

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 14 2024

Department of Water Resources
Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** David and Angela Berggren Phone 208-973-7619

2. **MAILING ADDRESS** 515 E River Rd City Firth

State ID Zip 83236 Email daveberggren63@outlook.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 35-14870

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.02 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	1		NW	NW	25	01S	36E	Bingham County	Ground Water	D0087547

6. 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:
Domestic well to service 1 home and 1/2 acre. If necessary could add a measuring device.

- 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. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

David Berggren

Signature of applicant or authorized agent

David Berggren

Print name and title if applicable

5-14-24

Date

Angela Berggren

Signature of applicant or authorized agent

Angela Berggren

Print name and title if applicable

5-14-24

Date

9. **FEE** – ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$200.- Date 5/14/2024 Received by JB Receipt # E050072

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES

5/14/2024

Proof Report

Water Right 35-14870

Owner Type **Name and Address**
 Current Owner DAVID BERGGREN
 515 E RIVER RD
 FIRTH, ID 83236
 (208) 346-1331

Current Owner ANGELA BERGGREN
 515 E RIVER RD
 FIRTH, ID 83236
 (208) 346-1331

Priority Date: 6/27/1983**Basis:** Decreed**Status:** Active**Source**

GROUND WATER

Tributary**Beneficial Use**

IRRIGATION

DOMESTIC

From

4/01

1/01

To

11/01

12/31

Diversion Rate

0.015 CFS

0.020 CFS

Total Diversion

0.020 CFS

Volume

1.8 AF

0.6 AF

2.4 AF

Source and Point(s) of Diversion:

GROUND WATER

L1(NWNW)

Sec. 25, Twp 01S, Rge 36E, BINGHAM County

Place Of Use:

DOMESTIC Same as IRRIGATION

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	36E	25						0.5											0.5

POU Total Acres: 0.5

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. Domestic for 1 home
3. X35 Right 35-14870 shall not exceed a total diversion volume of 1.75 af for Irrigation or a total diversion volume of 2.35 af for both domestic and irrigation.

Comments:

1 jbailey 5/14/2024 Ownership Change
 water right 35-13472 was split into 35-13472 and 35-14870.

Idaho Department of Water Resources



Legend

- POD 35-14870 After Transfer
- POD 35-14870 Before Transfer
- Parcels
- Township/Range
- Sections
- QQ



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

June 12, 2024

DAVID BERGGREN
ANGELA BERGGREN
515 E RIVER RD
FIRTH, ID 83236

RE: Transfer No. 89054
Water Right No(s). 35-14870

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 6/19/2024 and 6/26/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 12, 2024 12:18 PM
To: legalnotices@postregister.com
Subject: Legal Notice for News Chronicle
Attachments: 89054, 89074 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 89054, 89074
Water Right No(s). 35-14870, 27-2125G, 27-7324

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 7/8/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89054

DAVID BERGGREN and ANGELA BERGGREN, 515 E RIVER RD, FIRTH, ID 83236 has filed Application No. 89054 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14870; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Change point of diversion. The proposed point of diversion is in NWNW Sec 25 T01S R36E for .02 cfs from groundwater.

TRANSFER NO. 89074

THOMPSON BROTHERS LLC, 493 S 1200 W, PINGREE, ID 83262 has filed Application No. 89074 for changes to the following water rights within BINGHAM County(s): Right No(s). 27-2125G, 27-7324; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change the point of diversion and the place of use. The proposed point of diversion is in the SWNE, T03S R35E S11 for 2.22cfs from groundwater. The proposed place of use is in the NENE, NWNW, SWNE, SENE, and NENW, Sec 11 T03S R35E for 111.1 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 7/8/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 6/19/2024 and 6/26/2024