

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

RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

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)
36-7108					

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)

Sunridge Land Co LLC
22605 97th Ave So
Kent, WA 98031

4. New Owner/Claimant(s)

Elliot Bay Ventures LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

600 University Street #2912

City, State and ZIP Code

Seattle, WA 98101

New Telephone Number

(206) 346-9900 Email: chris@mjgc.com

5. Date you acquired the property

2-26-08

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)

*Shelly Huff*manager

(title if applicable)

(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 _____
 Receipted by CM
 Processed by _____ AJ

Date _____
 Date 5-8-08
 Date _____

Receipt Amt. \$25
 Receipt No. CD060624
 WR _____ Date _____

Instrument # 2080984

JEROME COUNTY, JEROME, IDAHO

2-27-2008 03:47:47 No. of Pages: 12

Recorded for : LAND TITLE AND ESCROW INC.,

MICHELLE EMERSON

Fee: 36.00

Ex-Officio Recorder Deputy

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Philip M. Roberts, Esq.
Ryan, Swanson & Cleveland, PLLC
1201 Third Avenue, Suite 3400
Seattle, WA 98101-3034

Instrument # 495424

MINIDOKA COUNTY, RUPERT, IDAHO

2-27-2008 01:58:54 No. of Pages: 12

Recorded for : BURLEY LAND TITLE

DUANE SMITH

Fee: 36.00

Ex-Officio Recorder Deputy

42915MC/J-37190 (2)

(Space Above For Recorder's Use)

WARRANTY DEED

FOR VALUE RECEIVED, SUNRIDGE LAND CO., L.L.C., a Washington limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto ELLIOTT BAY VENTURES, LLC, a Washington limited liability company, the "Grantee", whose current address is 600 University Street, Suite 2912, Seattle, Washington 98101, the following described premises in Minidoka and Jerome Counties, Idaho, to-wit:

See Exhibit A attached hereto and incorporated herein by this reference (the "Property"),

This Deed is given as a conveyance in lieu of foreclosure of that certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filing on the Property executed by Grantor, as Grantor therein, to Grantee, as Lender therein, dated October 6, 2006, and recorded on October 10, 2006, as Instrument No. 487144, records of Minidoka County, Idaho, and as Instrument No. 2066230, records of Jerome County, Idaho, as amended (collectively, the "Mortgage"). This Deed is intended to be an absolute conveyance in effect as well as in form, and is not intended, and shall not constitute a mortgage, trust conveyance, or security of any kind; provided, however, it is the intention of the parties hereto that the execution and delivery of this Deed and the acceptance thereof by Grantee shall not operate to effect a merger of interest in Grantee as to extinguish or impair the lien of Grantee's existing Mortgage above-described, or the priority thereof over other liens, charges, or encumbrances, if any, against the Property, and as against the present or subsequent owners or holders thereof. This Deed shall not effect a merger of Grantee's security interest in the fee title acquired hereby and Grantee herein shall be entitled to retain and does retain the priority of its Mortgage and shall have full right and power to retain and enforce the same and, if necessary, to foreclose the Mortgage to enforce such priority.

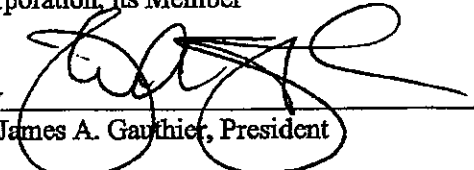
TO HAVE AND TO HOLD the Property, with its appurtenances unto the Grantee and its heirs, successors and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that it is the owner in fee simple of the Property, and the Property is free from all liens

and encumbrances, except for those listed on Exhibit B attached hereto and incorporated herein by this reference, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 26th day of February, 2008.

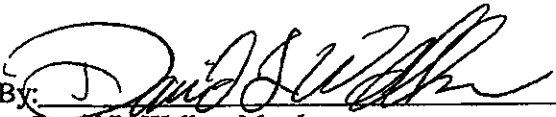
SUNRIDGE LAND CO., L.L.C.,
a Washington limited liability company

By: Gauthier Law Offices, P.S., a Washington
corporation, its Member

By: 
James A. Gauthier, President

By: Evergreen Precision Surveying LLC, a
Washington limited liability company, its
Member

By: 
Bentley E. Shafer, Member/Manager

By: 
David L. Walker, Member

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that JAMES A. GAUTHIER is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of GAUTHIER LAW OFFICES, P.S., as the Member of SUNRIDGE LAND CO., L.L.C., to be the free and voluntary act and deed of said corporation on behalf of said limited liability company, for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed on this 26 day of February, 2008.



(Signature of Notary)

Bentley E. Shafer
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of
Washington

My Appointment Expires: 4-11-08

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that BENTLEY E. SHAFER is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member/Manager of EVERGREEN PRECISION SURVEYING LLC, as the Member of SUNRIDGE LAND CO., L.L.C., to be the free and voluntary act and deed of said limited liability companies, for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed on this 26th day of February, 2008.



(Signature of Notary)

James A. Gauthier
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of
Washington

My Appointment Expires: 6-10-09

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that DAVID L. WALKER is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of SUNRIDGE LAND CO., L.L.C., to be the free and voluntary act and deed of said limited liability company, for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed on this 26th day of February, 2008.



