

RECEIVED  
MAY 14 2004  
WATER RESOURCES  
WESTERN REGION

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

RECEIVED  
MAY 13 2004  
Department of Water Resources  
Adjudication Bureau

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
	77-4207				

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)

Florence M. Sandy & W.A. Sandy C. Mountain & Valley Properties - Family Transfers for deed

4. New Owner/Claimant(s)

Habitat Holdings LLC - John A. Sandy

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

New Mailing Address

13348 W Redwick Dr.

City, State and ZIP Code

Boise, Idaho 83713

New Telephone Number

208 939 2088

5. Date you acquired the property

4/13/04

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 _____	_____	_____
<b>Total</b>	_____	_____

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 _____	_____	_____
<b>Total</b>	_____	_____

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

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.

<b>For Office Use Only</b>			
Received by <u>AS</u>	Date <u>5-14-04</u>	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

# 229024  
Custer County Rec. of Richard A. Cummings  
Time 11:15 A M. Date 4-19-2004  
Ethel M. Peck, Clerk  
Deputy Billy Doughty \$ 9.00

**BARGAIN AND SALE DEED**

**MOUNTAIN AND VALLEY PROPERTIES L.P.**, an Idaho limited partnership, herein referred to as Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto **HABITAT HOLDINGS L.L.C.**, an Idaho limited liability company, whose address is 13348 West Redwick Drive, Boise, Idaho 83713, herein referred to as Grantee, all of Grantor's interest in and to the following described real property situated in the County of Custer, State of Idaho:

H.E. Survey No. 575, embracing a portion of, approximately, Section 13, Township 12 North, Range 11 East, Boise Meridian, more particularly bounded and described as follows:

BEGINNING at Corner No. 1 from which U.S. located Monument No. 574 bears North 53°45' East, 2.92 chains distance; thence South 29°02' East, 39.89 chains to Corner No. 2; thence South 60°49' West, 39.70 chains to Corner No. 3; thence North 29°01' West, 39.91 chains to Corner No. 4; thence North 60°51' East, 39.66 chains to Corner No. 1, the PLACE OF BEGINNING, containing 158.34 acres, according to the Official Plat of the Survey of said land, on file in the General Land Office.

*COPY*

SUBJECT, HOWEVER, to those certain rights of first refusal contained in Section 21 of the Agreement for Dissolution and Winding Up of Jones and Sandy Livestock Company, an Idaho partnership, and for the Division of Assets and Liabilities of the Partnership, as modified by the First Addendum to the Agreement for Dissolution and Winding Up of Jones and Sandy Livestock Company, an Idaho partnership, and for the Division of Assets and Liabilities of the Partnership. Both the Agreement and the First Addendum were made effective July 2, 1981, and have been executed by all general partners of the Jones and Sandy Livestock Company. A memorandum of the Agreement as modified by the First Addendum was recorded on January 27, 1982, as Microfilm Instrument No. 93262, records of Gooding County, Idaho.

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Grantor hereby confirms that Grantee is an entity wholly owned by John A. Sandy or members of his immediate family; and this conveyance is therefore exempt from the terms of the right of first refusal referenced above pursuant to Section "2.e" of the First Addendum, to which reference is made for its specific terms and conditions.

Subject to liens, encumbrances, restrictions, and easements of record or appearing on the premises.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand this 13 day of April, 2004.

MOUNTAIN AND VALLEY PROPERTIES L.P.,  
an Idaho limited partnership,

By: HABITAT HOLDINGS L.L.C., an Idaho  
limited liability company, its General Partner

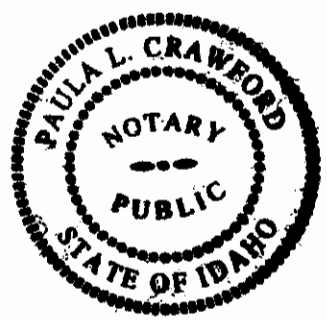
By: John A. Sandy  
John A. Sandy, Manager

STATE OF IDAHO )

County of Ada )

On this 13<sup>th</sup> day of April, 2004, before me, a Notary Public in and for the state of Idaho, personally appeared JOHN A. SANDY, known or identified to me to be the sole Member of Habitat Holdings L.L.C. which is the General Partner in the partnership of Mountain and Valley Properties L.P., and the partner which subscribed said partnership name to the foregoing instrument, and acknowledged to me that Habitat Holdings L.L.C. executed the same in the name of Mountain and Valley Properties L.P.

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



Paula L. Crawford  
Notary Public for Idaho  
Residing at: Kuna, ID  
My Commission Expires: 10/7/05