

**UNIQUE PROPERTIES, LLC
58265 CEDAR POINT DRIVE
ROGERSON, ID 83302
208-857-2340**

RECEIVED

OCT 07 2004

**WATER RESOURCES
WESTERN REGION**

KariLynn Townsend
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237

September 23, 2004

Dear Kari Lynn:

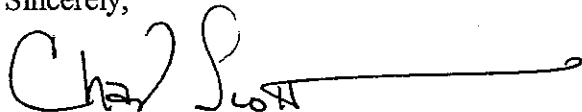
As per our conversation September 21, 2004, enclosed, please find duplicate copies of Request for Water License Transfer of Ownership for 51-07320 which were dropped at IDWR Twin Falls office on July 7, 2004 along with a check in the amount of \$25.00 which has been paid through Unique Properties, LLC bank. Trish at IDWR in Twin Falls referred me to you, as they have no record of request at their office and it falls under State jurisdiction according to her.

A checklist of enclosures is as follows:

Pages 1&2: State of Idaho Department of Water Resources Notice of Change in Water Right Ownership for Water Right License # 51-07320.
Pages 3&4: Warranty Deed signed by Janet and Robert King and Notarization
Page 5: Notarized Warranty Deed signed by Darwin & Constance Betts
Pages 6&7: Legal Description
Page 8: Plat Map
Page 9: Well Description
Pages 10&11: Copy of Original Water Right License
Page 12: Copy of Cancelled check paid to IDWR

Thank you for your prompt attention to this matter. If you have any further questions you may reach me at the above telephone number.

Sincerely,



Char Scott
Unique Properties, LLC Managing Member
cc/John Westra
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED *OR* ✓
OCT 07 2004
WATER RESOURCES
WESTERN REGION

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<i>lic 51-07320</i>					

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 usually attached to your deed or on file with the county).
OR
 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 **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) *B+K INVESTORS, LLC*
1031 ROLENE Rd., CARROLIA 51401
4. New Owner/Claimant(s) *UNIQUE PROPERTIES, LLC*
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
 New Mailing Address *58265 CEDAR Point DR.*
 City, State and ZIP Code *ROGERSON, ID 83302*
 New Telephone Number *208 857-2340*
5. Date you acquired the property *1/06/2004*

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Chaz Pura Signatory
UNIQUE PROPERTIES, LLC

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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Copy

WARRANTY DEED

Order No.:AT-5100313419JM

FOR VALUE RECEIVED

B & K Investors, L.L.C., an Iowa Limited Liability Company,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Unique Properties, LLC, an Idaho Limited Liability Company,

whose current address is

58265 Cedar Point Drive, Rogerson, ID, 83302,

the grantee(s), the following described premises, in Owyhee County, Idaho, TO WIT:

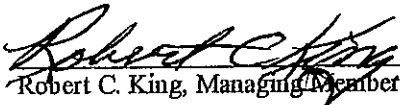
See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 19, 2003

B & K Investors, L.L.C.


Robert C. King, Managing Member


Janet A. King, Managing Member

Darwin R. Betts, Managing Member

Constance A. Betts, Managing Member

State of }
County of } ss.

On this _____ day of December, in the year 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Darwin R. Betts and Constance A. Betts known or identified to me to be the Managing Members in the Limited Liability Company known as B & K Investors, LLC who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC name.

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

Notary Public for the State of
Residing at:
Commission Expires:

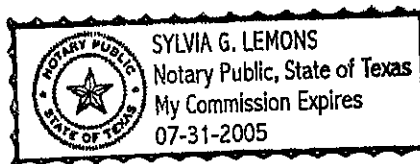
Instrument # 246386
MURPHY, OWYHEE, IDAHO
2004-01-08 08:57:40 No. of Pages: 4
Recorded for : ALLIANCE TITLE COMPANY
CHARLOTTE SHERBURN Fee: 12.00
Ex-Officio Recorder Deputy B. Evans
Index to: DEED, WARRANTY

INDEXED
SCANNED

State of Texas

County of Willacy.

}
} ss.
}



On this 23rd day of December, in the year 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Robert C. King and Janet A. King, known or identified to me to be the Managing Members in the Limited Liability Company known as B & K Investors, LLC who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC name.

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

Sylvia G. Lemons

Notary Public for the State of Texas

Residing at:

Commission Expires:

Copy

WARRANTY DEED

Order No.: AT-5100313419JM

FOR VALUE RECEIVED

B & K Investors, L.L.C., an Iowa Limited Liability Company,
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Unique Properties, LLC, an Idaho Limited Liability Company,
whose current address is

58265 Cedar Point Drive, Rogerson, ID, 83302,

the grantee(s), the following described premises, in Owyhee County, Idaho, TO WIT:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 19, 2003

B & K Investors, L.L.C.

Robert C. King, Managing Member

Darwin R. Betts
Darwin R. Betts, Managing Member

Janet A. King, Managing Member

Constance A. Betts
Constance A. Betts, Managing Member

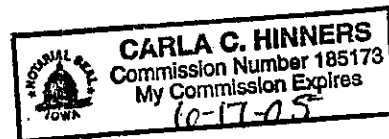
State of Iowa }
County of Carroll } ss.

On this 23rd day of December, in the year 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Darwin R. Betts and Constance A. Betts known or identified to me to be the Managing Members in the Limited Liability Company known as B & K Investors, LLC who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC name.

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

Carla C. Hinners
Notary Public for the State of Iowa
Residing at:
Commission Expires:

Instrument # **246385**
MURPHY, OWYHEE, IDAHO
2004-01-08 08:53:40 No. of Pages: 3
Recorded for: ALLIANCE TITLE COMPANY
CHARLOTTE SHERBURN
Ex-Officio Recorder Deputy B. Evans Fee: 9.00
Index to: DEED, WARRANTY



INDEXED
SCANNED

Exhibit A

Parcel I:

The Northwest Quarter of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, EXCEPT THE FOLLOWING:

- 1. Murphy Hot Springs Subdivision No. 1 and No. 2 according to the official plats thereof recorded in Owyhee County.**
- 2. And also except a parcel of land within the Northwest Quarter of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:**

COMMENCING at a brass-cap marking the Northwest corner of said Section 24, Township 16 South, Range 9 East, Boise Meridian; thence South 54°09' East, 859.6 feet to the true point of beginning; thence South 34°13' East, 560.0 feet; thence South 55°47' West, 1230.7 feet to the West boundary of said Section 24; thence North 0°13' East, 678.9 feet along the West boundary of said Section 24; thence North 55°47' East, 846.9 feet to the true POINT OF BEGINNING.

- 3. And also except Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, Section 24: A parcel of land in the Northwest Quarter more particularly described as follows:**

BEGINNING at the Southeast corner of Lot 1, Block 5 Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho; thence South 65°38'00" West a distance of 24 feet; thence in a Southeasterly direction to a point which is South 24°22'00" East 30 feet from the Southeast corner of Lot 1, Block 5, Murphy Hot Springs Subdivision No. 2; thence North 24°22'00" West a distance of 30 feet to the POINT OF BEGINNING.

- 4. And also except a parcel of land situated in the Northwest Quarter of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho described as follows:**

BEGINNING at the Northeasterly corner of said Lot 1, Block 13, Murphy Hot Springs Subdivision No. 2; thence South 34°37' East along the Northeasterly boundary of said Lot 1, a distance of 334.9 feet; thence Northwesterly 39.8 feet along the Southeasterly boundary of said Lot 1 on a curve to the left with radius 30.0 feet, to the Southwesterly corner of said Lot 1; thence South 57°27'22" West a distance of 120.70 feet to a point on the Easterly boundary of an existing access road; thence North 12°15'48" West along the Easterly boundary of said access road, a distance of 116.65 feet; thence North 7°43' East a distance of 124.20 feet to a point on the Southwesterly boundary of said Lot 1; thence

North 32°32'38" West along the said Southwesterly boundary a distance of 113.30 feet to the Northwestern corner of said Lot 1; thence

North 59°24' East along the Northerly boundary of said Lot 1, a distance of 20.2 feet to the POINT OF BEGINNING.

5. And also except a parcel of land in the Southwest Quarter of the Northwest Quarter of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the most Westerly corner of said Lot 12, Block 5, Murphy Hot Springs Subdivision No. 2, said point being the REAL POINT OF BEGINNING.

Thence South 33°55'19" East 87.50 feet, along the Southwesterly boundary of said Lot 12;

Thence South 45°21'00" West, 892.05 feet, more or less along the extended Southeasterly boundary of Lot 12 to the South boundary of Southwest Quarter Northwest Quarter, Section 24;

Thence South 89°54'33" West, 434.47 feet, more or less to the West Quarter corner of Section 24;

Thence North 00°12'33" East, 120.09 feet, more or less along the West boundary of Section 24 to the extended Northwestern boundary of Lot 12;

Thence North 60°22'00" East, 1173.27 feet, more or less to the REAL POINT OF BEGINNING.

Parcel II:

A portion of the Southwest Quarter of the Northwest Quarter, Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, described as:

COMMENCING at the most Westerly corner of said Lot 12, Block 5, Murphy Hot Springs Subdivision No. 2, said point being the REAL POINT OF BEGINNING.

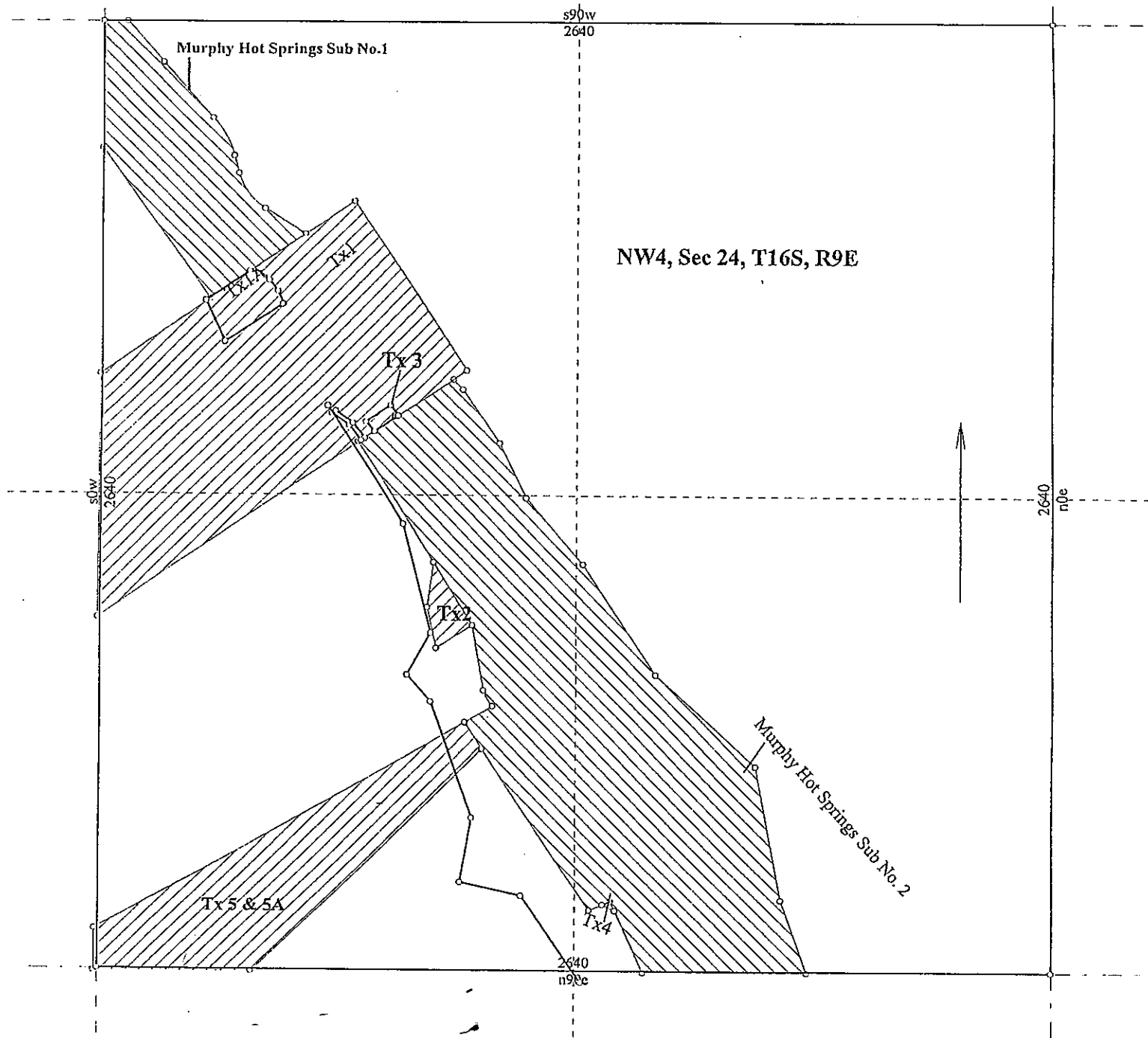
Thence South 33°55'19" East, 87.50 feet, along the Southwesterly boundary of said Lot 12;

