



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

April 09, 2026

****Correction****

DONALD WALTER FREEMAN
250 LAKESHORE DR
AMERICAN FALLS ID 83211-4911

Re: Change in Water Right Ownership: 35-13638 (Split into 35-13638 and 35-14952),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. On April 9, 2026, you contacted the department with concerns about the ownership change split. A copy of the purchase and sale agreement was provided with the application so we were under the impression the update should reflect the number of acres on that document, which was listed as you receiving 2.6 rather than the full 3.3. The purchase and sale agreement is considered a preliminary document and if water rights or a portion of the water right is meant to be withheld it needs to be reflected on the deed, in this case it was not. As pointed out, the deed is silent, and you requested we update the ownership as the deed reads which would cover your entire parcel 3.3 acres instead of the 2.6 as referenced in the purchase and sale agreement. As per your request the Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: RIO PROPERTIES LLC
WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT