

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 06 2015

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?
37-8372	Yes ☐	Yes ☒		Yes ☐	Yes ☐
37-10684	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Murfus Partners, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|------------------------------|-----------|--------------|
| <u>142 Barlow Road</u> | <u>Ketchum</u> | <u>ID</u> | <u>83340</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 727-0004</u> | <u>tobylambert@yahoo.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: January 2, 2014
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: Toby B. Lambert, Trustee Title, if applicable: Toby B. Lambert, Trustee Date: 11/26/14
 Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by dg Date 2-13-15 Receipt No. C099923 Receipt Amt. 50.00
 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 gmk Date 12-2-13-15

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WATER RESOURCES

**Recording Requested By And:
When Recorded, Return To:**

Seed Mackall LLP
1332 Anacapa Street, Suite 200
Santa Barbara, CA 93101
Attn: Nicholas J. Schneider

MAIL TAX NOTICES TO:

Ms. Toby B. Lambert, TTE
142 Barlow Rd.
Ketchum ID 83340

Instrument # 615876

HAILEY, BLAINE, IDAHO

1-2-2014 12:41:00 No. of Pages: 2

Recorded for : SEED MACKALL LLP

JOLYNN DRAGE

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

mpp

(Space above this line for Recorder's use only)

WARRANTY DEED

FOR VALUE RECEIVED, **MURFUS PARTNERS, LLC**, a California limited liability company, the Grantor, does hereby grant, bargain, sell and convey unto **TOBY B. LAMBERT, Trustee of the Toby B. Lambert Living Trust**, the Grantee whose current address is 142 Barlow Road, Ketchum, Idaho 83340, the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 7 of BARLOW SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded in Book 1 of Plats, page 3, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

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

Dated: December 16, 2013

MURFUS PARTNERS, LLC,
a California limited liability company

By: *Toby B. Lambert, Manager*
Toby B. Lambert, Manager

NOTARIAL ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF Blaine) ss.

On this 16th day of December in the year 2013, before me Wanda G. Allred
NOTARY STATE OF IDAHO personally appeared **Toby B. Lambert**, known or identified to
me (or proved to me on the oath of herself), to be the manager or a member of the Limited
liability company that executed the instrument or the person who executed the instrument on behalf
of said limited liability company and acknowledged to me that such limited liability company
executed the same.

(Seal)

WANDA G. ALLRED
NOTARY PUBLIC
STATE OF IDAHO

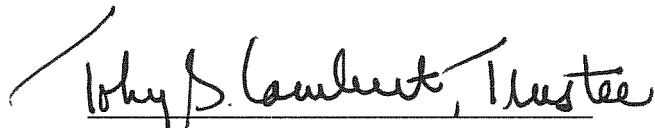
Wanda G. Allred
Notary Public Notary Expires 8/2/2016

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AUTHORITY TO REPRESENT

The undersigned hereby authorizes its attorney, James P. Speck of the law firm of Speck & Aanestad, A Professional Corporation, to represent the Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust, in all matters relating to the leasing of its Water Right No. 37-8372 to the Idaho Water Supply Bank.

Dated this 26 day of November, 2014.

A handwritten signature in black ink that reads "Toby B. Lambert, Trustee". The signature is written in a cursive style with a large initial 'T' and 'L'.

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



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

February 17, 2015

TOBY B LAMBERT LIVING TRUST
TOBY B LAMBERT- TRUSTEE
142 BARLOW RD
KETCHUM ID 83340

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.

Please 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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

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

Sincerely,

for Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Speck & Aanestad
Water District No. 37- Kevin Lakey-Watermaster

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FEB 13 2015

DEPARTMENT OF
WATER RESOURCES
TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

February 11, 2014

Jean Hersley
IDWR
322 E. Front St.
Boise, Idaho 83720-0098

**Re: *Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust - Water Right
No. 37-8372 - Application to Sell or Lease a Water Right To The Water Supply
Bank***

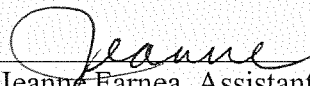
Dear Jean:

Enclosed you will find our firm's check in the amount of \$50 to cover the filing fee for the Notice of Change in Water Right Ownership for Water Right No. 37-8372 we spoke about on the phone today.

Thank you for your assistance in this matter.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne Farnea, Assistant to
James P. Speck

Enclosure

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DEPARTMENT OF
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(208) 726-4421
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ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

February 4, 2014

Remington Buyer
Water Supply Bank Coordinator
IDWR
322 E. Front St.
Boise, Idaho 83720-0098

***Re: Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust - Water Right
No. 37-8372 - Application to Sell or Lease a Water Right To The Water Supply
Bank***

Dear Remington:

Enclosed you will find the original and one copy each of the following:

1. Application to Sell or Lease a Water Right to the Water Supply Bank for Water Right No. 37-8372.
2. Notice of Change in Water Right Ownership for Water Right No. 37-8372.
3. Authority to Represent for Toby B. Lambert, Trustee of the Toby B. Lambert Living Trust for Water Right No. 37-8372.

Please receipt date-stamp the copies and return them to me in the postage prepaid self-addressed envelope I have included for that purpose. I have also included my firms check payable to the Department in the amount of \$250 for the Application filing fee.

As we have discussed on several occasions, this lease application is a companion to the Application to Rent Water from the Water Supply Bank filed on September 3, 2014 by William J. McMarrow, Trustee of the William J. McMarrow Revocable Trust. Mr. McMarrow and Ms. Lambert have a separate and private agreement with respect to the rental of the portion of 37-8372 that is the subject of the enclosed Application to Lease. Therefore, these application should be processed together so that the leased portion of 37-8372 is rented to the William J. McMarrow Revocable Trust for the 2015 irrigation season.

The McMarrow well and Lambert well are both in the "Ketchum Zone" designated in the Water Supply Bank Interim Ground Water Rental Policy for the Wood River Valley, dated January 23, 2015. Therefore, no stream depletion analysis or other information is required for these applications to be accepted and reviewed.

Please contact me right away if you have any questions about these companion Applications.
Thank you.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Toby Lambert w/encl.
Kent Mouton w/encl.