

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 28 2020

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 #6 of the instructions. ✓ DB

| Water Right/Claim No.                          | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No.                       | Split?                                  | Leased to Water Supply Bank? |
|------------------------------------------------|-----------------------------------------|------------------------------|---------------------------------------------|-----------------------------------------|------------------------------|
| ✓ 22-133D <span style="color: blue;">OK</span> | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | ✓ 555B <span style="color: blue;">OK</span> | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |
| ✓ 22-191 <span style="color: blue;">OK</span>  | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 22-133 D (Split into 22-133 D and 14395)    |                                         | Yes <input type="checkbox"/> |
| ✓ 22526A <span style="color: blue;">OK</span>  | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 22-191 (Split into 22-191 and 14396)        |                                         | Yes <input type="checkbox"/> |
| ✓ 527A <span style="color: blue;">OK</span>    | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 22-526A (Split into 22-526A and 14397)      |                                         | Yes <input type="checkbox"/> |
| ✓ 554B <span style="color: blue;">OK</span>    | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 22-527A (Split into 22-527A and 14398)      |                                         | Yes <input type="checkbox"/> |
|                                                |                                         |                              | 22-554B (Split into 22-554B and 14399)      |                                         | Yes <input type="checkbox"/> |
|                                                |                                         |                              | 22-555B (Split into 22-555B and 14400)      |                                         | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Richard A. Egbert Limited Partnership  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lambrose-FitzSimmons Family Trust  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5 East Sunset Way Carson City NV 89703  
Mailing address City State ZIP  
775-841-000 lwflawyer@aol.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: August 8, 2016
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.

8. Signature: [Signature] Co-Trustee 8/17/20  
Signature of new owner/claimant Title, if applicable Date  
Signature: [Signature] Co-Trustee 8/17/20  
Signature of new owner/claimant Title, if applicable Date

### For IDWR Office Use Only

Received by JB Date 8/28/20 Receipt No. E046286 Receipt Amt. \$450.-  
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 [Blank] Approved by JB Processed by JC Date 1/13/2021

Alliance Title & Escrow  
File No. 311120

**WARRANTY DEED**

FOR GOOD AND VALUABLE CONSIDERATION, Richard A. Egbert Limited Partnership, an Idaho limited partnership, ("Grantor"), does hereby GRANT, BARGAIN, SELL and CONVEY unto John C. Lambrose and Laura W. FitzSimmons, Co-Trustees of The Lambrose-FitzSimmons Family Trust under trust declaration dated August 24, 2007 as revised and restated July 16, 2012 ("Grantee"), whose address is 5 East Sunset Way, Carson City, NV 89703, all of Grantor's right, title and interest in and to the real property located in Teton County, Idaho, legally described in Exhibit A hereto and incorporated herein (the "Property").

TO HAVE AND TO HOLD said Property, together with all improvements, easements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues, and profits thereof and all right, title and interest in and to the Property, as well in law as in equity unto said Grantee and to Grantee's heirs, successors and assigns forever.

Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of the Property, that the Property is free from all claims and encumbrances except building and zoning regulations and ordinances of any governmental unit and that Grantor will warrant and defend same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the undersigned have executed these presents this 3<sup>rd</sup> day of August, 2016.

GRANTOR:

Richard A. Egbert Limited Partnership, an Idaho limited partnership,

\_\_\_\_\_  
By: Brad Egbert  
Its: General Partner

David R. Wilson, General Partner ✓  
By: David R. Wilson  
Its: General Partner

STATE OF IDAHO )  
 ) ss.  
 County of )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public for said County and State, personally appeared Brad Egbert known or identified to me, to be the General Partner of the limited partnership who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership's name.

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

\_\_\_\_\_  
 Notary Public for Idaho

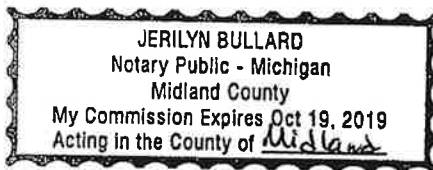
Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

✓ <sup>Michigan</sup>  
~~STATE OF IDAHO~~ )  
 ) ss.  
 County of Midland )

On this 3<sup>rd</sup> day of August, 2016, before me, a Notary Public for said County and State, personally appeared David R. Wilson known or identified to me, to be the General Partner of the limited partnership who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership's name.

