

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 22 2024

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
74-328-B ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-744 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jerome C. and Muriel M. Roach
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David Bergey
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- P.O. Box 602 Salmon ID 83467
Mailing address City State Zip
- 208-559-7818 bergeydave@yahoo.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: December 8, 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ 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):
☐ \$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.

SUPPORT DATA

IN FILE # 74-328B

8. Signature: David Bergey January 18 2024
 Signature of new owner/claimant Title, if applicable Date
David Bergey
 Print name

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

 Print name

Received by KM Date 1.22.24 For IDWR Office Use Only: Receipt No. C117675 Receipt Amt. \$50.00
 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 DM Processed by DM Date 1-29-24

23489637 TC

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by KEVIN J. ROACH as Personal Representative of the Estates of MURIEL M. ROACH and JEROME C. ROACH, deceased, Grantor, to DAVID BERGEY, a single man, whose mailing address is 19 Three Mile Lane, Salmon, Idaho, 83467, Grantee;

WHEREAS, pursuant to an Order of the Magistrate's Court of Lemhi County, Idaho, in the estate of the above-named deceased, filed as Lemhi County Case No. CV30-22-0182, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaim, transfer, and convey to Grantee DAVID BERGEY, a real property and the improvements thereon, real property lying in Salmon, County of Lemhi, state of Idaho, more particularly described as:

SEE ATTACHED EXHIBIT A

with all thereto appurtenances and subject to all easements and restrictions of record.

EXECUTED this 6 day of December, 2023.

Kevin J. Roach PERSONAL REPRESENTATIVE
KEVIN J. ROACH
Personal Representative of the Estates of
Muriel M. Roach and Jerome C. Roach

STATE OF Idaho)
County of Adams)ss

On this 6 day of December, 2023, before me, the undersigned, a notary public in and for said state, personally appeared KEVIN J. ROACH, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estates of MURIEL M. ROACH and JEROME C. ROACH, deceased, and acknowledged to me that he executed the same as Personal Representative.

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



Patricia Mackey
NOTARY PUBLIC FOR Idaho
My Commission Expires: 10-27-29

PERSONAL REPRESENTATIVES DEED

EXHIBIT A

T-3171

A PARCEL OF LAND LOCATED IN NE4NW4 AND NW4NE4 SECTION 23
T. 21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23 A
DISTANCE OF 1313.85 FEET ON A BEARING OF S. 89 DEGREES 40' 32"
E. ALONG THE SECTION LINE; THENCE S. 0 DEGREES 02' 36" E.
548.40 FEET TO THE SOUTH BOUNDARY OF THE OLD SCHOOLHOUSE
PROPERTY AND BEING THE REAL POINT OF BEGINNING

THENCE S. 0 DEGREES 02' 36" E. 778.20 FEET;

THENCE S. 89 DEGREES 42' 09" E. 1313.95 FEET;

THENCE N. 88 DEGREES 08' 59" E. 178.22 FEET TO A POINT IN
THE CENTER OF THE OLD STATE HIGHWAY NO. 28;

THENCE N. 51 DEGREES 38' 06" W. 1618.78 FEET ALONG THE
CENTER OF SAID OLD HIGHWAY;

THENCE S. 44 DEGREES 44' 18" W. 317.40 FEET ALONG THE OLD
SCHOOLHOUSE PROPERTY TO THE REAL POINT OF BEGINNING.

LESS: T-5064

A PORTION OF THE NORTHEAST QUARTER NORTHWEST
QUARTER SECTION 23, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI
COUNTY IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION
23 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 23 BEARS
S. 89° 40' 32" E., 5273.78 FEET THE BASIS OF BEARING OF THIS
DESCRIPTION; RUN THENCE S. 89° 40' 32" E. ALONG THE NORTHERN
LINE OF SAID SECTION 23, 1318.41 FEET TO THE WEST 1/16TH OF SAID
SECTION 23 AND 14, THENCE S. 00° 13' 31" W. ALONG THE WESTERLY
LINE OF THE NORTHEAST QUARTER NORTHWEST QUARTER SAID
SECTION 23, 545.00 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID WESTERLY LINE N. 44° 23' 57" E., 303.00
FEET;

THENCE S. 50° 49' 26" E., 3.24 FEET TO A POINT THAT IS ON AN
EXISTING FENCE LINE EXTENDED.

