

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 2016

DEPARTMENT OF
WATER RESOURCES

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-10684	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8372	Yes ☐	Yes ☒		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: TOBY B. LAMBERT LIVING TRUST | TOBY B. LAMBERT - TRUSTEE
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RIDGEVIEW SMITH PROPERTIES LLC, a Delaware limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2200 Butts Rd #320 Boca Raton FL 33431
Mailing address City State ZIP
- ✓ 561-314-0800 ✓ tsmith@prescottinvestors.com
Telephone Email lari@prescottinvestors.com
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. 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):
 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.

SUPPORT DATA

IN FILE # 37-8372

8. Signature: ✓ Thomas W. Smith Thomas W. Smith | Manager 3-30-2016
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 Ellie Date 4/19/16 Receipt No. C101880 Receipt Amt. 50.-

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 Thomas W. Smith Approved by _____ Processed by Jae Date 5-5-16



WARRANTY DEED

For Value Received

Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Ridgeview Smith Properties LLC, a Delaware limited liability company

the Grantee, whose current address is: 2200 Butts Rd #320, Boca Raton, FL 33431

the following described premises, to-wit:

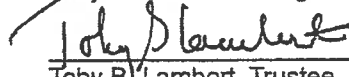
Lot 7 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, Records of Blaine County, Idaho.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 28th day of March, 2016.

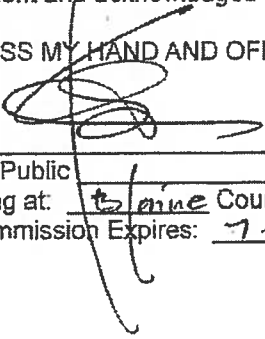
Toby B. Lambert Living Trust


Toby B. Lambert, Trustee

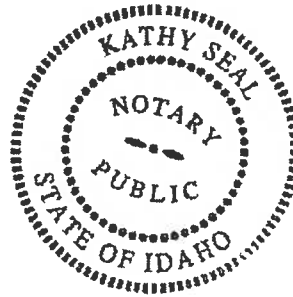
State of Idaho
County of Blaine

On this 28 day of March, 2016, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Toby B. Lambert**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Trustee's of **Toby B. Lambert Living Trust**, the Trust that executed the within instrument and acknowledged to me that he/she/they executed the same on behalf of said Trust.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public
Residing at: Blaine County, Idaho
My Commission Expires: 7-26-2017



**Instrument # 633970**

HAILEY, BLAINE, IDAHO
03-31-2016 8:04:54 AM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$13.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

QUITCLAIM DEED

THIS INDENTURE, made this 28, day of March, 2016, between

Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust, as GRANTOR and

Ridgeview Smith Properties, LLC, a Delaware limited liability company, as GRANTEE(S)

whose current address is: 2200 Butts Rd #320, Boca Raton, FL 33431

WITNESS, that said Grantor(s), for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and assigns all right, title and interest in and to the water right identified in the records of the Idaho Department of Water Resources as Water Right No's: 37-10684 and 37-8372, and no others, for beneficial use upon the property conveyed to Grantee by Warranty Deed as Instrument No. 633969:2016 records of Blaine County, Idaho.

Lot 7 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, Records of Blaine County, Idaho.

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

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

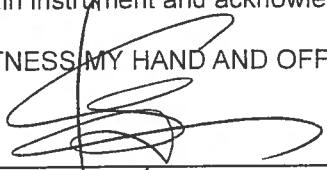
TOBY B. LAMBERT LIVING TRUST

Toby B. Lambert, Trustee

State of Idaho
County of Blaine

On this 28th day of March, 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared **Toby B. Lambert**, known to me, and or identified to me on the basis of satisfactory evidence, to be the Trustee of the **Toby B. Lambert Living Trust** whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said Trust.