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



Jerilyn Bullard  
 Notary Public for ~~Idaho~~ Michigan  
 Residing at: 600 E. Hwy 100 Midland MI  
 My commission expires: 10-19-19



# WARRANTY DEED

FOR GOOD AND VALUABLE CONSIDERATION, Richard A. Egbert Limited Partnership, an Idaho limited partnership, ("Grantor"), does hereby GRANT, BARGAIN, SELL and CONVEY unto John C. Lambrose and Laura W. FitzSimmons, Co-Trustees of The Lambrose-FitzSimmons Family Trust under trust declaration dated August 24, 2007 as revised and restated July 16, 2012 ("Grantee"), whose address is 5 East Sunset Way, Carson City, NV 89703, all of Grantor's right, title and interest in and to the real property located in Teton County, Idaho, legally described in Exhibit A hereto and incorporated herein (the "Property").

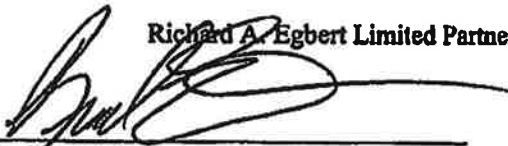
TO HAVE AND TO HOLD said Property, together with all improvements, easements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues, and profits thereof and all right, title and interest in and to the Property, as well in law as in equity unto said Grantee and to Grantee's heirs, successors and assigns forever.

Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of the Property, that the Property is free from all claims and encumbrances except building and zoning regulations and ordinances of any governmental unit and that Grantor will warrant and defend same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the undersigned have executed these presents this 4 day of August, 2016.

GRANTOR:

Richard A. Egbert Limited Partnership, an Idaho limited partnership,



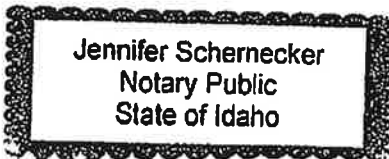
By: Brad Egbert  
Its: General Partner

By: David R. Wilson  
Its: General Partner

STATE OF IDAHO )  
 ) ss.  
 County of Madison )

On this 4 day of August, 2016, before me, a Notary Public for said County and State, personally appeared Brad Egbert known or identified to me, to be the General Partner of the limited partnership who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership's name.

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



[Signature]  
 Notary Public for Idaho  
 Residing at: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_ Residing in Rty: ID  
 Commission Expires 7-16-2021

STATE OF IDAHO )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public for said County and State, personally appeared David R. Wilson known or identified to me, to be the General Partner of the limited partnership who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership's name.

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

\_\_\_\_\_  
 Notary Public for Idaho  
 Residing at: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_

**EXHIBIT A**

The Southeast quarter of the Northwest quarter and most of the North half of the North half of the Southwest quarter of Section 33, Township 6 North, Range 45 East of the Boise Meridian, Teton County, Idaho, being further described as follows: Commencing at the West quarter corner of said Section 33; thence South 89°09'13" East 1320.07 feet to the Southwest corner of the Southeast quarter of the Northwest quarter; thence North 00°31'17" East 1319.13 feet to the Northwest corner of the Southeast quarter of the Northwest quarter; thence South 89°07'18" East 1287.48 feet to the Northeast corner of the Southeast quarter of the Northwest quarter; thence South 02°02'07" West 1318.67 feet to the center quarter corner of Section 33; thence South 02°02'07" West 546.24 feet to along the East line of the Southwest quarter; thence North 88°59'55" West 2376.78 feet to a point; thence South 83°03'00" West 213.00 feet to a point on the West line of Section 33; thence North 03°30'25" East 569.20 feet along the Western boundary of said Section to the point of beginning.

