESPA mitigation. See attached ESPA impact analysis.

RECEIVED

MAY 28 2009

Department of Water Resources
Eastern Region

76804