

RECEIVED

SEP 18 2014

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

- WATER RESOURCES WESTERN 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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| PD 67-11159           | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Charles H Daniels and Rebecca Daniels  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Diana Hengerer  
Name of each new owner as listed on the conveyance document
- New owner continued Name connector ☐ and ☐ or ☐ and/or
- 18119 Pilkington Road  
Mailing address
- Lake Oswego OR 97035  
City State ZIP
- 503-968-7662 dianamt@comcast.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: September 12, 2014
6. 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.

7. Signature: Diana Hengerer 9/12/2014  
Signature of new owner/claimant Title, if applicable Date
- Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by BS Date 9/18/14 Receipt No. W047517 Receipt Amt. 25.00  
Approved by BS Processed by BS Date 10/15/14

Form 42-248/42-1409(6) Rev. 07/10

**COPY**

#14-1262

EXHIBIT 'A'

Parcel 1

A tract or parcel of land located in the E1/2NW1/4SW1/4 of Section 28, Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho, more particularly described as follows: Beginning at a point common to Sections 28, 29, 32 and 33, thence north on and along the section line common to Sections 28 and 29, a distance of 1980 feet; Thence East at right angles a distance of 660 feet to the POINT OF BEGINNING; Thence continuing east on the said line a distance of 208 feet to a point; Thence north at right angles and parallel to the above mentioned section line, a distance of 208 feet to a point; Thence westerly at right angles a distance of 208 feet to a point; Thence southerly at right angles a distance of 208 feet more or less to the POINT OF BEGINNING.

Parcel 2

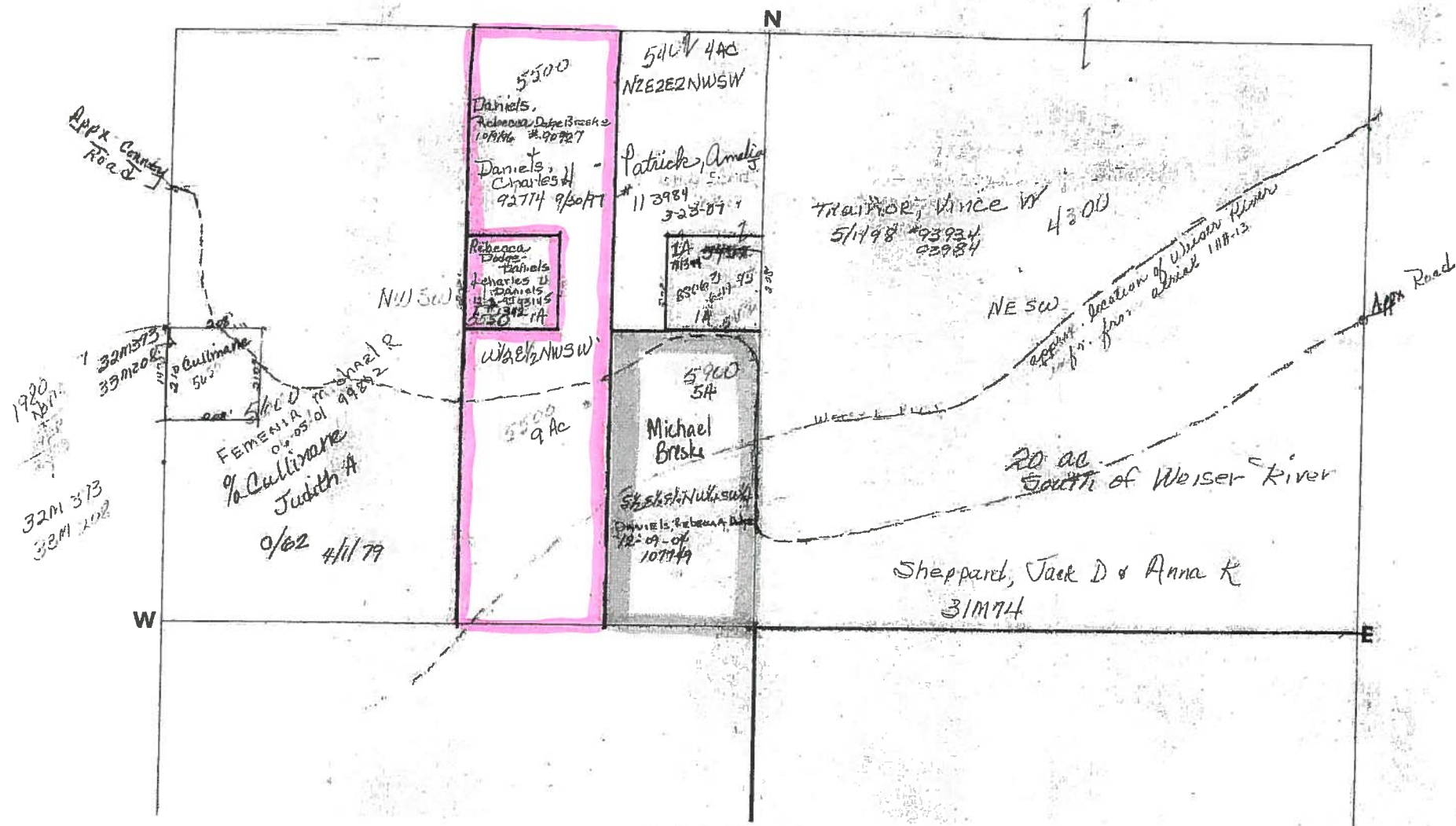
Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 28: W1/2E1/2NW1/4SW1/4