Together with any and all water and water rights, ditches and ditch rights, storage and storage rights appurtenant to the above-described Property, including but not limited to the following:

|                         |                                     |
|-------------------------|-------------------------------------|
| Water Right No. 22-133D | 0.74 cubic feet per second ("cfs"); |
| Water Right No. 22-191  | 0.53 cfs;                           |
| Water Right No. 22526A  | 0.16 cfs;                           |
| Water Right No. 527A    | 0.03 cfs;                           |
| Water Right No. 554B    | 0.02 cfs;                           |
| Water Right No. 555B    | 0.13 cfs; and                       |

Those portions of Water Right Nos. 22-609, 22-378 and 22-379 decreed as appurtenant to the above-described property and/or represented by 41 shares of stock in the Leigh Creek Canal Company; and

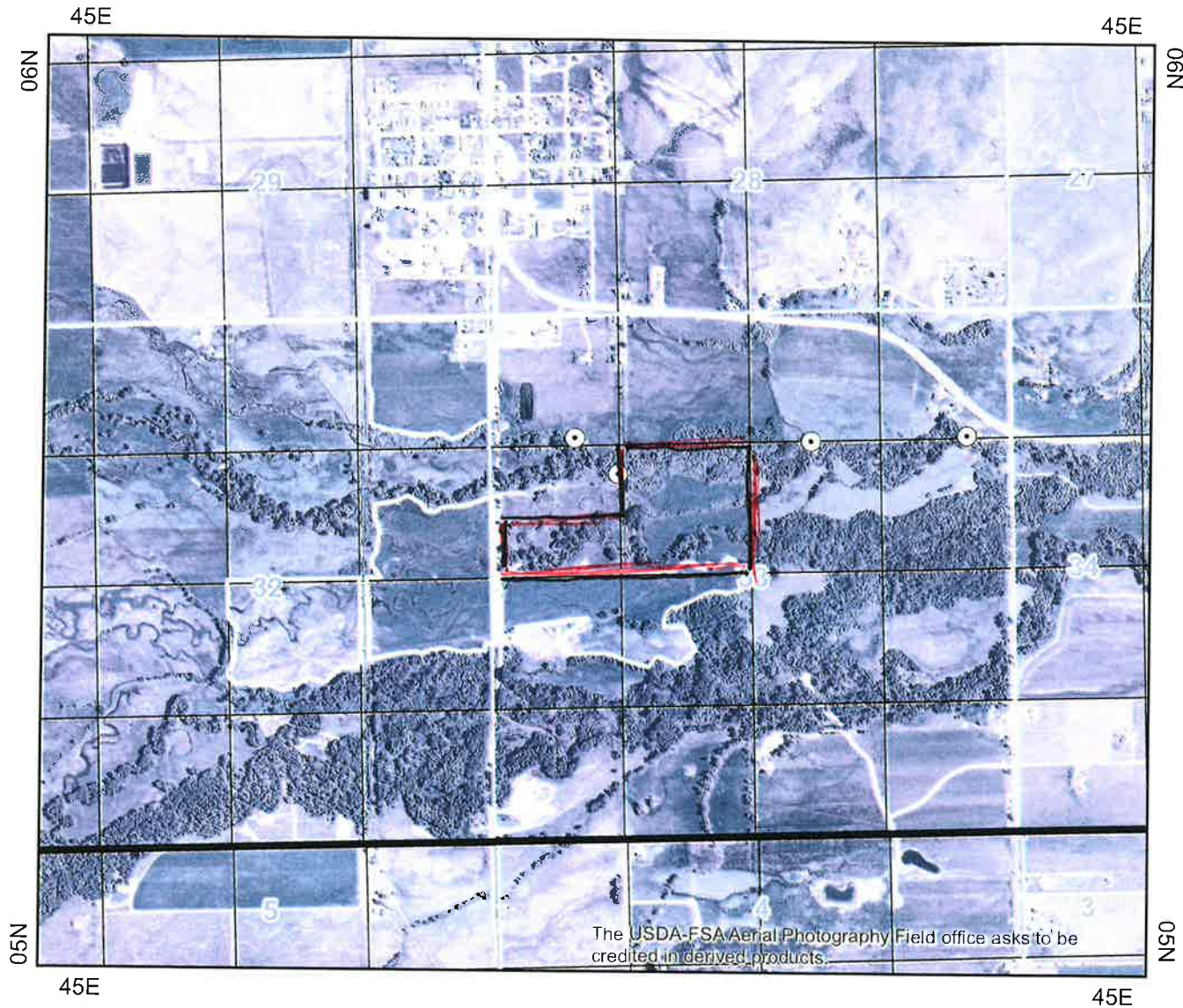
That portion of Water Right No. 22-7008 licensed as appurtenant to the above-described property and held in the name of the Spring & Lower North Leigh Creek Water Users Association.