THENCE S. 44° 42' 13" W. ALONG SAID FENCE LINE, 304.95 FEET TO
A POINT ON THE WESTERLY LINE OF SAID NORTHEAST QUARTER
NORTHWEST QUARTER SAID SECTION 23;

THENCE N. 00° 13' 31" E. ALONG SAID WESTERLY LINE, 2.30 FEET
TO THE POINT OF BEGINNING.

THIS DOES NOT CONSTITUTE A SEPARATE BUILDING PARCEL
AND IS TO BE PERMANENTLY ATTACHED TO THE ADJOINING LAND
WEST OF THE ABOVE DESCRIBED PARCEL.

Initial Y-KR

State of Idaho
Department of Water Resources

Water Right

74-328B

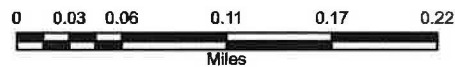
IRRIGATION

#19 Three Mile Ln.
Salmon, Id.

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 1/18/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



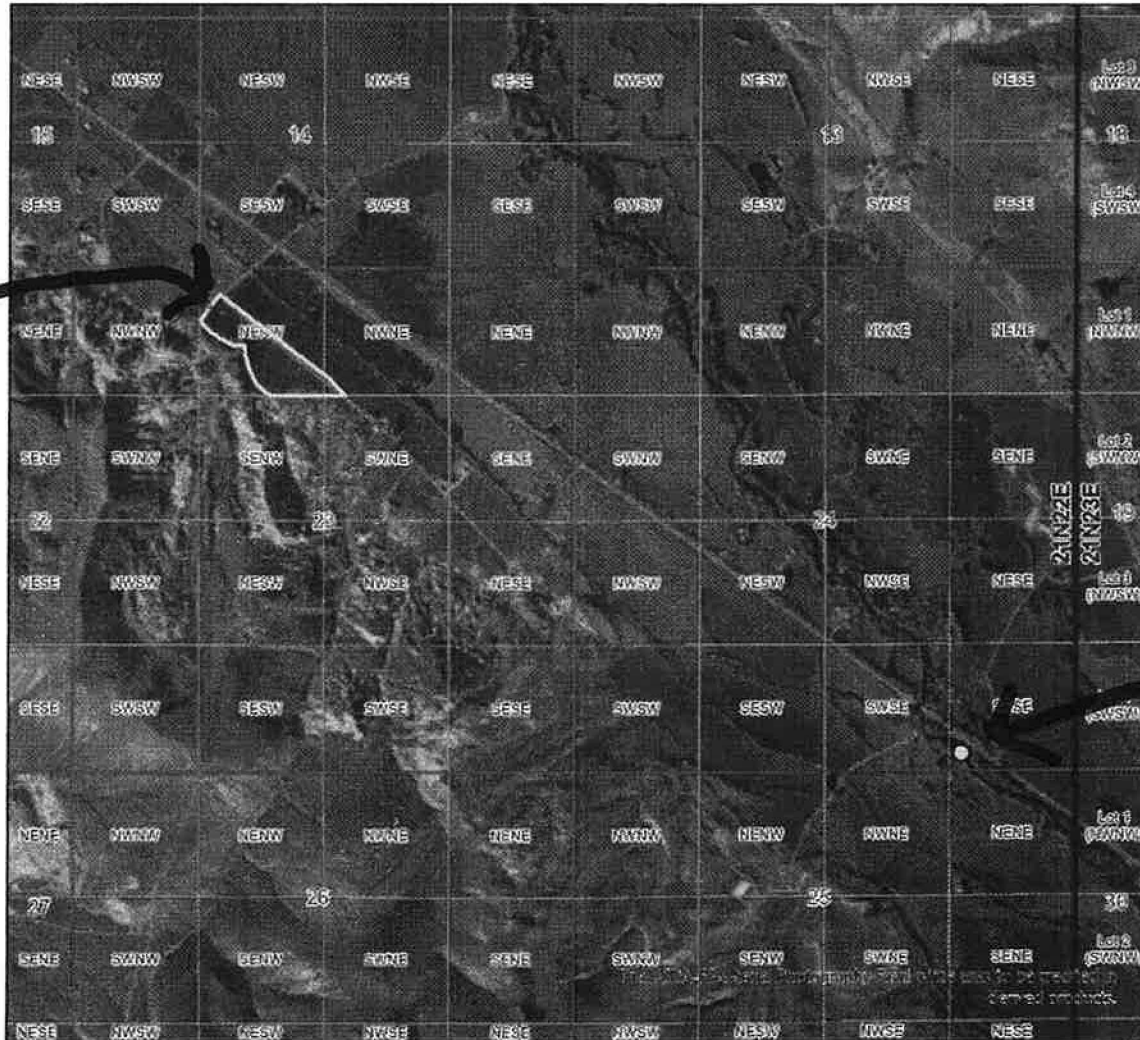
State of Idaho
Department of Water Resources

