

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JUN - 9 2025

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?
87-10231	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: Richard Benson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Richard H. Benson and Marsha L. Benson Revocable Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

545 Onaway Rd. Onaway ID 83855
Mailing address City State Zip

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: 6/27/1906
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] Trustee 5/2/25
Signature of new owner/claimant Title, if applicable Date

Print name

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

Print name

For IDWR Office Use Only:

Received by MB Date 6/9/25 Receipt No. N045449 Receipt Amt. \$25⁰⁰
 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 MB Date 6/9/25

Instrument # 639699

MOSCOW, LATAH, IDAHO

5-12-2025 02:16:00 PM No. of Pages: 2

Recorded for : WESTBERG ROEPKE MOORE

JULIE FRY

Fee: 15.00

Ex-Officio Recorder Deputy: 

Index to: PERSONAL REP DEED

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by NICHOLE D. HEMPEL, as personal representative of the Estates of RICHARD HENRY BENSON, a/k/a RICHARD H. BENSON, and MARSHA LEA BENSON, husband and wife, both deceased, Grantor, to NICHOLE D. HEMPEL as Trustee of THE RICHARD H. BENSON AND MARSHA L. BENSON REVOCABLE LIVING TRUST, whose current address is 545 Onaway Rd., Onaway, ID, Grantee;

WHEREAS, NICHOLE D. HEMPEL is the qualified personal representative of said estate, filed as Case No. CV29-24-0735, in the Second Judicial District of the State of Idaho, Latah County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property situated in the County of Latah, State of Idaho, to wit:

Block 3 Neuman's Addition to the Town of Onaway, as shown by the recorded plat thereof.

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 4, Neuman's Addition to the Town of Onaway, as shown by the recorded plat thereof.

TOGETHER WITH

Water Right 87-10231

Priority Date 6/27/1906

T41N R04W S06 Lot 4 (NWNW) Latah County

TOGETHER WITH all tenements, hereditaments, and appurtenances thereto belonging.

EXECUTED this 2nd day of May, 2025.



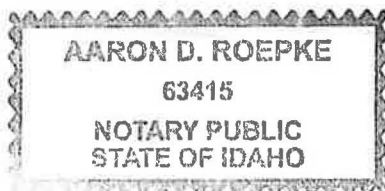
NICHOLE D. HEMPEL,
Personal Representative of the
Estates of RICHARD HENRY BENSON,
a/k/a RICHARD H. BENSON, and MARSHA LEA BENSON,
husband and wife, both deceased.

STATE OF IDAHO)
: ss
COUNTY OF LATAH)

On this 2nd day of May, 2025, before me, the undersigned, a notary public in and for said state, personally appeared NICHOLE D. HEMPEL, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of RICHARD HENRY BENSON, a/k/a RICHARD H. BENSON, and MARSHA LEA BENSON, husband and wife, both deceased, and acknowledged to me that she executed the same as such Personal Representative.

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

(seal)




NOTARY PUBLIC
Residing at: MOSCOW ID
My Commission Expires: 4/10/2026

W + R + M

Westberg Roepke Moore

An Idaho Professional Limited Liability Company

Attorneys and Counselors at Law

**Licensed in ID, WA & CO

*Licensed in ID & WA

530 South Asbury St., #2

Moscow, ID 83843

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**Aaron D. Roepke: aroepke@wrp-law.com

*Cody R. Moore: cmoore@wrp-law.com

*Zachary B. Cooper: zcooper@wrp-law.com

June 4, 2025

RECEIVED

JUN - 9 2025

IDWR / NORTH

IDWR Northern Region
7600 N Mineral Dr., Ste 100
Coeur d'Alene, ID 83815-7763

RE: Notice of Change in Water Right Ownership

To Whom It May Concern:

Enclosed for processing, please find a Notice of Change in Water Right Ownership form for water right number 87-10231 and a copy of the Personal Representative's Deed transferring the real property in question from the Estates of Richard Henry Benson and Marsha Lea Benson to The Richard H. Benson and Marsha L. Benson Revocable Living Trust.

I have also enclosed a check in the amount of \$25.00 for the filing fee.

If you need anything further to process this request, please contact me.

Sincerely,

WESTBERG ROEPKE MOORE, PLLC



Aaron D. Roepke, Attorney

ADR/mlh
Enclosures



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763

Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

June 09, 2025

THE RICHARD H BENSON AND
MARSHA L BENSON REVOCABLE LIVING TRUST
545 ONAWAY RD
ONAWAY ID 83855-5010

Re: Change in Ownership for Water Right No.: 87-10231

Dear Water Right Holder:

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) 762-2800.

Sincerely,

Micki Bowman
Administrative Assistant 1

Enclosure(s)