State of Idaho  
Department of Water Resources

# Water Right 22-191

## 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.



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

0 0.2 0.4 0.8 Miles

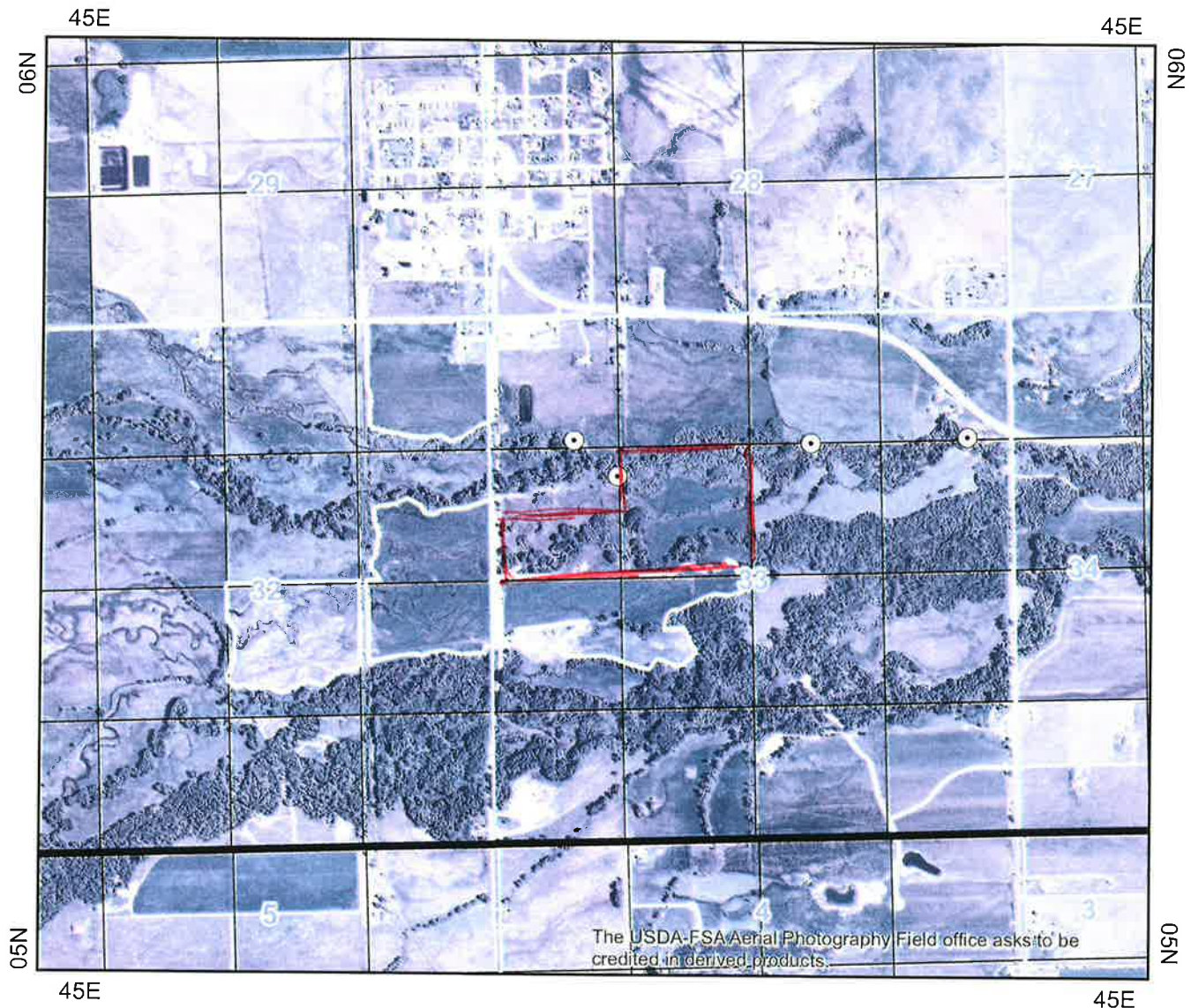


State of Idaho  
Department of Water Resources

# Water Right 22-133D

## 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.



- Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

0 0.2 0.4 0.8 Miles





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

January 13, 2021

LAMBROSE-FITZSIMMONS FAMILY TRUST  
5 EAST SUNSET WAY  
CARSON CITY NV 89703-3753

Re: Change in Water Right Ownership: 22-133 D (Split into 22-133 D and 14395), 22-191 (Split into 22-191 and 14396), 22-526A (Split into 22-526A and 14397), 22-527A (Split into 22-527A and 14398), 22-554B (Split into 22-554B and 14399) and 22-555B (Split into 22-555B and 14400)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.**

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 Barg  
Technical Records Specialist 1

Enclosure(s)

cc: RICHARD A EGBERT  
WATER DISTRICT 01



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718  
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

E046287

August 28, 2020

RECEIVED

SEP 14 2020

Department of Water Resources  
Eastern Region

LAMBROSE-FITZSIMMONS FAMILY TRUST  
5 E SUNSET WAY  
CARSON CITY NV 89703

RE: Change in Ownership Water Right No. 22-133D, 22-191, 22-526A, 22-527A, 22-554B, 22-555B

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:

\*\*\*\* **Additional Filing Fee:** According to our review all six of the water rights listed above will require a split, therefore an additional filing fee is required. Please review the maps attached and if you agree please submit an additional \$450.00 ( $6 \times \$100 = \$600 - \$150 = \$450$ ). Also your cover letter mentioned removing some points of diversion (POD) on the maps attached please clearly identify the PODs you would like removed. Mail hardcopies of the maps identifying the points you would like removed from your water right and the department will remove them at the same time the ownership is updated. *ENC (see), same*  
*→ 1 point circled with blue pen*

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](http://www.idwr.idaho.gov).

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

Sincerely,

*Jonie Barg*  
Jonie Barg  
Technical Records Specialist

State of Idaho  
Department of Water Resources  
**Water Right License**  
22-133d



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

45E

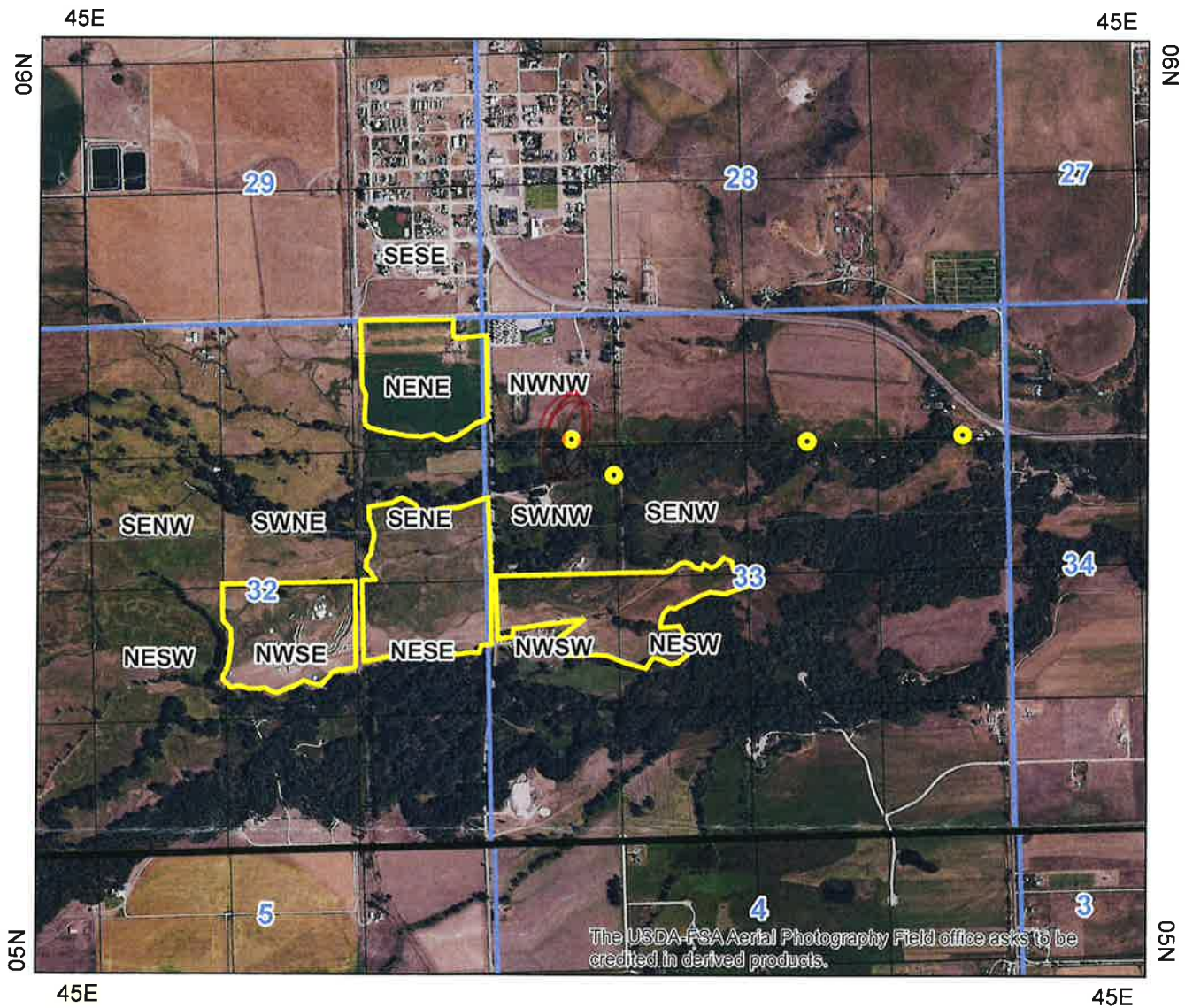
45E

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

0 0.2 0.4 0.8 Miles



State of Idaho  
Department of Water Resources  
**Water Right License**  
22-191



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

0 0.2 0.4 0.8 Miles

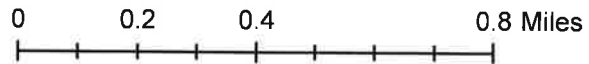


State of Idaho  
Department of Water Resources  
**Water Right License**  
22-526a



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

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



State of Idaho  
Department of Water Resources  
**Water Right License**  
22-527a