Water Right

74-328B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 1/18/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



19 3 Mile Lays
Salmon, Id.
place of use.
T21N, R22E,
Sec 23 NW, NE. 12 acres
T21N, R22E
Sec 23 NE NW. 13 acres
(12.5 allowed)

point of
diversion @ Lemhi R.
T21N, R22E, Sec 24
SE, SE.



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 30, 2024

DAVID BERGEY
PO BOX 602
SALMON ID 83467-0602

Re: Change in Ownership for Water Right No(s): **74-328B, 74-744**

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/29/2024

Water Right 74-328B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID BERGEY PO BOX 602 SALMON, ID 83467-0602 (208) 559-7818
Original Owner	BETTY L BROCK BURNHAM 10522 HARTFORD AVE OROFINO, ID 83544 (208) 476-5717
Original Owner	L C BURNHAM 10522 HARTFORD AVE OROFINO, ID 83544 (208) 476-5717
Previous Owner	MURIEL M ROACH PO BOX 28 COUNCIL, ID 83612-0028 (208) 756-4490
Previous Owner	JEROME C ROACH PO BOX 28 COUNCIL, ID 83612-0028 (208) 756-4490

Priority Date: 6/9/1875

Basis: Decreed

Status: Active

Source
LEMHI RIVER

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.500 CFS	
	<u>Total Diversion</u>		0.500 CFS	

Source and Point(s) of Diversion:

LEMHI RIVER SESE Sec. 24, Twp 21N, Rge 22E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI 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	

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/29/2024

21N	22E	23	1.0	12.0															13.0
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POU Total Acres: 13.0

Conditions of Approval:

1. E64 This right authorizes the irrigation of 12.5 total acres.
2. 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.

Dates and Other Information:

Decreed Date: 7/9/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 74
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/29/2024

Water Right 74-744

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID BERGEY PO BOX 602 SALMON, ID 83467-0602 (208) 559-7818
Original Owner	BETTY L BROCK BURNHAM 10522 HARTFORD AVE OROFINO, ID 83544 (208) 476-5717
Original Owner	L C BURNHAM 10522 HARTFORD AVE OROFINO, ID 83544 (208) 476-5717
Previous Owner	MURIEL M ROACH PO BOX 28 COUNCIL, ID 83612-0028 (208) 756-4490
Previous Owner	JEROME C ROACH PO BOX 28 COUNCIL, ID 83612-0028 (208) 756-4490

Priority Date: 6/1/1900

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

DOMESTIC

From

1/01

To

12/31

Diversion Rate

0.040 CFS

Volume

Total Diversion

0.040 CFS

Source and Point(s) of Diversion:

GROUND WATER

NENW

Sec. 23, Twp 21N, Rge 22E, LEMHI County

Place Of Use:

DOMESTIC within LEMHI County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/29/2024

21N	22E	23						X											
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Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP21N22E232401A

Dates and Other Information:

Decreed Date: 8/25/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

RECEIVED

JAN 22 2024

DEPARTMENT OF
WATER RESOURCES

1-19-24

To Whom it may concern:

Please find enclosed the form "Change in Water Right Ownership" pertaining to property I purchased from the Roach Estate in Salmon, Idaho.

Included are (1) Form 42-248

(2) 2 aerial photo copies showing legal & place of use & diversion point.

(3) Warranty deed showing my ownership

(4) 50 \$ check # 101 for the 2 water right transfers.
(Surface water & drinking well water)

Please call me if there are any questions,

Respectfully,

David Bergex

208-559-7818

permanent mail address: David Bergex
P.O. Box 602
Salmon, Idaho
83467