

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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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)
31-11702	split - 31-12008 31-12009				

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) Don M. and Beverly Burtenshaw

1603 N. 1000 East SUPPORT DATA

Terreton, ID 83450 31-12008

4. New Owner/Claimant(s) Mark E. Rockefeller

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

New Mailing Address 30 Rockefeller Plaza, Room 5600

City, State and ZIP Code New York, NY 10112

New Telephone Number (212) 879-8271 Email: mrock@rockco.com

RECEIVED

DEC 10 2007

Department of Water Resources
Bureau of Water Rights

5. Date you acquired the property

11-30-2007

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)

Mark F. Ruppel

(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 [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 12-10-07
 Date 12-10-07
 Date _____

Receipt Amt 25.00
 Receipt No. 0033636
 WR _____ Date _____

Instrument # 364334

RIGBY, JEFFERSON, IDAHO

2007-11-30 03:45:00 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE - RI

CHRISTINE BOULTER

Fee: 9.00

Ex-Officio Recorder Deputy PMillar

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

FIRST AMERICAN TITLE

225204

WARRANTY DEED

THIS INDENTURE is made this 30TH day of November, 2007, by **DON M. BURTENSHAW** and **BEVERLY T. BURTENSHAW**, husband and wife, "Grantors," and **MARK F. ROCKEFELLER**, a married man dealing with his sole and separate property as to income, principal and appreciation, whose mailing address is 30 Rockefeller Plaza, Room 5600, New York, New York 10112, "Grantee."

WITNESSETH:

That Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to Grantors in hand paid by Grantee, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Jefferson, State of Idaho, to-wit:

Township 6 North, Range 34 East of the Boise Meridian, Jefferson County, Idaho.

Section 3: S1/2NE1/4

EXCEPTING THEREFROM: Beginning at a point 772 feet North of the SE Corner of the NE1/4 of said Section 3; thence North 548 feet to the NE Corner of the SE1/4NE1/4 of said Section 3; thence West approximately 1216 feet; thence Southeasterly along the Mud Lake Dike to the point of beginning.

TOGETHER with all water rights or shares of any kind which are appurtenant to or used in connection with such property.

SUBJECT TO:

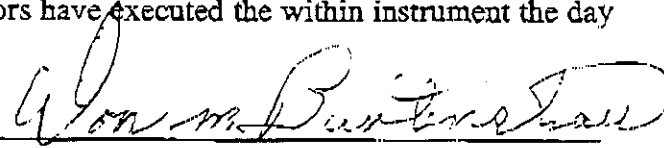
- (i) Real property taxes and assessments for the year 2000 and all periods thereafter.
- (ii) Any taxes, impositions or assessments resulting from a change in the user tax status of the property effectuated by Grantee, whether or not relating to periods prior to the closing.

- (iii) All covenants, conditions, restrictions, easements, rights of way, shortages in area, encroachments, encumbrances, title exceptions and other matters affecting the property such as would be disclosed or discoverable by Grantee making a complete and thorough inspection of the survey of the property.
- (iv) Any liens from materialmans or similar liens or assessments and other matters arising through the actual admissions of Grantee or Grantee's successors in interest.
- (v) Easement granted to Utah Power and Light Company recorded April 20, 1964, in Book 166 of Miscellaneous, Page 288.
- (vi) Provisions in Deed to Don and Beverly Burtenshaw recorded August 1, 1984, as instrument no. 228397.
- (vii) Right of way or easement of Mud Lake.

TO HAVE AND TO HOLD the premises and the appurtenances unto Grantee, and to Grantee's heirs and assigns forever. Grantors and Grantors' heirs shall warrant and defend the premises in the quiet and peaceable possession of Grantee and Grantee's heirs and assigns, against Grantors and Grantors' heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Grantors have executed the within instrument the day and year first above written.

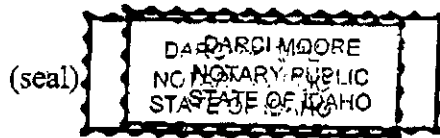

DON M. BURTENSHAW


BEVERLY T. BURTENSHAW

STATE OF IDAHO)
) ss.
County of JEFFERSON)

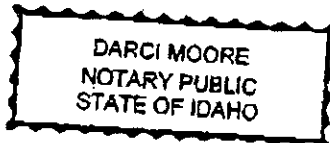
On the this 31st day of November, 2007, before me, the undersigned, a notary public, in and for said State, personally appeared **DON M. BURTENSHAW** and **BEVERLY T. BURTENSHAW**, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

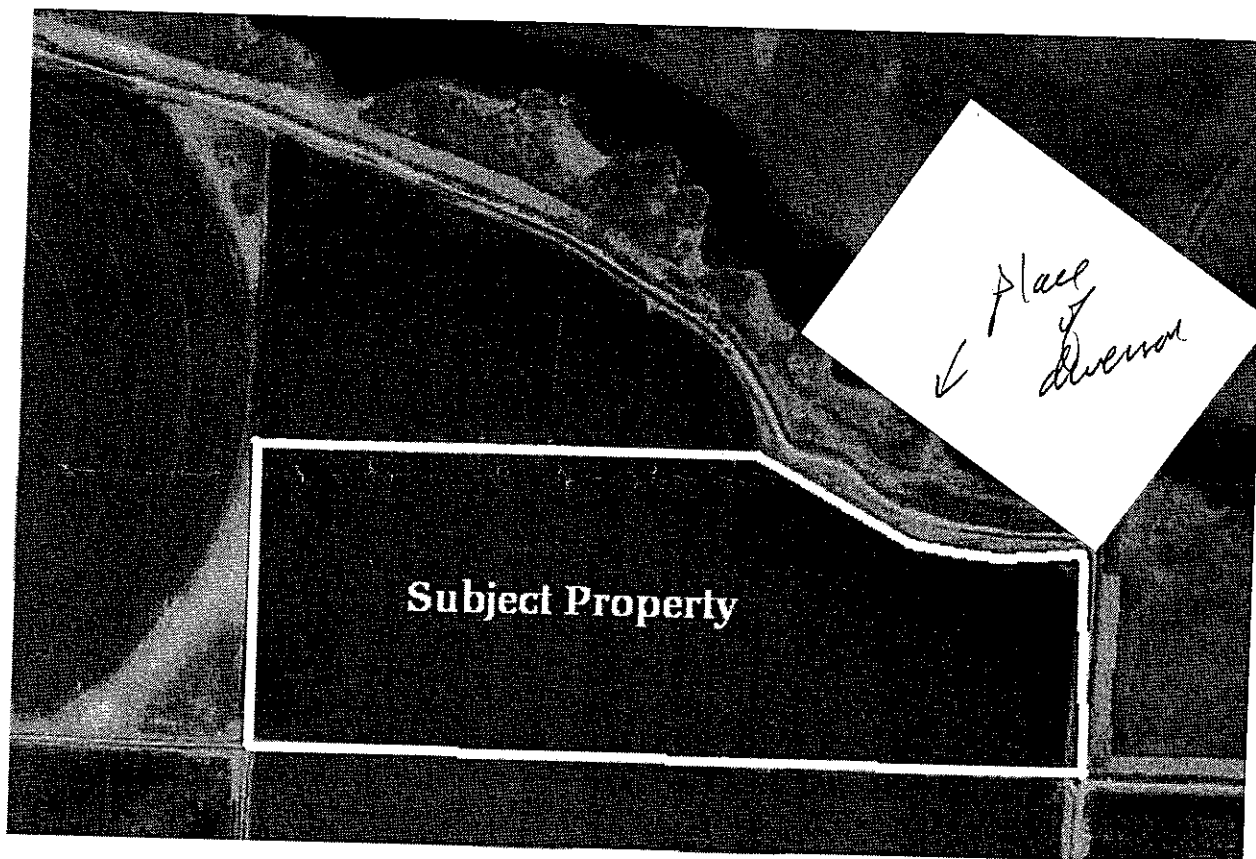
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Darci Moore
Notary Public for Idaho
Residing at: RIGBY, ID
My Commission Expires: 9-23-2010

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1992 Aerial photograph, obtained from the TerraServer website. The approximate site boundaries are shown in white