WITNESS MY HAND AND OFFICIAL SEAL



Notary Public
Residing at Blaine County, Idaho
My Commission Expires: 7.26.2017



BARLOW SUBDIVISION

OF H.E.S. 124

1955

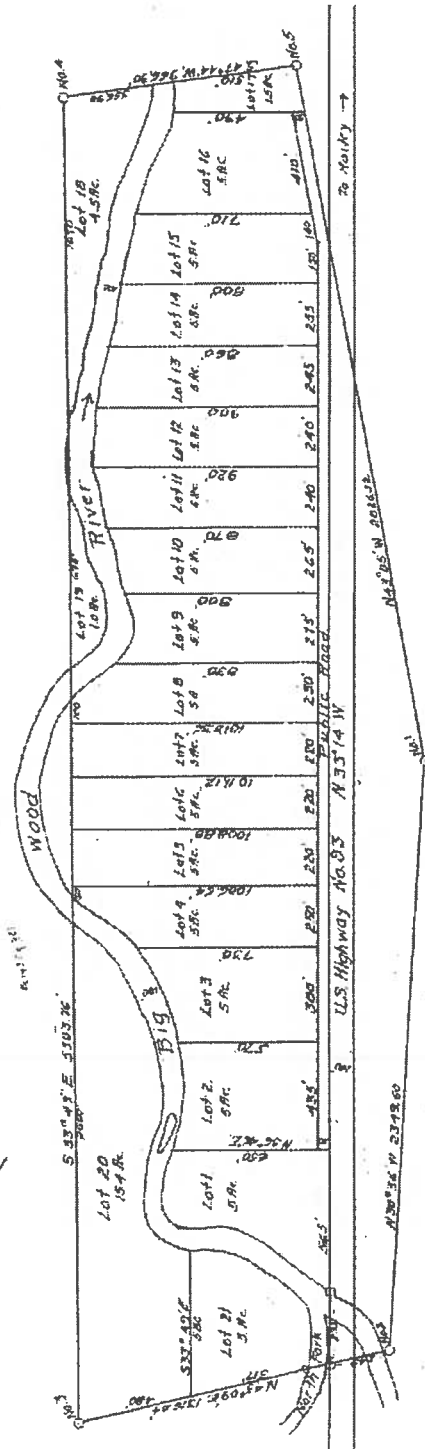
SCALE 1" = 300'

Subdivision No. 1955

County Recorder's Certificate

This is to certify that the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho, this 14 day of March, 1955, at 1:30 PM, at the request of E. J. Egan, and duly recorded in the office of the Recorder.

E. J. Egan
County Recorder



Surveyors Certificate

I, IRVING STORM, Registered Professional Civil Engineer, Certify that the following described land, situated in Sections 10 and 15, T3N, R17E, B1M, in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 93, beginning at a point 249 feet N. 45° 09' E. of Corner No. 2 of said H.E.S. 124, thence N. 45° 09' E. 106.70 feet to Corner No. 3 thence S. 34° 49' E. 93.04 feet to Corner No. 4, thence S. 47° 44' W. 96.63 feet to Corner No. 5, thence N. 45° 09' W. 720 feet to the Right of Way of Highway No. 93, thence N. 33° 14' W. 4450 feet along said Right of Way to the Point of Beginning. All of the above described land, hereby is set apart as the BARLOW SUBDIVISION, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept. 18, 1954.

State of Idaho }
County of Blaine }

ACKNOWLEDGEMENT

On this 14th day of March 1955 before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared IRVING STORM, known by me to be the person whose name is subscribed to the foregoing Surveyors Certificate and acknowledged to me that he executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My Commission expires June 3, 1958

Irving Storm
Notary Public

Dedication

This is to certify that the undersigned is the owner in fee simple of the property hereinafter described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 93, located in Sections 10 and 15, T3N, R17E, B1M, all of the above property to be known as BARLOW SUBDIVISION. That it is the intention to and hereby do, include and lands in the Plat. That the undersigned does, by their present, grant bargain, sell, convey confirm and dedicate to the public use forever the PUBLIC ROAD shown on the plat.

Arthur C. Barnes

State of Idaho }
County of Blaine }

ACKNOWLEDGEMENT

On this 14th day of March 1955 before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Arthur C. Barnes, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

