

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

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DEPT. OF WATER RESOURCES
SOUTHERN 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
36-8984					

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)

Virgil L. / Ama Lee Brockman Family Trust
20 E Frontage Rd N - Jerome ID 83338

4. New Owner/Claimant(s)

ABC Agra, L.L.C.

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

New Mailing Address

P.O. Box 378

City, State and ZIP Code

Jerome, ID 83338-0378

New Telephone Number

208 324-6644

5. Date you acquired the property

March 31, 1995

dated 12-13-91

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) ABC Agra, L.L.C.
(include title if applicable) By: [Signature]

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 [Signature] Date 4/20/06 Fee 25.00
 Received by [Signature] Date 4/21/06 Receipt No. 30 28580
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received

VIRGIL LEE BROCKMAN AND AMA LEE BROCKMAN, Trustees
of "THE VIRGIL & AMA LEE BROCKMAN FAMILY TRUST"
dated December 13, 1991

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ABC AGRA L.L.C., An Idaho Limited Liability Company
Whose address is: P.O. Box 378 Jerome, Idaho 83338

Hereinafter called the Grantee, the following described premises situated in
to-wit:

County, Idaho,
Jerome

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 15: That part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of Section 15,
Township 9 South, Range 17, East Boise Meridian, a
distance of 1306.63 feet on a bearing of North
89°25'11" West along the North boundary of Section
15 to the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ said
Section 15;

Thence from this said Northwest corner NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance
of 443.16 feet on a bearing of South 0°01'05" East
along the West boundary of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to THE
REAL POINT OF BEGINNING;

9 5 | 2 4 2 Thence from this REAL POINT OF BEGINNING a distance of
890.28 feet on a bearing of North 87°42'05" East to
the West boundary of United States Highway No. 93;
Thence along the said West boundary of U.S.
Highway No. 93 the following courses and
distances:

South 7°37'03" West, 120.00 feet;
South 12°35'06" West, 577.18 feet;
South 50°21'55" West, 368.85 feet;
North 89°24'52" West, 463.59 feet to the Southwest
corner of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15;

Thence from this said Southwest corner NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance
of 877.10 feet on a bearing of North 0°01'05" West
to THE REAL POINT OF BEGINNING.

REC'D
Land Title & Escrow, Inc.

MAR 31 4 38 PM '95

JEROME COUNTY, IDAHO

FEES 6.00 DEED 1.00

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated:

March 30, 1995

"THE VIRGIL & AMA LEE BROCKMAN FAMILY TRUST"

Virgil Lee Brockman
VIRGIL LEE BROCKMAN, TRUSTEE

Ama Lee Brockman
AMA LEE BROCKMAN, TRUSTEE

EXHIBIT "A"

FACT TO THE FOLLOWING:

1. reservations in patents or deeds in the chain of title.

Taxes for 1995 and subsequent years, a lien, but not yet due and payable.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Conditions and restrictions contained in Warranty Deed given by Virgil J. Lickley and Nellie Lickley, husband and wife, to the State of Idaho, dated October 29, 1963, recorded December 16, 1963 in Book 173 Page 629 as Instrument Number 157219, Jerome County records, wherein it states "Grantors agree that no buildings or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the real property above described, and grantor bargain, sell, convey and relinquish to the Grantee all existing, future or potential common law or statutory easements of access between the right of way of the public way identified and all of the contiguous remaining real property of the Grantor, whether acquired by separate conveyances otherwise, of which the real property covered by this instrument is a part, where said remaining real property abuts on the Northeasterly side of the said public way."

