

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 16 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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?
29-14576	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: Phillips Brothers Farm & Livestock
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spring Creek Homes, LLC

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

13104 W. Tyhee Rd Pocatello ID 83202
Mailing address City State Zip

208-241-1980 springcreekhomes.nick@gmail.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ 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: August 2026
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.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ 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: [Signature] Owner 8-27-26
Signature of new owner/claimant Title, if applicable Date

Nick Jensen
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by M. Pettis Date 9-16-26 Receipt No. E051917 Receipt Amt. 175.00 (25.00 this App)

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 [Signature] Processed by [Signature] Date 9/17/2026

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402
PTC. 904278.

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Phillips Brothers Farm & Livestock, LLC, an Idaho limited liability company, whose address is 1851 W 600 N, Blackfoot, ID 83221 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **Spring Creek Homes, LLC**, an Idaho limited liability company, whose address is 13104 W Tyhee Rd., Pocatello, ID 83202 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

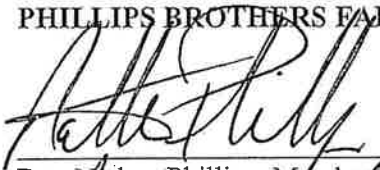
Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

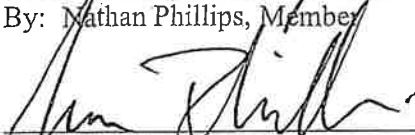
DATED this 3 day of September, 2026.

"GRANTOR"

PHILLIPS BROTHERS FARM & LIVESTOCK LLC



By: Nathan Phillips, Member



By: Jesse Phillips, Member



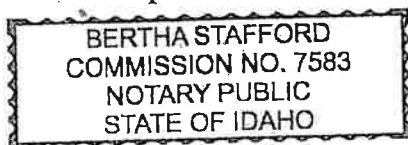
By: Julia Phillips, Member

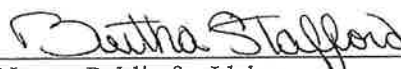


By: Lori Phillips, Member

STATE OF IDAHO)
)ss.
County of Bingham)

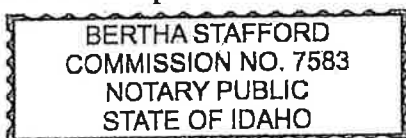
This record was acknowledged before me on the 3rd day of Sept., 2026,
by **Nathan Phillips**.

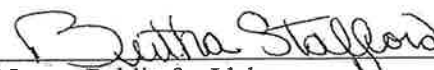



Notary Public for Idaho Residing at Idaho Falls
My Commission Expires: Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

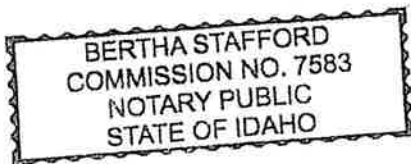
This record was acknowledged before me on the 3rd day of Sept., 2026,
by **Jesse Phillips**.




Notary Public for Idaho Residing at Idaho Falls
My Commission Expires: Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

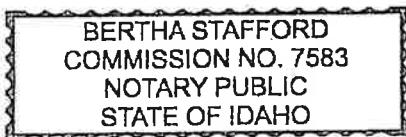
This record was acknowledged before me on the 3rd day of Sept., 2026,
by **Julia Phillips**.



Bertha Stafford
Notary Public for Idaho Residing at Idaho Falls
My Commission Expires: Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

This record was acknowledged before me on the 3rd day of Sept., 2026,
by **Lori Phillips**.



Bertha Stafford
Notary Public for Idaho Residing at Idaho Falls
My Commission Expires: Expires 1/27/2029

EXHIBIT A
WATER RIGHT DESCRIPTION

Page 3 of 4

WATER RIGHT NO. 29-14576

As Modified by Transfer No. 90503

In accordance with the approval of Transfer No. 90503, Water Right No. 29-14576 is now described as follows:

Right Holder: PHILLIPS BROTHERS FARM & LIVESTOCK
1851 W 600 N
BLACKFOOT, ID 83221-5056

Priority Date: 10/15/1974

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
MITIGATION BY NON-USE	04/1	to 10/31	0.070 cfs	20.0 af
			0.070 cfs	20.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County
GROUND WATER	NWSW	Sec 25 Twp 05S Rge 34E	BANNOCK County

PLACE OF USE: MITIGATION BY NON-USE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	34E	25									x								0.0

CONDITIONS OF APPROVAL

1. 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.
2. Right 29-14576 mitigates for the depletion of water resulting from the diversion and use of water under Right 29-14577. To prevent injury to other water right holders, the right holder shall cease diverting water under Right 29-14576, which shall remain un-diverted. If Right 29-14576 is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 29-14577 that are being mitigated shall be reduced by the same proportion as the reduction to this right.
3. This right does not authorize the construction of a well.

Transfer No. 90503

Page 4 of 4

WATER RIGHT NO. 29-14576
As Modified by Transfer No. 90503

CONDITIONS OF APPROVAL

4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

Transfer No. 90503

PARTIAL RELEASE OF MORTGAGE

The Bank of Commerce holds a Mortgage, *Security Agreement, Assignment of Rents and Fixture Filing* recorded as Instrument No. 768991 in the records of Bingham County, Idaho (the "Mortgage"), which encumbers certain farm ground and its appurtenances (including all water rights) owned by Phillips' Brothers Farm & Livestock, LLC located in Bingham County, Idaho. The encumbered property is described as follows:

EXHIBIT A

LEGAL DESCRIPTION OF REAL ESTATE

TOWNSHIP 1 NORTH, RANGE 32 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO

SECTION 33: SOUTHWEST QUARTER

TOWNSHIP 1 SOUTH, RANGE 32, EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO

SECTION 1: SOUTHWEST QUARTER SOUTHEAST QUARTER, SOUTHWEST QUARTER, LOTS 3 AND 4

SECTION 2: SOUTH HALF, LOTS 3 AND 4

SECTION 3: EAST HALF SOUTHEAST QUARTER, LOTS 3 AND 4

SECTION 4: LOT 1

The Bank of Commerce previously consented to the transfer of an 5.0-acre portion of water right appurtenant to the above-described encumbered property to be sold to a third party. The transfer of said 5.0-acre portion has been accomplished, and the Idaho Department of Water Resources has assigned the identification number of 29-14576 to said 5.0-acre water right portion as described in Exhibit 1 attached hereto.

The Bank of Commerce hereby releases from the lien of the Mortgage, Water Right No. 29-14576 as described in Exhibit 1. In all other respects, the Mortgage remains in full force and effect on the above-described property and its appurtenances that is not released.

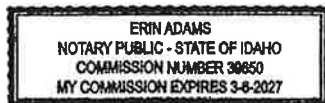
Dated: 15 September, 2026

The Bank of Commerce

By: Wilson Carter
Wilson Carter, Loan Officer

STATE OF IDAHO)
)ss
COUNTY OF BINGHAM)

On This 15 day of September, in the year 2026, before me, a Notary Public in and for said State, personally appeared Wilson Carter, known or identified to me to be the Loan Officer respectively, of the Corporation that executed the within instrument or the person(s) who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Erin Adams
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission expires: 03/06/2027

Instrument # 783593
BINGHAM COUNTY
8-18-2025 11:28:01 AM No. of Pages: 1
Recorded for : 4747 BLM CONTROL RECORDING
PAMELA W. ECKHART
Fee: 16.00
Ex-Officio Recorder Deputy

783593

RETURN RECORDED DOCUMENT TO

Andrew W. Martin, Esq./sl
Equitable AgriFinance, LLC
6300 C Street SW, MS 3B-CR
Cedar Rapids, Iowa 52499

Instrument # 783477

BINGHAM COUNTY, IDAHO
2026-09-10 09:10:36 AM No. of Pages: 3
Recorded for: PIONEER TITLE CO OF BONNEVILLE
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: PARTIAL REL/SAT OF MORTGA
Electronically Recorded by Simplifile

Loan Nos. 60724129 and 60716228

IDAHO DEED OF PARTIAL RELEASE

WHEREAS, Phillips' Brothers Farm & Livestock, LLC, an Idaho limited liability company executed a certain Mortgage, Security Agreement, Assignment of Rents and Fixture Filing unto Equitable Financial Life Insurance Company (hereinafter referred to as "**Lender**") dated the 29th day of April, 2024, recorded in Bingham, Idaho, as Instrument No.: 762013, to secure the payment of a certain Fixed Interest Rate Promissory Note of even date therewith, in the sum of One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00); and

WHEREAS, Phillips' Brothers Farm & Livestock, LLC, an Idaho limited liability company executed a certain Mortgage, Security Agreement, Assignment of Rents and Fixture Filing unto Equitable Financial Life Insurance Company (hereinafter referred to as "**Lender**") dated the 13th day of July, 2016, recorded in Bingham County, Idaho, as Instrument No.: 678010, to secure the payment of a certain Fixed Interest Rate Promissory Note of even date therewith, in the sum of One Million Five Hundred Thousand and No/100 Dollars (\$1,000,000.00).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the said Lender, for valuable consideration unto it paid at the execution and delivery hereof, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the owner or owners thereof, the following described real property in Bingham County, Idaho, to wit:

See attached **Exhibit "A"**

783477

Exhibit "A"

5 acres of Water Right No. 35-7449B, now known as 27-14576



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

September 17, 2026

SPRING CREEK HOMES LLC
13104 W TYHEE RD
POCATELLO ID 83202-5112

Re: Change in Ownership for Water Right No(s): 29-14576

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 208-525-7161.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)
Cc: Water District 120