Thence South 45°21'00" West, 892.05 feet, more or less along the extended Southeasterly boundary of Lot 12 to the South boundary of Southwest Quarter Northwest Quarter, Section 24;

Thence South 89°54'33" West, 434.47 feet, more or less to the West Quarter corner of Section 24;

Thence North 00°12'33" East, 120.09 feet, more or less along the West boundary of Section 24 to the extended Northwestern boundary of Lot 12;

Thence North 60°22'00" East, 1173.27 feet, more or less to the REAL POINT OF BEGINNING.



Scale: 1 inch = 400 feet

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREON.

Exhibit E

Well Construction:

5 hp electrical submersible pump.

Thickness — $\frac{1}{4}$ in.

Diameter — $8\frac{5}{8}$ in.

From 1" above To 22 feet

Diameter of hole — 8 inches

Total Depth — 200 feet

Installation began 8-26-73 ended 9-9-73

Location NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24 T. 16S R. 9E

Static water level — $8\frac{1}{2}$ feet

Discharge — Well developed and has
deliverance of 95 gal per minute.
Original discharge was 60 gal. per min.

Well Driller — Harry Bolton
2104 Kimberly Road
Twin Falls, ID.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07320

Priority: March 20, 1989

Maximum Diversion Rate: 0.16 CFS
Maximum Diversion Volume: 8.2 AF

This is to certify, that B & K INVESTORS
PO BOX 2551
PALMER AK 99645

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 20, 1989; and has submitted Proof of Beneficial Use on September 29, 1989. An examination indicates that the works have a diversion capacity of .320 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.02 CFS	2.8 AF
DOMESTIC	01/01 to 12/31	0.14 CFS	5.4 AF
	Totals	0.16 CFS	8.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 24, Township 16S, Range 09E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16S	09E	24	SNNW 0.2	SENE 0.6		0.8
Total number of acres irrigated:						0.8

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.

WATER RIGHT LICENSE
WATER RIGHT NO. 51-07320CONDITIONS/REMARKS:

6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
8. Domestic use is for 9 homes.
9. Place of use is also known as Lots 18, and 21 thru 24, Block 1; Lots 3 and 16, Block 2; and Lots 19 and 28, Block 7 of Murphy Hot Springs Subdivision No. 2.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of MAY, 1972


Acting for R. Keith Higginson, Director