Waiver of Present and Future Access Rights and Conditions and Restrictions as contained in Quitclaim Deed given by Robert Gibbons and Louise Gibbons, husband and wife; and Joe Frazier and Jeanette Frazier, husband and wife, to the State of Idaho, by and through the Idaho Board of Highway Directors, dated May 14, 1971, recorded June 8, 1971 in Book 182 Deeds Page 2250 as Instrument Number 189610, Jerome County records, and Quitclaim Deed given by L. W. Lickley and Charlene Lickley; Albert Lickley and Lois Lickley; Ray Lickley and Donna Lickley; Nellie Lickley Lattimer, to the State of Idaho, by and through the Idaho Board of Highway Directors, dated May 3, 1971, recorded June 8, 1971 in Book 182 Page 2251 as Instrument Number 189611, Jerome County records.

Relinquishment and rights of access and conditions and restrictions contained in Warranty Deed given by L. W. Lickley and Charlene Lickley, his wife; Albert Lickley and Lois Lickley, his wife; Ray Lickley and Donna Lickley, his wife; Mahlon W. Gibbons and Louise Gibbons, his wife; Joe Frazier and Jeanette Frazier, his wife; and Nellie Lickley Lattimer, Grantors, to the State of Idaho, Grantee, dated November 18, 1971, recorded January 3, 1972 in Book 182 Deeds Page 2619 as Instrument Number 192199, Jerome County records.

Power Line Easement granted to Idaho Power Co., by instrument dated July 18, 1975, recorded November 21, 1975 in Book 184 of Misc. Page 1181 as Instrument Number 215172, Jerome County records.

Subject to access and utility easement as contained in Warranty Deed given by Geraldine Corbett and Hugh W. Corbett, wife and husband, and Hugh W. Corbett, a sole trader, dba H. W. Corbett Company, to Virgil L. Brockman and Ama Lee Brockman, husband and wife, dated August 1, 1977, recorded August 2, 1978 in Book 200 Page 1054 as Instrument Number 235297, Jerome County records, for the purpose of ingress, egress and utilities situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 9 South, Range 17, East Boise Meridian, Jerome County, Idaho, said strip of land to be centered on a centerline being more specifically described as follows: Commencing at the Northeast corner of Section 15, Township 9 South, Range 17, East Boise Meridian, a distance of 363.66 feet on a bearing of North 89°25'11" West; Thence a distance of 401.45 feet on a bearing of South 7°37'03" West to THE POINT OF BEGINNING of said centerline of a 60 foot wide strip of land; Thence from this POINT OF BEGINNING and along said centerline a distance of 890.28 feet on a bearing of South 87°42'05" West to the POINT OF ENDING of said centerline of a 60 foot wide strip of land. The said access and utility easement is for the benefit of and appurtenant to the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 9 South, Range 17, East Boise Meridian, lying West of United States Highway No. 93 and shall inure to the benefit of and may be used by all persons who may hereafter become owners of said appurtenant property or any part or portions thereof.

A 30 foot strip of land to be used as a public road easement contained in Warranty Deed given by Nellie E. Lattimer, formerly Nellie E. Lickley, whose name has been changed by marriage, dealing with her own sole and separate property, L. W. Lickley, also known as Lawrence Walton Lickley and Charleen Lickley, his wife, Albert Charles Lickley and Lois Lickley, his wife, Virgil Ray Lickley and Donna Lickley, his wife, Louise LaNell Gibbons and Mahlon W. Gibbons, her husband, Jeanette Rose Frazier and Joe Frazier, her husband, Grantors, to Geraldine Corbett and Hugh W. Corbett, wife and husband, and Hugh W. Corbett, a sole trader, dba H.W. Corbett Company, Grantees, dated June 10, 1972, recorded August 14, 1978 in Book 200 Deeds Page 1085 as Instrument Number 235510, Jerome County records, which is a tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 9 South, Range 17, East Boise Meridian, Jerome County, Idaho, described as follows: Beginning at the Northeast corner of Section 15; Thence South 0°24'00" East, 441.73 feet along the East line of said Section 15; Thence North 88°55'00" West, 76.22 feet; Thence North

81°55'30" West, 350.00 feet to the Westerly right of way of said road.