EXCEPTING THEREFROM the following parcel:

A tract or parcel of land located in the E1/2NW1/4SW1/4 of Section 28, Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho, more particularly described as follows: Beginning at a point common to Sections 28, 29, 32 and 33, thence north on and along the section line common to Sections 28 and 29, a distance of 1980 feet; Thence East at right angles a distance of 660 feet to the POINT OF BEGINNING; Thence continuing east on the said line a distance of 208 feet to a point; Thence north at right angles and parallel to the above mentioned section line, a distance of 208 feet to a point; Thence westerly at right angles a distance of 208 feet to a point; Thence southerly at right angles a distance of 208 feet more or less to the POINT OF BEGINNING. SUBJECT TO the right-of-way for the County road known as Jackson Creek Road as now established.

**B.M.**



STATE OF IDAHO     )  
                              : ss  
COUNTY OF ADAMS    )

**COPY**

REBECCA DODGE DANIELS, aka REBECCA DODGE BRESKE DANIELS, being first duly sworn upon oath, says that:

- a. She is now and has been a resident of Council, Adams County, Idaho, for 37 years.
- b. She makes this Affidavit with personal knowledge of the facts herein stated and for the purpose of inducing the First American Title Insurance Company to issue title insurance on the following described premises: SEE ATTACHED EXHIBIT "A"
- c. She was personally acquainted with CHARLES H. DANIELS, aka CHARLES HENRY DANIELS, during his lifetime.
- d. CHARLES H. DANIELS, aka CHARLES HENRY DANIELS, died in Ada County, State of Idaho, City of Boise, on the 23<sup>rd</sup> day of July, 2007. (A copy of the death certificate is attached)
- e. At the time of his death, CHARLES H. DANIELS, aka CHARLES HENRY DANIELS, was a resident of the City of Council, County of Adams, State of Idaho.
- f. At the time of his death, CHARLES H. DANIELS, aka CHARLES HENRY DANIELS, was married to REBECCA DODGE DANIELS, aka REBECCA DODGE BRESKE DANIELS, and had been continuously so married from the 13 day of June, 1980.
- g. At the time of his death, CHARLES H. DANIELS, aka CHARLES HENRY DANIELS, in addition to his spouse, was survived by the following heirs:

| Name of Heir  | Relationship | Residence | Age |
|---------------|--------------|-----------|-----|
| Wendy Daniels | daughter     | Id Fall   | 56  |
| Judy Davidson | "            | Lewiston  | 54  |
| Jame Daniels  | son          | Councils  | 48  |
- h. At the time of his death, decedent's entire estate was of the approximate value of \$ 112,000<sup>00</sup>. Known creditors at the time of his death:

**Instrument # 127222**

COUNCIL, ADAMS, IDAHO

9-12-2014 04:46:01 No. of Pages: 4

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: AFFIDAVIT

(Fee: 19.00)

*Sharon H. Young*

AFFIDAVIT IN LIEU OF ADMINISTRATION

Page Two

- i. All the debts of the decedent and/or the marital community, including but not limited to, all expenses of decedent's last illness, funeral and burial and all applicable federal and state succession or inheritance taxes, have been fully paid, except as follows: *n/a*

- j. That all of the herein described real property was owned by the affiant was community property

*Rebecca Dodge Daniels*  
REBECCA DODGE DANIELS, aka  
REBECCA DODGE BRESKE DANIELS

STATE OF IDAHO                    )  
                                              : ss  
COUNTY OF ADAMS                )

On this *12<sup>th</sup>* day of September, 2014, before me a Notary Public in and for said State, personally appeared REBECCA DODGE DANIELS, aka REBECCA DODGE BRESKE DANIELS known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

*Karen L. Amidon*  
Notary Public for Idaho  
Residing at: *Cambridge, ID*  
Commission expires: *6.26.2015*

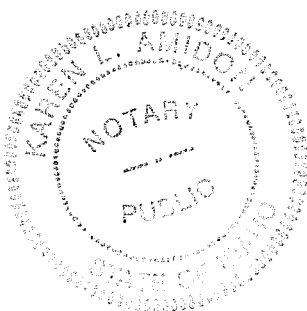


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Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 28: W1/2E1/2NW1/4SW1/4

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SUBJECT TO the right-of-way for the County road known as Jackson Creek Road as now established.

