

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 16 2023

Department of Water Resources
Eastern Region

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?
75-10259 <i>OK</i>	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: Happy Hollow Family Limited Partnership

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Happy Hollow Enterprises LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

1461 Lakeview Drive

Heber

UT

84032

Mailing address

City

State

Zip

801 404-8721

wynebs@hotmail.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: 9/19/23

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: *Wyatt Nebeker* Manager/Owner 10/10/23
- Signature of new owner/claimant Title, if applicable Date
- Wyatt Nebeker
- Print name

Signature: _____ Title, if applicable _____ Date _____

Signature of new owner/claimant

Print name

For IDWR Office Use Only:

Received by M. Fetter Date 10-16-23 Receipt No. E049551 Receipt Amt. 25.00

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 _____ Processed by CK Date 11/01/23



LEMHI TITLE CO.

Instrument No. 0000333107
 County Lemhi
 Date Sep 19, 2023
 Time 12:17 PM

Warranty Deed

For Value Received

Happy Hollow Family Limited Partnership, an Idaho limited partnership

the grantors, do hereby grant, bargain, sell and convey unto

Happy Hollow Enterprises, LLC, a Utah limited liability company

Whose current address is:

**1461 Lakeview Drive
 Heber, UT 84032**

the grantee, the following described premises, to-wit:

See "Exhibit A"

Together with all water and water rights, ditch and ditch rights, mineral and mineral rights, and any grazing rights appurtenant thereto and/ or used in connection there with.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: September 19, 2023

Happy Hollow Limited Partnership

Randy Capps
 By: **Randy Capps, General Partner**

STATE OF Idaho)
) ss
 COUNTY OF Lemhi)

On this day of September 19, 2023

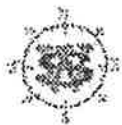
before me a notary public in the above referenced state, personally appeared **Randy Capps**, known or identified to me (or proved to me on the oath of Angela Morton), to be a General

Partner of Happy Hollow Family Limited Partnership, an Idaho limited partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Notary Public Angela Morton
 Residing at: Salt Lake, UT
 My Commission Expires: 09-08-2026

ANGELA MORTON
 Notary Public - State of Idaho
 Commission Number 20203462
 My Commission Expires 09-08-2026

Exhibit A



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.

Salmon, Idaho 83467

Phone: (208)-756-3070

July 31, 2012

PARCEL "B"

A parcel of land located in the Government Lot 1, Section 36, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the NE Corner of said Section 36, from which the N1/4 Corner of said section bears N 86°17'28"W a distance of 2599.44 ft., the Basis Of Bearing of this description, run thence N 86°17'28"W along the northerly boundary of said Section 36 a distance of 1396.14 ft. to a point on the westerly right-of-way of U.S. Highway 93 and the POINT OF BEGINNING;

Thence the following courses and distances along said right-of-way;

S 32°33'14"W 958.14 ft.; 443.58 ft. along a curve to the left having a central angle of 13°02'00", a radius of 1950.00 ft. and a chord bearing of S 26°02'14"W for a distance of 442.62 ft.; S 19°31'14"W 69.60 ft. to a point on the southerly boundary of said Government Lot 1;

Thence N 86°46'26"W along said boundary a distance of 94.77 ft. to a point on the Mean High Water Mark of the year of 2008;

Thence the following courses and distances along said Mean High Water Mark;

N 08°04'18"E 231.64 ft.; N 08°58'35"E 333.86 ft.;

N 12°20'22"E 179.51 ft.; N 19°19'23"E 132.15 ft.;

N 42°10'34"E 188.20 ft.; N 48°17'56"E 302.00 ft.;

N 40°56'25"E 107.86 ft. to a point on the northerly boundary of said

Section 36;

Thence S 86°17'28"E along said boundary a distance of 239.01 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 7.85 ACRES +OR-

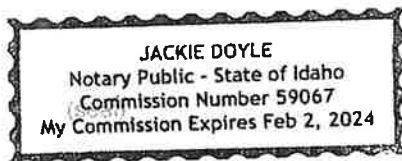
Dated: September 15, 2023

Happy Hollow Limited Partnership

Judith A. Scholten
By: **Judith A. Scholten, General Partner**

STATE OF Idaho)
COUNTY OF Idaho) ss

On this day of 15th September, 2023 before me a notary public in the above referenced state, personally appeared **Judith A. Scholten**, known or identified to me (or proved to me on the oath of Drivers licence), to be a General Partner of Happy Hollow Family Limited Partnership, an Idaho limited partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.



