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

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 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)
51-7320					

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)

Unique Properties

4. New Owner/Claimant(s)

B & K Investors

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 292

City, State and ZIP Code

Port Mansfield, TX 78598

New Telephone Number

(956) 944-2260

5. Date you acquired the property _____

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) _____

Robert C. King Managing Member
(title if applicable)
Janet A. King member
(title if applicable)

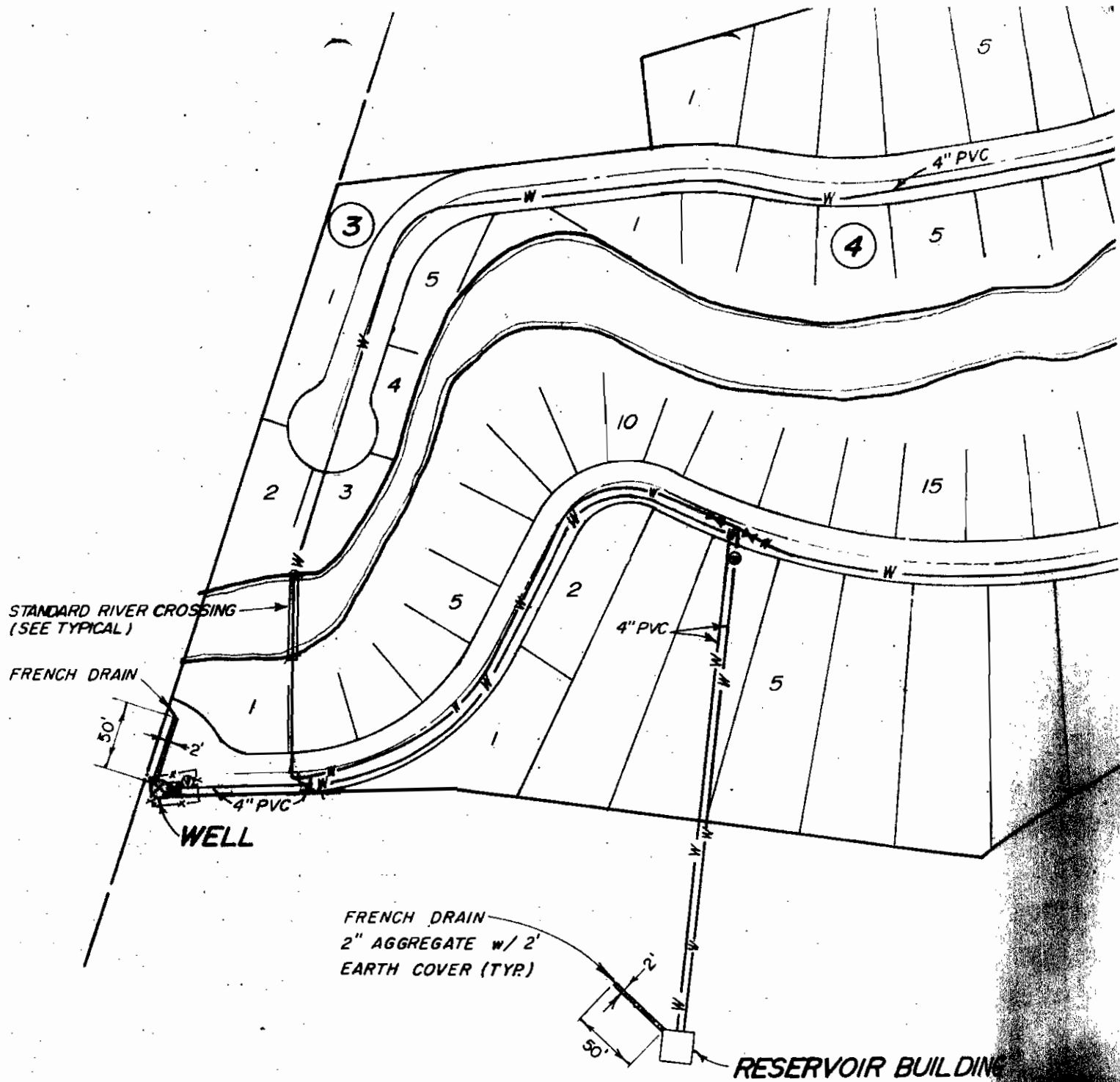
IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

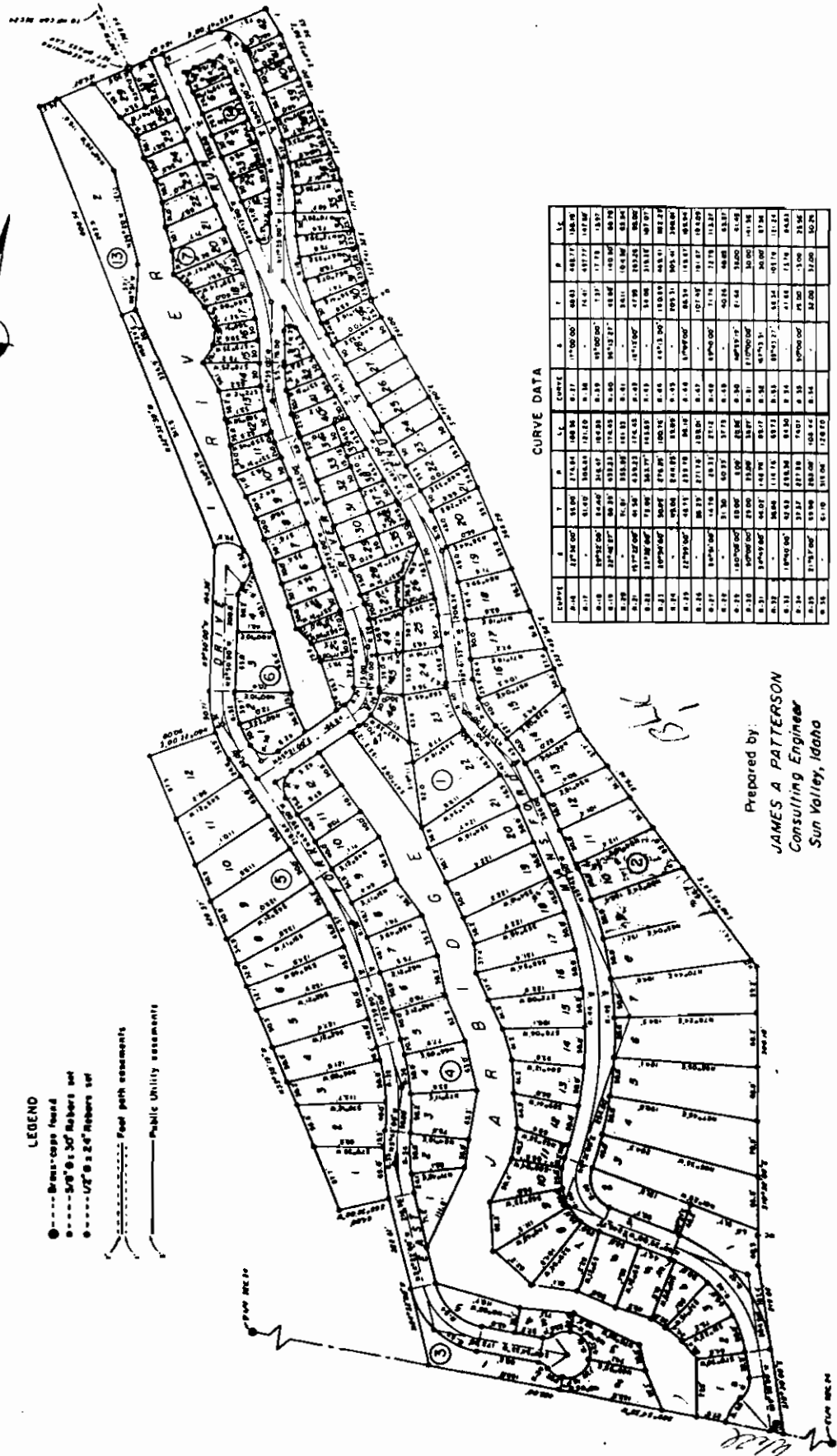
Received by *[Signature]* Date 2-5-07
 Received by *[Signature]* Date 2-5-07
 Processed by _____ AJ Date _____

