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Form 42-248/42-1409(6) 12/2006

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP*Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.*

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 45-7037					
PD 45-10323					

2. The following **REQUIRED** information ~~must be submitted~~ with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Arthur and Dorothy Hieb Living Trust
501 18th Street, Rupert, Idaho 83350

4. New Owner/Claimant(s) Partnership and an undivided interest to The Duncan Limited
An undivided one-half interest to PKD Properties, L.C.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 750 East 100 South

City, State and ZIP Code Rupert, ID 83350

New Telephone Number () _____

SUPPORT DATA

IN FILE # 45-7037

5. Date you acquired the property September, 2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) The Duncan Limited Partnership
Paul H. Duncan, Partner
PKD Properties, L.C.,
Paul H. Duncan, Manager (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by Cole
 Processed by AJ

Date 9/30/08
 Date 10/7/08
 Date

Receipt Amt \$50
 Receipt No. 5030459
 WR Date

WARRANTY DEED

#45593

For Value Received

Arthur Hieb and Dorothy Hieb, Trustees in trust, under The Arthur and Dorothy Hieb Living Trust dated August 28, 1996

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**The Duncan Limited Partnership, an Idaho limited partnership an undivided one-half interest AND
PKD Properties, L.C., an Idaho limited liability company An undivided one-half interest
Address: 750 East 100 South,
Rupert, Idaho 83350**

Hereinafter called the Grantee, the following described premises situated in **Cassia** County, Idaho, to-wit:

**TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 36: Lot 1, N½SW¼NE¼ and the North 5.2 acres of Lot 2

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Water Right Nos. 45-7037 and 45-10323.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2008 and subsequent years.

Terms and conditions contained in State of Idaho Department of Reclamation Application For Permit To appropriate the Public Waters of The State of Idaho, Arthur Hieb, Applicant, dated June 16, 1969 and recorded July 7, 1969 as Instrument No. 47076 on Film No. 61, records of Cassia County, Idaho.

Easement by and between Arthur Hieb and Dorothy Hieb, husband and wife, to East End Mutual Electric Company, Limited, dated April 1, 1969, and recorded April 27, 1970 as Instrument No. 50914 on Film No. 65, records of Cassia County, Idaho.

Any adverse claim based on the assertion that the location of the Snake River has moved.

Any adverse claim based on the assertion that some portion of said land is now or at any time has been within the boundaries of the Snake River or any other navigable body of water or by reason of the fact or claim that any portion or portions thereof have been rendered unnavigable by artificial means or have accreted to such portions so created.

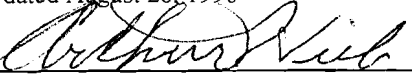
Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water.

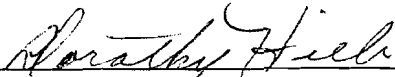
CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
3:42:54 pm 09-25-2008
2008-005359
NO. PAGES: 2 FEE: \$6.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: WLMARR

TO HAVE AND TO HOLD, the said premises, with its appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **September 25, 2008**

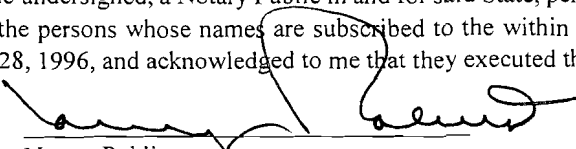
The Arthur and Dorothy Hieb Living
Trust dated August 28, 1996