(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington

My Appointment Expires: 10-09

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 17: Lot 3 and Tract J
Section 18: Tract L
Section 20: Lots 4 and 5
Section 19: Lots 6, 7, 8, 9 and 10 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, **EXCEPTING THEREFROM** the following described tracts:

Tract No. 1:

Beginning at the corner of Sections 18 and 19, Township 10 South, Range 22 East of the Boise Meridian and Sections 13 and 14, Township 10 South Range 21 East of the Boise Meridian, Minidoka County, Idaho; thence South to the North high water line of the Milner Reservoir; thence in an Easterly direction along high water line for 390 feet to the TRUE POINT OF BEGINNING;

Thence in an Easterly direction along high water line for 1614 feet, more or less, to a point of intersection of an existing North and South road extended to the high water line of the Milner Reservoir;

Thence along said road in a Northerly direction for 660 feet;

Thence in a Westerly direction on a line parallel with the North shore line of the Milner Reservoir for 1500 feet;

Thence in a Southerly direction for 660 feet, more or less, to the TRUE POINT OF BEGINNING,

-Continued-

Tract No. 2:

Beginning at the West ¼ section corner of Section 19, Township 10 South, Range 22 East, Boise Meridian, said corner marked by a 5/8" rebar; Thence South 00°05'27" West along section line for 1206.43 feet to the high water line of the Snake River; Thence South 83°13'21" East along the high water line of the Snake River for 85.98 feet; Thence North 82°57'33" East along said high water line for 304.02 feet; Thence North 03°31'11" West (recorded Northerly) for 673.48 feet (recorded 660.0 feet); Thence North 60°42'25" East (recorded Easterly, parallel with the North shore line of Milner Reservoir,), for 1500.00 feet to a point on the centerline of an existing road; Thence South 13°36'09" East (recorded Southerly along said road), for 33.45 feet to a ½ inch rebar which shall be the POINT OF BEGINNING, said point lying North 83°19'24" East for 1671.24 feet from the West ¼ section corner of Section 19 of Township 10 South, Range 22 East, Boise Meridian;

Thence South 39°29'16" East for 435.61 feet to a ½" rebar;

Thence South 39°29'16" East for 25.00 feet to a point on the high water line of the Snake River;

Thence South 68°48'57" West along said high water line for 25.82 feet;

Thence South 02°33'47" East along said high water line for 180.09 feet;

Thence South 54°22'39" West along said high water line for 87.86 feet;

Thence South 77°18'57" West along said high water line for 59.57 feet to a point on the extended centerline of the aforementioned road;

Thence North 13°36'09" West (recorded Northerly along said extended road) for 626.55 feet to the POINT OF BEGINNING.

-Continued-

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 18:

Tract A, **EXCEPTING THEREFROM** the following described tracts:

TRACT NO. 1:

Beginning at the Northwest corner of Tract A and the Northeast corner of Tract B;

Thence South 3°24' East 1630.86 feet along the line between Tract A and Tract B to a point which is the brass cap between Tract B and Tract F;

Thence North 62°15'22" East 1460.55 feet to a point;

Thence North 69°11'22" East 344.93 feet to a point;

Thence North 0°38'45" West 308.74 feet to a point on Lateral "D";

Thence North 59°10' West 994.16 feet along Lateral "D" to a point on the county road right of way;

Thence North 89°30' West 367.62 feet along section line to the quarter corner of said Section 18;

Thence North 89°31'30" West 487.08 feet along section line to the TRUE POINT OF BEGINNING.

TRACT NO. 2:

Beginning at the North quarter section corner of said Section 18, said corner marked by a 5/8 inch rebar; thence South 89°30' East (Basis of Bearing) along the section line for 367.62 feet to a P.K. nail; thence South 59°10' East along the centerline of an irrigation lateral for 994.16 feet to a 1/2 inch rebar which shall be the POINT OF BEGINNING;

Thence South 0°04'50" West (South 0°38'45" East recorded) for 301.16 feet to a 1/2 inch rebar;

Thence South 47°09'49" East for 542.76 feet to the centerline of the Main Canal;

Thence North 4°53'00" West for 636.15 feet;

Thence South 85°08' West for 248.16 feet;

Thence North 59°10' West for 112 feet to a 1/2 inch rebar which is the POINT OF BEGINNING.

-Continued-

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 18: Tracts H, J and K

Section 19: Tract A and Lot 5

EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of Lot 5 in said Section 19, said corner marked by a 5/8 inch rebar; Thence North 00°05'27" East along the West line of Section 19 for a distance of 10.00 feet to the Point of Beginning;
Thence North 00°05'27" East along the West line of Section 19 for a distance of 176.22 feet to a 1/2 inch rebar;
Thence South 89°46'32" East for a distance of 426.56 feet to a 1/2 inch rebar;
Thence South 03°26'39" East for a distance of 48.69 feet;
Thence South 89°24'04" East for a distance of 53.43 feet;
Thence South 03°26'39" East for a distance of 130.75 feet;
Thence North 89°24'04" West for a distance of 491.07 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: Part of Lot 5 more particularly described as follows:

Beginning at the Southwest corner of Lot 5 in Section 19, said corner marked by a 5/8 inch rebar; Thence North 00°05'27" East along the west line of Section 19 for a distance of 10.00 feet to the Point of Beginning;
Thence North 00°05'27" East along the west line of Section 19 for a distance of 176.22 feet to a 1/2 inch rebar;
Thence South 89°46'32" East for a distance of 426.56 feet to a 1/2 inch rebar;
Thence South 03°26'39" East for a distance of 48.69 feet;
Thence South 89°24'04" East for a distance of 53.43 feet;
Thence South 03°26'39" East for a distance of 130.75 feet;
Thence North 89°24'04" West for a distance of 491.07 feet to the Point of Beginning.

-Continued-

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: S½NW¼NE¼

PARCEL NO. 6:

An easement for ingress and egress for the benefit of Parcel No. 5 as contained in Trustee's Deed dated September 16, 2004 and recorded September 17, 2004 as Instrument No. 474418, records of Minidoka County, Idaho, over the South 25 feet of the following:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: S½NE¼NW¼

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 24: NW¼SE¼; Lots 1 and 4