

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 03 2025

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. OF WATER RESOURCES
EASTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-148700K	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David Berggren

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): David Phinney & Debora Richards

New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ orMailing address 515 E. River Rd.City FirthState IDZip 83236Telephone (208) 715-7653Email debbie@homestar-idaho.com

4. If the water rights and/or adjudication claims were split, how did the division occur? n/a

☐ 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.

5. Date you acquired the water rights and/or claims listed above: 8/29/2024

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.

☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).

☐ Filing fee (see instructions for further explanation):

o \$25 per *undivided* water right.

o \$100 per *split* water right.

o No fee is required for pending adjudication claims.

n/a ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.

n/a ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: David W. Phinney

Signature of new owner/claimant

Title, if applicable

Date

Print name David W. Phinney

- Signature: Debora Richards

Signature of new owner/claimant

Title, if applicable

Date

Print name Debora RichardsReceived by JBDate 2/3/2025

For IDWR Office Use Only:

Receipt No. E050628Receipt Amt. \$25.-Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by JBProcessed by JBDate 2/24/2025

QUITCLAIM DEED

This Deed, made on this, the 25 day of October, 2024, between

The Grantor:

DAVID WILLIAM PHINNEY, an unmarried man,

And the Grantees:

DAVID WILLIAM PHINNEY, an unmarried man, and Debora Mae Richards, an unmarried woman, both residing at 515 E. River Rd, Firth, ID 83236 as joint tenants with right of survivorship.

WITNESSETH, That the Grantor for good and valuable consideration, the sufficiency of which is acknowledged, does hereby quitclaim and deliver unto the said Grantees, all the rights, title, interest, claim or demand that the Grantor may have in the following property:

Legal Description:

Part of Lot 1, Section 25, Township 1 South, Range 36 E.B.M., Bingham County, Idaho, described as:
Beginning at a point on the Southerly right of way line of a county road that is S0°30'W along the West line of said Section 25, 555.72 feet and N89°06'01"E 72.97 feet; and North 62°01'20"E 311.53 feet from the Northwest corner of said Section 25 and running thence N82°01'20"E along said southerly right of way line 180.97 feet; thence S27°58'40"E 161.40 feet; thence S60°14'13"W 181.06 feet; thence N27°58'40"W 167.04 feet to the Point of Beginning.

ALSO:

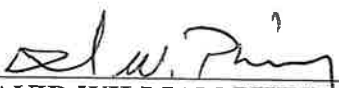
Part of Government Lot 8, Section 25, Township 1 South, Range 36, E.B.M., Bingham County, Idaho, described as:
Beginning at a point that is S0°30'W along the West line of said Section 25, 570.72 feet and N89°06'01"E 72.97 feet and N87°47'32"E 353.79 feet from the Northwest corner of said Section 25 to Government brass cap and the point of beginning; running thence N87°53'30"E 201.13 feet, more or less to a fence; thence N27°58'40"W 93.41 feet along said fence line; thence S60°14'13"W 181.06 feet to the Point of Beginning.

Also known as: 515 E. River Rd, Firth, ID 83236

TO HAVE AND TO HOLD, all said real property, together with all improvements, appurtenances, tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, and water rights in anywise appertaining to the real property herein described unto Grantees, and to Grantees heirs and assigns forever, subject to the joint tenancy with right of survivorship.

WITNESS the hand of said Grantor the date specified above.

Grantor:

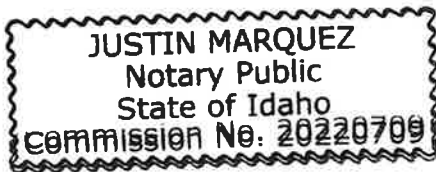


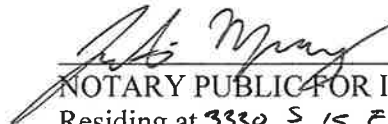
DAVID WILLIAM PHINNEY

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 25 day of October, 2024, before me, personally appeared David William Phinney, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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





NOTARY PUBLIC FOR IDAHO
Residing at 3330 S 15 E IDAHO FALLS ID 83404
My Commission Expires 02/15/2028

766040



TitleOne
a title & escrow co.

Order Number: 24514923

Instrument # 764699

BINGHAM COUNTY, IDAHO
2024-08-29 12:06:25 PM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy DDavis
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Warranty Deed

For value received,

David E. Berggren and Angie R. Berggren aka Angela R. Berggren, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

David William Phinney, an unmarried man

whose current address is 515 E River Rd, Firth, ID 83236

the grantee, the following described premises, in Bingham County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: August 27, 2024

David E. Berggren
David E. Berggren

Angie R. Berggren
Angie R. Berggren

State of Idaho, County of Bonnerille, ss.

On this 27th day of August in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David E. Berggren and Angie R. Berggren, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Mattie Peterson
Notary Public

Residing In: Bigby, ID
My Commission Expires: 01/22/2025
(seal)



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Part of Lot 1, Section 25, Township 1 South, Range 36 E.B.M., Bingham County, Idaho, described as:
Beginning at a point on the Southerly right of way line of a county road that is S0°30'W along the West line of said Section 25, 555.72 feet and N89°06'01"E 72.97 feet; and North 62°01'20"E 311.53 feet from the Northwest corner of said Section 25 and running thence N62°01'20"E along said southerly right of way line 180.97 feet; thence S27°58'40"E 161.40 feet; thence S60°14'13"W 181.06 feet; thence N27°58'40"W 167.04 feet to the Point of Beginning.

ALSO:

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Water Right Report : 35-14870(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BERGGREN, ANGELA	515 E RIVER RD	FIRTH	ID	83236
Current Owner	BERGGREN, DAVID	515 E RIVER RD	FIRTH	ID	83236
Original Owner	GENTILLON, EMILE	513 E RIVER RD	FIRTH	ID	83236
Original Owner	MILLER, ALDEN	PO BOX 27	FIRTH	ID	83236
Previous Owner	FINNIGAN, FRANK	513 E RIVER RD	FIRTH	ID	83236
Previous Owner	FINNIGAN, MICHELLE	513 E RIVER RD	FIRTH	ID	83236

Water Right Status

Priority Date : 6/27/1983

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	01S	36E	25	1				NW NW BINGHAM	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.01 CFS	1.80 AFA
DOMESTIC	1/01	12/31	0.02 CFS	0.60 AFA
TOTAL			0.02 CFS	2.40 AFA

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (BINGHAM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
01S	36E	25	1		NW	NW	0.3
01S	36E	25	8		NW	NW	0.2

Place of Use Legal Description : DOMESTIC (BINGHAM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
01S	36E	25	1		NW	NW	

Irrigation Totals

Total Acres Acre Limit

0.50

Conditions

Code Conditions

- X35 Right 35-14870 shall not exceed a total diversion volume of 1.75 af/yr for Irrigation or a total diversion volume of 2.35 af/yr.
- R68 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
- R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

- R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- X01 Domestic use is for 1 home.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

Licensed Date :
Decreed Date : 8/18/2005
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 120
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

2/2/2025

Customize

 **Layer List**

Layers

- Administrative Basins
- Irrigation Organizations
- Surface Water PODs
- Ground Water PODs
- ESPA Model Outline
- ESPA Model Grid
- Water Districts
- Surface Water POU's
- Ground Water POU's
- Consumptive Use
- Headgate Requirement
- POD - Applications
- POD - Adjudication Claims
- POD - Adjudication Recommendations
- POD - Permits
- POD - Water Rights
- POU - Applications
- POU - Adjudication Claims
- POU - Adjudication Recommendations
- POU - Permits
- POU - Water Rights

 **Basemap Gallery**

 **Filter**

35-14870

Show search results for 35-14870

River Rd

35-13472

35-13472

35-14870

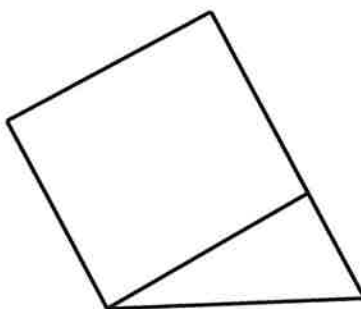
35-14870

WaterRightPous: 35-14870

WaterRightNumber	35-14870
BasinNumber	35
SequenceNumber	14,870
Splitsuffix	
Status	Active
PriorityDate	6/27/1983 1:00 AM
DecreedDate	8/18/2005 1:00 AM
Owner	DAVID BERGGREN
WaterUse	IRRIGATION
WaterUseCode	01
TotalAcres	0.50
AcresLimit	
Source	GROUND WATER
Zone	

0 20 40ft

0121.62 110.000000



2/4/2025

Scale: 1 inch= 150 feet

File:

Tract 1: 0.6823 Acres (29719 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/308642), Perimeter=690 ft.
Tract 2: 0.1940 Acres (8452 Sq. Feet), Closure: s14.4753e 0.01 ft. (1/39155), Perimeter=476 ft.

01 /nw,25,1s,36e
02 /s0.30w 555.72
03 /n89.0601e 72.97
04 /n62.0120e 311.53
05 n62.0120e 180.97
06 s27.5840e 161.40
07 s60.1413w 181.06
08 n27.5840w 167.04
09 @0
10 /nw,25,1s,36e
11 /s0.30w 570.72
12 /n89.0601e 72.97

13 /n87.4732e 353.79
14 n87.5330e 201.13
15 n27.5840w 93.41
16 s60.1413w 181.06



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

February 24, 2025

DAVID PHINNEY
DEBORA RICHARDS
515 E RIVER RD
FIRTH ID 83236-1110

Re: Change in Ownership for Water Right No(s): 35-14870

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT



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

February 4, 2025

DAVID PHINNEY
DEBORAH RICHARDS
515 W RIVER RD
FIRTH ID 83236

RE: Change in Ownership Water Right No. 35-14870

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** The department acknowledges receipt of a Quit Claim Deed 766040 from David William Phinney to David William Phinney and Debora Mae Richards, however the current owner of the water right is David and Angela Berggren, please supply a full chain of title back to the current owners of the water right (copy of the deed from David and Angela Berggren to David William Phinney).

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Baily
Technical Records Specialist

SCANNED
FEB 04 2025