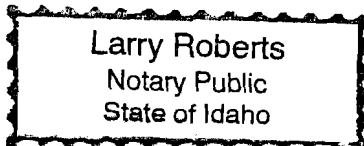
BY: 
Arthur Hieb, trustee

BY: 
Dorothy Hieb, trustee

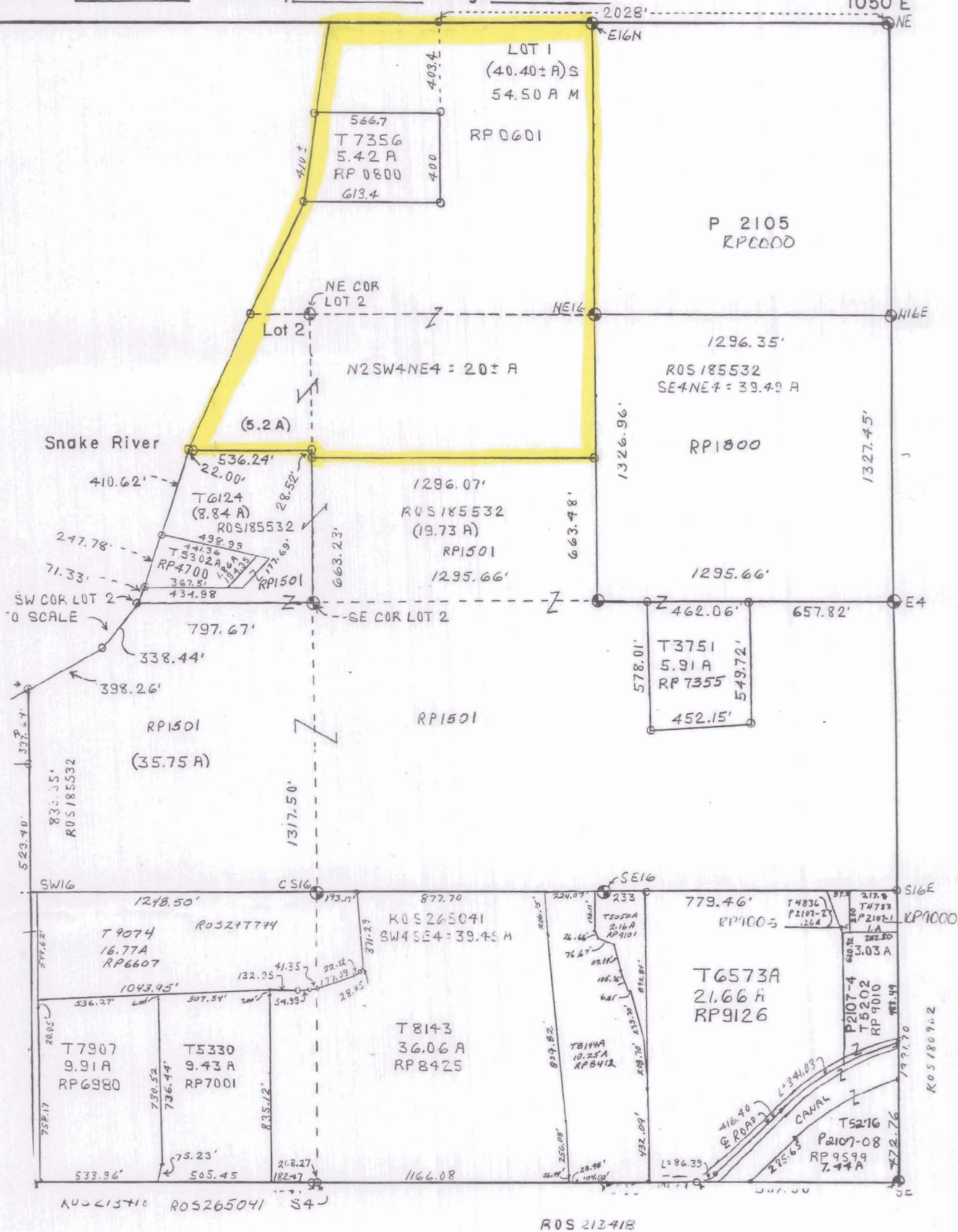
STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 25TH day of September, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Arthur Hieb and Dorothy Hieb, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the Arthur and Dorothy Hieb Living Trust dated August 28, 1996, and acknowledged to me that they executed the same as such Trustees.


Notary Public
Residing at: Burley, Idaho
My Commission expires: 06-30-2009



500 N
1050 E
NE



This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy