

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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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.

PD

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
63-28423	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Hugo Eberhard, Con Zeyer
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eberhard Farm LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---------------------------|---|-------------|--------------|
| <u>577 West 250 South</u> | <u>Farmington</u> | <u>Utah</u> | <u>84025</u> |
| Mailing address | City | State | ZIP |
| <u>303-910-4110</u> | <u>keith.eberhard@msn.com, wyennlin@msn.com</u> | | |
| 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: November 28, 2007
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

8. Signature: Wyenn Z. Eberhard Manager April 5, 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 C. Nye Date 4/10/14 Receipt No. W042008 Receipt Amt. 25⁰⁰
Approved by [Signature] Processed by [Signature] Date 9/9/14

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RECORDED

WATER RESOURCES
WESTERN REGION

When Recorded Return To:

Paul W. Hess
Strong & Hanni
3 Triad Center, Suite 500
Salt Lake City, Utah 84180

2008 JAN 7 PM 2 24

WILLIAM H. HURST
CANYON COUNTY RECORDER

Send Tax Notices To:

Eberhard Farm, LLC
577 West 250 South
Farmington, Utah 84025

BY [Signature]
REQUEST Strong & Hanni
TYPE Deed FEE 12

Parcel Nos. 7R28329 000 0
7R28341 000 0

QUITCLAIM DEED

THIS INDENTURE, made this 28 day of November, 2007, by and between WYNN L. EBERHARD, KEITH N. EBERHARD, aka Keith H. Eberhard, and Keith Eberhard and Wynn L. Eberhard, as Successor Co-Trustees of the HUGO EBERHARD LIVING TRUST, under agreement dated January 15, 1990 (collectively, "**Grantors**"); and Eberhard Farm, LLC, a Utah limited liability company, with a mailing address of 577 West 250 South, Farmington, Utah 84025 ("**Grantee**").

WITNESSETH:

That Grantors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to them in hand paid by Grantee, the receipt whereof is hereby acknowledged, do by these presents convey, remise, release and forever QUITCLAIM, unto the said Grantee, and to its successors and assigns all those certain lots, pieces, or parcels of land situated, lying, and being in the County of Canyon, State of Idaho, bounded and particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances unto the Grantee, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

HUGO EBERHARD LIVING TRUST,
DATED JANUARY 15, 1990

By: Keith H. Eberhard
Keith H. Eberhard,
Successor Co-Trustee

Keith Eberhard
Keith Eberhard

By: Wynn L. Eberhard
Wynn L. Eberhard,
Successor Co-Trustee

Wynn L. Eberhard
Wynn L. Eberhard

STATE OF COLORADO)
) ss.
COUNTY OF Boulder)

On this 28 day of NOVEMBER, 2007, before me, the undersigned, a Notary Public in and for the State of Colorado, personally appeared Wynn L. Eberhard, individually and in his capacity as a Successor Co-Trustee of the Hugo Eberhard Living Trust, under agreement dated January 15, 1990, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

STATE OF UTAH)
) ss.
COUNTY OF Davis)

Matthew T. Ackerman
Notary Public
MATTHEW T. ACKERMAN
NOTARY PUBLIC
STATE OF COLORADO

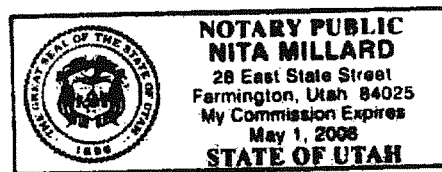
My Commission Expires
07/26/2011

On this 6 day of November, 2007, before me, the undersigned, a Notary Public in and for the State of Utah, personally appeared Keith H. Eberhard, individually and in his capacity as a Successor Co-Trustee of the Hugo Eberhard Living Trust, under agreement dated January 15, 1990, known or identified to me to be the

person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Nita Millard
Notary Public



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EXHIBIT A

LEGAL DESCRIPTION

Parcel I

BEGINNING at a point 25 feet East of the North Quarter corner of Section 24, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East 1345 feet to a point 50 feet East of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 24; thence

South 1320 feet to a point 50 feet East of the Southwest corner of said Northeast Quarter of the Northeast Quarter of Section 24; thence

West 1345 feet to a point 25 feet East of the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 24; thence

North 1320 feet to the POINT OF BEGINNING

Parcel II

→ North One-Half of the Northwest Quarter of Section 24, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

ME 4/5/14
East ~~part of~~ part of for water right