

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 23 2019

DEPARTMENT OF
WATER RESOURCES

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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-12343	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-2763	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Truman or Louise Newbry
Name of current water right holder/claimant Michael H. Bergery, Maite R. Ceja,
3. New Owner(s)/Claimant(s): JOE DAVID BERGERY, CHRISTY JAWN BERGERY
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5503 N. MARCLIFFE AVE. Boise ID 83704
Mailing address City State ZIP
- (208) 761-1102 JBERGERY@CABLEONE.NET
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: 7-24-19
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
☒ \$25 per undivided water right.
☐ \$100 per split water right.
☐ 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: Christy Jawn Bergery Title, if applicable _____ Date _____
Signature of new owner/claimant
- Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

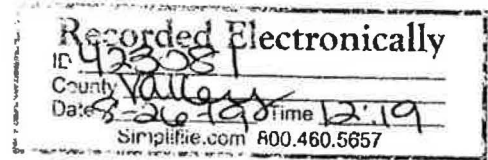
For IDWR Office Use Only:

Received by [Signature] Date 10/23/19 Receipt No. C107803 Receipt Amt. 50

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 _____ Processed by [Signature] Date 10-24-19

ACCOMMODATION



AFTER RECORDING MAIL TO:

Space Above This Line for Recorder's Use Only

QUITCLAIM DEED

Date: 8/21/19

For Value Received

Michael H. Bergey, a single person and Mayra Rubi Ceja, a single person

do(es) hereby convey, release, remise, and forever quit claim unto
Michael H. Bergey, a single person and Mayra Rubi Ceja, a single person and Joe
David Bergey and Christy Joann Bergey, husband and wife
whose address is ,

4070 S. Constitution Way, Boise, ID 83706

herein after called the Grantee, the following described premises situated in

County, Idaho, to-wit:

LOT 5A-70, OF CR-5 SUBDIVISION CASCADE RESERVOIR ACCORDING TO THE OFFICIAL
PLAT IN THE OFFICE OF THE RECORDER, VALLEY COUNTY, IDAHO, RECORDED JUNE 11,
1963 AS INSTRUMENT NO. 59993, IN BOOK 2 OF PLATS, AT PAGE 52.

together with its appurtenances.

Michael H. Bergey

Mayra Rubi Ceja

STATE OF Idaho)
COUNTY OF Ada)
ss.

On this 21st of August, before me, a Notary Public in and for said State, personally appeared Mayra Ceja, 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



Notary Public of Idaho

Residing at: Borise, Idaho

Commission Expires: 01/29/21

Instrument # 423081

VALLEY COUNTY, CASCADE, IDAHO

08-26-2019 12:19:57 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE - MCCALL

DOUGLAS A. MILLER Fee: \$15.00

Ex-Officio Recorder Deputy: CW

Electronically Recorded by Simplifile

ACCOMMODATION

AFTER RECORDING MAIL TO:

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Instrument # 423452

VALLEY COUNTY, CASCADE, IDAHO
09-11-2019 11:29:45 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - MCCALL
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: CW
Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
616 North 3rd Street Suite 101
McCall, ID 83638

Space Above This Line for Recorder's Use Only

WARRANTY DEED

******This Deed is being recorded to correct Grantor Vesting on Warranty
Deed recorded 08/14/19 as Instrument No. 422767******

File No.: 778935-MC (sk)

Date: July 24, 2019

For Value Received, Don Cunningham, also known as Donald P. Cunningham and Abby LaChance Cunningham, who acquired title as Abby AaChance Cunningham, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Michael H. Bergey, a single person and Mayra Rubi Ceja, a single person, hereinafter called the Grantee, whose current address is 4070 S. Constitution Way, Boise, ID 83706, the following described premises, situated in Valley County, Idaho, to-wit:

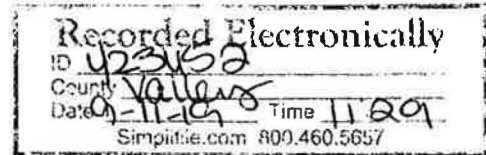
**LOT 5A-70, OF CR-5 SUBDIVISION CASCADE RESERVOIR ACCORDING TO THE OFFICIAL
PLAT IN THE OFFICE OF THE RECORDER, VALLEY COUNTY, IDAHO, RECORDED JUNE 11,
1963 AS INSTRUMENT NO. 59993, IN BOOK 2 OF PLATS, AT PAGE 52.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
616 North 3rd Street Suite 101
McCall, ID 83638



Space Above This Line for Recorder's Use Only

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LOT 5A-70, OF CR-5 SUBDIVISION CASCADE RESERVOIR ACCORDING TO THE OFFICIAL PLAT IN THE OFFICE OF THE RECORDER, VALLEY COUNTY, IDAHO, RECORDED JUNE 11, 1963 AS INSTRUMENT NO. 59993, IN BOOK 2 OF PLATS, AT PAGE 52.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 07/24/2019

Warranty Deed
- continued

File No.: 778935-MC (sk)


Don Cunningham


Abby LaChance Cunningham

STATE OF Idaho

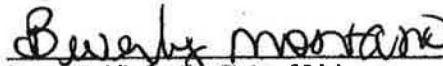
)
ss.

COUNTY OF Ada

)

On this 9/9/2019 before me, a Notary Public in and for said State, personally appeared **Don Cunningham and Abby LaChance Cunningham**, 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.





Notary Public for the State of Idaho

Residing at: Boise

My Commission Expires: 12/19/20

Instrument # 376560

VALLEY COUNTY, CASCADE, IDAHO

4-2-2013 02:51:54 No. of Pages: 1

Recorded for : DONALD CUNNINGHAM

ARCHIE N. BAMBURY

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

Fee: 18.00

Archie N. Bambury

QUITCLAIM DEED

FOR VALUE RECEIVED, Carol E. Cunningham does hereby convey, release, remise and forever quit claim unto Donald P. Cunningham whose current address is:

3401 N. Sycamore Dr. Boise, ID

The following described premises:

Property located on Cascade Reservoir on Arling Trail Rd. West Mountain. No structure on property.

[Legal Description]

Lot 70, Block A, CRS Subdivision
PIN: RP00500000700

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 03/25/2013

By: Carol E. Cunningham

[Grantor's Name]

State of Idaho ID)

) S.S.

County of ADA)

On this 25TH day of MARCH, in the year 2013, before me
Donald P. Cunningham, personally appeared Carol E. Cunningham who acknowledged to me on the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument, and acknowledged that he(he)(they) executed the same.



Notary Public

My Commission Expires on 03/04/2019

QUITCLAIM DEED

For Value Received

T.C. NEWBRY aka TRUMAN C. NEWBRY, a widower

do hereby convey, release, remise and forever quitclaim unto

CAROL CUNNINGHAM

whose current address is

120 N. HARRELL ST., BOISE, ID 83706

the following described premises, to-wit:

IN VALLEY COUNTY, IDAHO:

Lot 70, Block 5A in Amended CR-5 Subdivision in Valley County, Idaho.

REQUESTED BY
RECORDED

99 DEC 2 AM 11 16

TYPE: Quit
LELAND HENRICH
VALLEY COUNTY RECORDER
BY: J. Henrich
FEE: 3.00

244502

together with their appurtenances.

Dated: DECEMBER 1, 1999

T.C. Newbry
T.C. NEWBRY

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 1st day of DECEMBER, 19 99,
before me, a notary public in and for the said State, personally appeared

T.C. NEWBRY

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Residing at
Comm. Expires

WEISER
11/4/2003

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$
Mail to:

INSTRUMENT No.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 24, 2019

JOE DAVID BERGEY
MICHAEL H BERGEY
CHRISTY JOANN BERGEY
MAYRA RUBI CEJA
5503 N MARCLIFFE AVE
BOISE ID 83704-2055

Re: Change in Ownership for Water Right No(s): 65-2763 & 65-12343

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 65