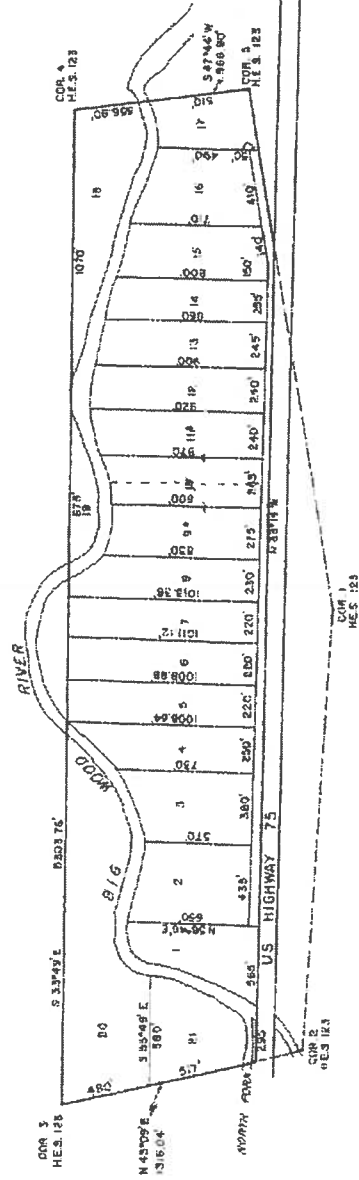
My Commission expires June 3, 1958

Arthur C. Barnes
Notary Public

BARLOW SUBDIVISION

T. 5 N., R. 17 E.
H.E.S. 123

1" = 400'



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2016

WATER RIGHT NO. 37-8372

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOBY B LAMBERT LIVING TRUST TOBY B LAMBERT-TRUSTEE 142 BARLOW RD KETCHUM, ID 83340 (208) 727-0004
Original Owner	CARL WEAVER C/O DORIS BRYDON 145 N 18TH AVE POCATELLO, ID 83201 (208)233-4278

Priority Date: 08/09/1988

Basis: License

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.04 CFS	10.5 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSE|Sec. 10|Township 05N|Range 17E|BLAINE County

Licensed Diversion Capacity: 0.05

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	17E	10		NWSE	3									

Total Acres: 3

Conditions of Approval:

1. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 041 Irrigation use under this right is authorized only in connection with a domestic use.
3. Point of diversion and place of use are known as Lot 7, Barlow Subdivision.

Dates:

Licensed Date: 06/03/1999

Decreed Date:

Permit Proof Due Date: 2/1/1991

Permit Proof Made Date: 2/1/1991

Permit Approved Date: 2/2/1989

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 08/09/1988

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Water Supply Bank:
Lessor Name(s): MURFUS PARTNERS LLC
TOBY B LAMBERT LIVING TRUST
Lease Status: Active
Lease Amount: .03CFS
Rental Availability: .03CFS
Date Received: 12/23/2015
Lease Begin Date: 1/1/2016
Expiration Date: 12/31/2016

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2016

WATER RIGHT NO. 37-10684

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOBY B LAMBERT LIVING TRUST TOBY B LAMBERT-TRUSTEE 142 BARLOW RD KETCHUM, ID 83340 (208) 727-0004
Original Owner	CARL C WEAVER
Original Owner	FLORENCE WEAVER 398 PIERCE TWIN FALLS, ID 83301 (208)733-1124

Priority Date: 05/20/1960

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENWSE|Sec. 10|Township 05N|Range 17E|BLAINE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	17E	10		NWSE										

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | C18 | THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. |
| 2. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 4. | | NO PARCEL NUMBER |

Dates:

Licensed Date:

Decreed Date: 01/05/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 5, 2016

RIDGEVIEW SMITH PROPERTIES LLC
2200 BUTTS RD #320
BOCA RATON FL 33431

Re: Change of Ownership for Water Right/Permit No(s): 37-8372 and 37-10684

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this 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 § 42-222 and §42-223, Idaho Code.

A portion of water right(s) 37-8372 was leased to the Water Supply Bank (bank) in 2016. To date, part of the right(s) appurtenant to 0.03 cubic feet per second (cfs) and 2.25 acres (NWSE, Section 10, T5N, R17E) remain leased to the bank. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. This portion will remain in the bank until December 31, 2016 unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Also 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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District 37



360 Sun Valley Road
PO Box 3176
Ketchum, ID 83340
Phone: (208) 726-0700

RECEIVED

APR 19 2016

DEPARTMENT OF
WATER RESOURCES

Date: April 18, 2016

Escrow Number: 1619595

Idaho Department of Water Resources - State Office
322 East Front Street 6th Floor
PO Box 83270
Boise, Idaho 83720-0098

RE: Notice of Change in Water Right Ownership

Dear Ladies/Sir:

In connection with a recent sale of property located at 142 Barlow Road, Blaine County, Idaho, please find attached the following documents to update and change the water right ownership.

- Notice of Change in Water Right Ownership
- Copy of Recorded Warranty Deed
- Copy of Recorded Quitclaim Deed
- Plat Map of area
- W-9
- Water Right (Copies of 37-8372 and 37-10684)
- \$50.00 to transfer name of water right (2)

Once received, please contact the undersigned should you need additional information in order to process this requested.

Thank you in advance.

Sincerely,
Blaine County Title, Inc.



Kathy Seal
Escrow Officer/Partner