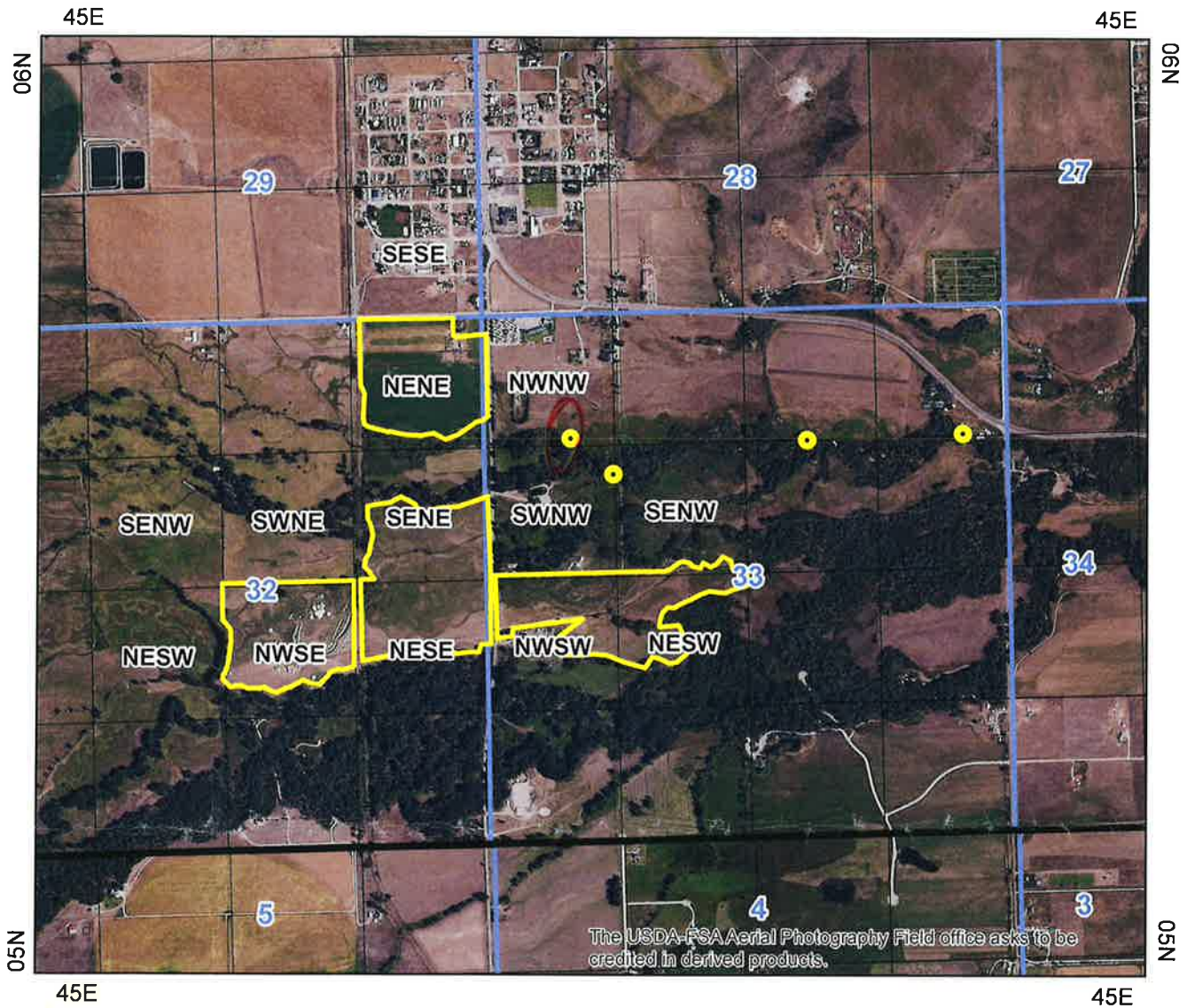


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.2 0.4 0.8 Miles



State of Idaho  
Department of Water Resources  
**Water Right License**  
22-554b