Receipt Amt. \$25⁰⁰
 Receipt No. W035053
 WR _____ Date _____

WATER SYSTEM FOR
MURPHY HOT SPRINGS
SUBDIVISIONS 1 & 2



OWYHEE COUNTY, IDAHO



Prepared by:
JAMES A PATTERSON
Consulting Engineer
Sun Valley, Idaho

Page 1

01/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-7320

WATER RIGHT NUMBER: 61-7320

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	B & K INVESTORS PO BOX 2551 PALMER, AK 99645 (907)745-2255
Current Owner	UNIQUE PROPERTIES LLC 58285 CEDAR POINT DR ROGERS, ID 83303 (208) 897-2340

Priority Date: 03/28/1980

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.140 CFS	5.40 AF
IRRIGATION	4/15 to 10/15	0.020 CFS	2.80 AF
	<u>Total Diversion:</u>	0.160 CFS	8.20 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 24, Twp 16S, Rge 08E, B.M.

OWYHEE County

Place of UseIRRIGATION Within OWYHEE County

T16S R08E S24 S4NW 0.2 T16S R08E S24 S4NW 0.8

Total Acres: 0.8

DOMESTIC same as IRRIGATIONConditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. 041 Irrigation use under this right is authorized only in connection with a domestic use.
3. R50 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 acs per acre for irrigation of the lands above.

Remarks:

1. General Domestic use is for 9 homes.
Place of use is also known as Lots 15, 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.

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:

SENEW , 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	SWNW 0.2	SENEW 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07320

CONDITIONS/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, 1992.

Acting for R. Keith Higginson, Director



ESTOPPEL AFFIDAVIT

State of Idaho)
 :
 County of Twin Falls) ss:

UNIQUE PROPERTIES, LLC, an Idaho Limited Liability Company, through its Managing Member, Tom Scroggins, being first duly sworn on oath, deposes and says:

That it is the identical party who made, executed and delivered that certain deed to B & K INVESTORS, LLC, an Iowa Limited Liability Company, dated the 15th day of December, 2006, conveying the following described property, to-wit:

SEE ATTACHED EXHIBITS "A" and "B".

That the aforesaid deed was an absolute conveyance of the title to said premises to the grantee named therein in effect as well as in form, and was not and is not now intended as a Deed of Trust, Mortgage, or security of any kind, and that possession of said premises has been surrendered to the said grantee; that the consideration in aforesaid deed was the cancellation of the Note.

That the aforesaid deed and conveyance was made by Unique Properties, LLC as the result of a request by Unique Properties, LLC, that the grantee accept such deed and was its free and voluntary act; and in executing same, Unique Properties, LLC is not acting under any misapprehension as to the effect thereof, nor have I, as the Managing Member, been under any duress, undue influence, or misrepresentation by the grantee or the agent or attorney of the grantee in said deed, and that it was my intention as the Managing Member of grantor to convey and by

said deed did convey to the grantee therein all of Unique Properties, LLC's right, title and interest absolutely in and to the premises described in said deed. Further, that grantor is solvent on the date the deed and this Affidavit were executed; that with the execution thereof the obligation is satisfied and that possession of the premises has been given to grantee.

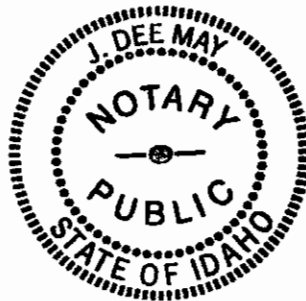
This affidavit is made for the protection and benefit of the aforesaid grantee in said deed, its successors and assigns, all Title Insurance Companies, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

UNIQUE PROPERTIES, LLC

By Tom Scroggins
TOM SCROGGINS, Managing Member

SUBSCRIBED AND SWORN to before me this 13th day of Dec.,

2006.



J. Dee May
Notary Public for State of Idaho
Residing at Idaho Falls, therein.
Commission Expires: 11/2/2010

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, That on this 13th day of December, 2006, UNIQUE PROPERTIES, LLC, an Idaho Limited Liability Company, the party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) of the United States of America, to them in hand paid by B & K INVESTORS, LLC, an Iowa Limited Liability Company, the party of the second part, the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, and Sell and Convey unto the said party of the second part, their executors, administrators and assigns the following:

The 5hp electrical submersible pump, pipes, pipelines, water system, well and any and all other equipment necessary to operate the water system presently existing on the property described in attached Exhibit "A".