Jackie Doyle
Notary Public
Residing at: 147 W. Main, Shoshone, Id.
My Commission Expires: 2/2/2024

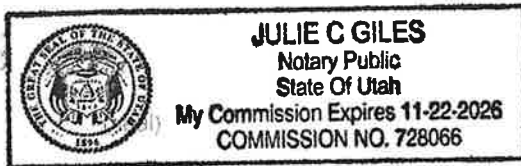
Dated: September 4, 2023

Happy Hollow Limited Partnership

Cammie L. Nebeker
By: Cammie L. Nebeker, General Partner

STATE OF Utah,
COUNTY OF Wasatch ss

On this day of September 14, 2023 before me a notary public in the above referenced state, personally appeared **Cammie L. Nebeker**, known or identified to me (or proved to me on the oath of _____), to be General Partner of Happy Hollow Family Limited Partnership, an Idaho limited partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.



Julie C. Giles
Notary Public
Residing at 1921 N. Valley Hills Blvd Heber, UT
My Commission Expires: 11-22-2026 84032

Dated: September 14, 2023

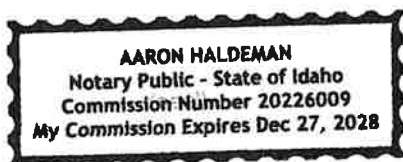
Happy Hollow Limited Partnership

Vicki L Pence

By: Vicki L. Pence, General Partner

STATE OF Idaho)
COUNTY OF Ada) ss

On this day of Sept, 14, 2023 before me a notary public in the above referenced state, personally appeared Vicki Pence, known or identified to me (or proved to me on the oath of _____), to be a General Partner of Happy Hollow Family Limited Partnership, an Idaho limited partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

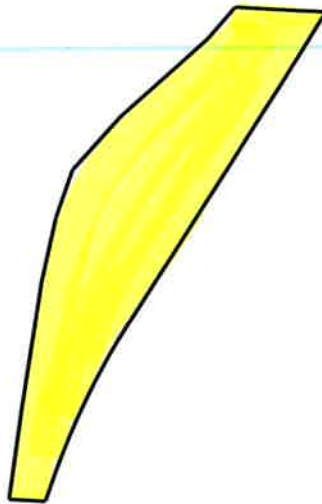


Aaron Haldean
Notary Public
Residing at: U.S. Bank, Boise
My Commission Expires: Dec 27, 2028

1. A study of the effects of the 1974 CONGRESSIONAL ACT (P.L. 93-281) on the use of the term "sex" in the U.S. Census Bureau's 1970 Census. The study found that the use of the term "sex" in the 1970 Census was significantly higher than in the 1960 Census, and that the use of the term "sex" in the 1970 Census was significantly higher than in the 1960 Census.



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10/31/2023

Scale: 1 inch= 500 feet

File:

Tract 1: 7.8451 Acres (341732 Sq. Feet), Closure: s06.1525e 0.01 ft. (1/311121), Perimeter=3280 ft.

01 /ne,36,20n,21e	11 n42.1034e 188.20
02 /n86.1728w 1396.14	12 n48.1756e 302.00
03 s32.3314w 958.14	13 n40.5625e 107.86
04 Lt, r=1950.00, delta=013.0200, arc=443.58, chord=s26.0214w 442.62	14 s86.1728e 239.01
05 s19.3114w 69.60	
06 n86.4626w 94.77	
07 n08.0418e 231.64	
08 n08.5835e 333.86	
09 n12.2022e 179.51	
10 n19.1923e 132.15	



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 02, 2023

HAPPY HOLLOW ENTERPRISES LLC
1461 LAKEVIEW DR
HEBER CITY UT 84032-1021

Re: Change in Ownership for Water Right No(s): 75-10259

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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 17, 2023

HAPPY HOLLOW ENTERPRISES LLC
1461 LAKEVIEW DR
HEBER UT 84032

RE: Change in Ownership Water Right No. 75-10259

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** In order for the department to update ownership of a water right a 'full' copy of the 'recorded' Warranty Deed or other legal document indicating your ownership in the water right and/or property is required. The department acknowledges receipt of a Warranty Deed; however, the legal description Exhibit A is not attached. A 'full' copy of the 'recorded' deed is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist

SCANNED
OCT 17 2023