**STATE OF IDAHO**  
**CERTIFICATION OF VITAL RECORD**

**STATE OF IDAHO**  
IDAHO DEPARTMENT OF HEALTH AND WELFARE  
BUREAU OF HEALTH POLICY AND VITAL STATISTICS  
**CERTIFICATE OF DEATH**

Date Filed JULY 26, 2007

State File No. 2007-05803

|                                                                                                                                |                                      |                                                                             |                                                      |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------|------------------------------------------------------|
| DECEDENT - LEGAL NAME<br><b>CHARLES HENRY DANIELS</b>                                                                          |                                      |                                                                             |                                                      |
| SEX<br><b>MALE</b>                                                                                                             | SOCIAL SECURITY NUMBER<br>[REDACTED] | AGE<br><b>74 YEARS</b>                                                      | DATE OF BIRTH<br><b>DECEMBER 23, 1932</b>            |
| BIRTHPLACE<br><b>RIRIE, IDAHO</b>                                                                                              |                                      | PLACE OF RESIDENCE<br><b>COUNCIL, IDAHO</b>                                 |                                                      |
| MARITAL STATUS AT TIME OF DEATH<br><b>MARRIED</b>                                                                              |                                      | NAME OF SURVIVING SPOUSE (If wife, maiden name)<br><b>REBECCA ANN DODGE</b> | WAS DECEDENT EVER IN U.S. ARMED FORCES?<br><b>NO</b> |
| FATHER - NAME<br><b>LEWIS H. DANIELS</b>                                                                                       |                                      |                                                                             | BIRTHPLACE<br><b>IDAHO</b>                           |
| MOTHER - MAIDEN NAME<br><b>HAZEL FLORENCE HATFIELD</b>                                                                         |                                      |                                                                             | BIRTHPLACE<br><b>UTAH</b>                            |
| METHOD OF DISPOSITION<br><b>CREMATION</b>                                                                                      |                                      | FUNERAL SERVICE LICENSEE<br><b>RANDY J. ARNZEN</b>                          |                                                      |
| NAME AND ADDRESS OF FUNERAL FACILITY<br><b>THOMASON FUNERAL HOME, INC., WEISER, IDAHO</b>                                      |                                      |                                                                             |                                                      |
| DATE OF DEATH<br><b>JULY 23, 2007</b>                                                                                          | TIME OF DEATH<br><b>11:00 P.M.</b>   | CITY, TOWN OR LOCATION OF DEATH<br><b>BOISE, IDAHO</b>                      | COUNTY OF DEATH<br><b>ADA</b>                        |
| CAUSE OF DEATH (underlying cause last)<br>a. [REDACTED]                                                                        |                                      |                                                                             | Approximate Interval Between Onset and Death         |
| DUE TO (or as a consequence of):<br>b. [REDACTED]                                                                              |                                      |                                                                             |                                                      |
| DUE TO (or as a consequence of):<br>c. [REDACTED]                                                                              |                                      |                                                                             |                                                      |
| DUE TO (or as a consequence of):<br>d. [REDACTED]                                                                              |                                      |                                                                             |                                                      |
| OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above<br><b>NONE STATED</b> |                                      |                                                                             | WAS AN AUTOPSY PERFORMED?<br><b>NO</b>               |
| MANNER OF DEATH<br><b>NATURAL</b>                                                                                              |                                      | NAME OF CERTIFIER<br><b>TANYA SOON LEE KRAFFT, M.D.</b>                     | TITLE<br><b>PHYSICIAN</b>                            |
| CORONER SUBSEQUENT CERTIFICATION IF NECESSARY                                                                                  |                                      |                                                                             |                                                      |
| EXTERNAL CAUSES ONLY                                                                                                           |                                      |                                                                             |                                                      |
| DATE OF INJURY                                                                                                                 | TIME OF INJURY                       | PLACE OF INJURY                                                             | INJURY AT WORK?                                      |
| LOCATION WHERE INJURY OCCURRED                                                                                                 |                                      |                                                                             |                                                      |
| DESCRIPTION OF HOW INJURY OCCURRED                                                                                             |                                      |                                                                             |                                                      |

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.



DATE ISSUED: AUGUST 06, 2007

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

*Jane S. Smith*  
**JANE S. SMITH**  
STATE REGISTRAR





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

October 16, 2014

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

DIANA HENGERER  
18119 PILKINGTON RD  
LAKE OSWEGO, OR 97035

RE: Notice of Ownership Change in Water Right No: **67-11159**

Dear Applicant:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Thank you for your patience and cooperation. If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Brooke Barton  
Office Specialist II  
Western Regional Office

Enclosures