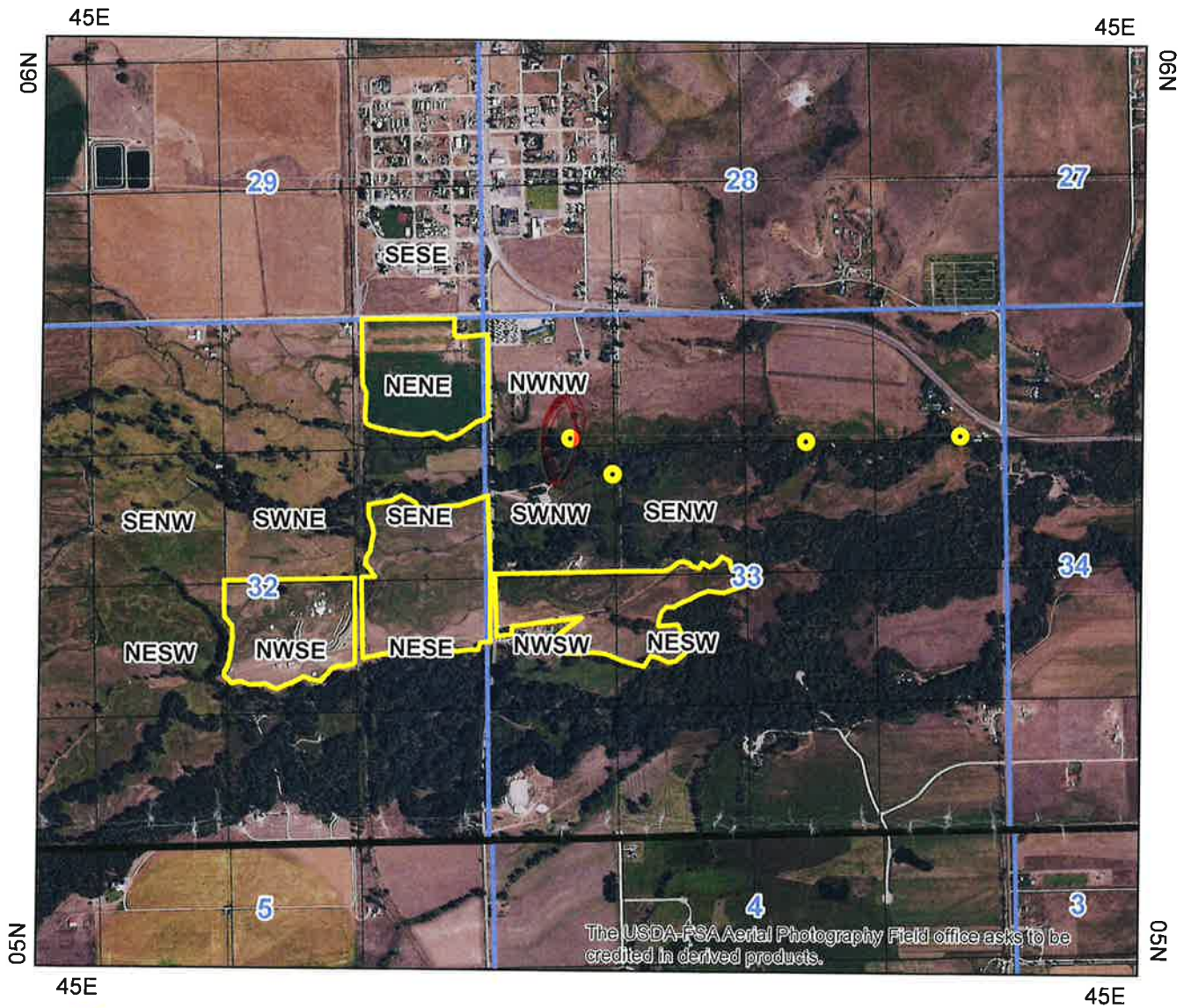


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.2 0.4 0.8 Miles



State of Idaho  
Department of Water Resources  
**Water Right License**  
22-555b



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

0 0.2 0.4 0.8 Miles



IDRW Eastern Region

900 N. Skyline Dr., Ste A

Idaho Falls, ID 83402-1718

August 17, 2020

Re: Change of Water Rights Ownership

Dear IDRW:

I have included the notice of change of water rights ownership form together with a copy of the warranty deed under which we purchased the land and water rights. I have also included an aerial photo for two of the water rights, showing points of diversion. I think that the points of diversion are the same for all Spring Creek water rights.

Speaking of points of diversion, one is clearly downstream from our property. We would ask that the downstream point of diversion be removed. It appears that another point of diversion may be on our property line, but downstream. If so, we ask that point of diversion be removed.

I have also included a check in the amount of \$150.00 which is \$25 for each of the 6 water rights. Some of the rights have been previously divided, but I don't think I am requesting division at this time. If I am mistaken about that please let me know and I will send you the balance of the amount due.

Thank you,



Laura FitzSimmons

775-841-3000

lwflawyer@aol.com