TO HAVE AND TO HOLD The same to the said party, of the second part, their executors, administrators and assigns forever; and the said party of the first part does for its heirs, executors and administrators, covenant and agree to and with the said party of the second part, its executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels, hereby made, unto the said party of the second part its executors, administrators and assigns against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal on this 13th day of December, 2006.

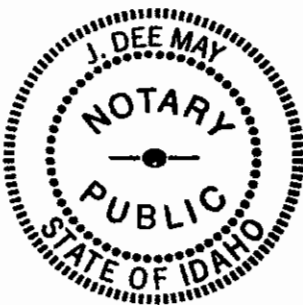
UNIQUE PROPERTIES, LLC

Tom Scroggins
TOM SCROGGINS, Managing Member

STATE OF IDAHO)
 : ss.
County of)

On this 13 day of December, 2006, before me, the undersigned, a Notary Public, in and for said County, personally appeared **TOM SCROGGINS**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as the Managing Member on behalf of Unique Properties, LLC, the partnership therein named and acknowledged to me that the partnership executed it.

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



J. Dee May
Notary Public for State of Idaho
Residing at 7000 7th St., therein.
Commission Expires: 11/2/12

QUITCLAIM DEED

For Value Received, UNIQUE PROPERTIES, LLC, an Idaho Limited Liability Company,

does hereby convey, release, remise and forever quit claim unto B & K INVESTORS, LLC, an Iowa Limited Liability Company,

whose address is: P. O. Box 292, Port Mansfield, TX 78598

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A" together with all appurtenant water rights, as well as the 5hp electrical submersible pump, pipes, pipelines, water system, well and any and all other equipment necessary to operate the water system presently existing on the herein above described property including but not limited to the equipment, etc. described on attached Exhibit "B".

together with their appurtenances.

DATED this 13th day of December, 2006.

UNIQUE PROPERTIES, LLC.

TOM SCROGGINS
TOM SCROGGINS, Managing Member

Instrument # 259286

MURPHY, OWYHEE, IDAHO

2006-12-27 03:24:11 No. of Pages: 5

Recorded for: ALLIANCE TITLE

CHARLOTTE SHERBURN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for at the request of

at _____ minutes past _____ o'clock _____ m.
this _____ day of _____
2006, in my office, and duly recorded in Book of

Deeds at page _____

Ex-Officio Recorder

By

Deputy.

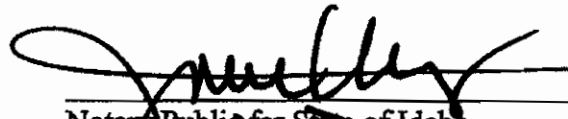
Fees \$
Mail to:

STATE OF IDAHO)
 : ss
County of Twin Falls)

On the 13th day of December, 2006, before me the undersigned a Notary Public in and for said State, personally appeared **TOM SCROGGINS**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as Managing Member, on behalf of Unique Properties, LLC, the limited liability company therein named and acknowledged to me that the limited liability company executed it.

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




Notary Public for State of Idaho
Residing at Twin Falls, therein
Commission Expires: 4/2/2010

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 Northwesterly 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 $33^{\circ}55'19''$ East 87.50 feet, along the Southwesterly boundary of said Lot 12;
Thence South $45^{\circ}21'00''$ 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 $89^{\circ}54'33''$ West, 434.47 feet, more or less to the West Quarter corner of Section 24;
Thence North $00^{\circ}12'33''$ East, 120.09 feet, more or less along the West boundary of Section 24 to the extended Northwesterly boundary of Lot 12;
Thence North $60^{\circ}22'00''$ 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 $33^{\circ}55'19''$ East, 87.50 feet, along the Southwesterly boundary of said Lot 12;
Thence South $45^{\circ}21'00''$ 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 $89^{\circ}54'33''$ West, 434.47 feet, more or less to the West Quarter corner of Section 24;
Thence North $00^{\circ}12'33''$ East, 120.09 feet, more or less along the West boundary of Section 24 to the extended Northwesterly boundary of Lot 12;
Thence North $60^{\circ}22'00''$ East, 1173.27 feet, more or less to the REAL POINT OF BEGINNING.