

Transfer No. 72270
Receipt No. 5027991

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information VIRGIL L BROCKMAN
20 E FRONTAGE RD N
JEROME ID 83338
(208)734-3167

And

AMA LEE BROCKMAN
20 E FRONTAGE RD
JEROME ID 83338
(208)734-4320

And

VIRGIL S BROCKMAN
20 E FRONTAGE RD N
JEROME ID 83338
(208)734-3167

And

RUTH A. BROCKMAN
20 E FRONTAGE RD
JEROME ID 83338
(208)734-3167

RECEIVED

SEP 15 2005

Department of Water Resources
Southern Region

Will this transfer result in an ownership change? ✓ Yes ✓ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-8484	WR/License	0.08	2.2			GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8484	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Page 2

We moved our business from east of Jerome to south of Jerome in 1995; the original property was sold to a developer, and is in the process of being covered by the water system from Jerome. The business was completely removed from the original site. The new site is being divided between the father (Virgil L.) and the son (Virgil S.), with the father keeping two homes and three offices, and the son is keeping the RV-sales office and shop. One well serves all the buildings.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-8484	0.08 cfs			2.2 af
TOTAL	0.08 cfs			2.2 af

Transfer No. 72270

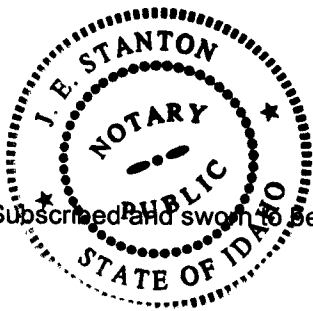
Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

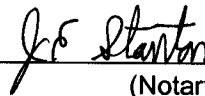


(Signature of Applicant) LO-OWHEN



(Title or Office)

Subscribed and sworn to before me this 8th day of September, 2005.



(Notary Public)

My commission expires 10-25-06

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Ruth A. Brockman
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 15 day of SEPT, 20 05

[Signature]
(Notary Public)

My commission expires 5-30-06

STEVE BROCKMAN
NOTARY PUBLIC
STATE OF IDAHO

Transfer No. 72270

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DEPARTMENT OF WATER RESOURCES
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PART 1**

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(Signature of Applicant)

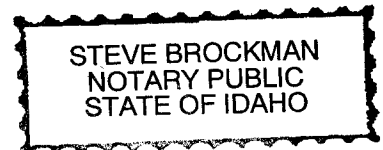
(~~Title or Office~~)

Subscribed and sworn to before me this 15 day of SEPT, 2005



(Notary Public)

My commission expires 5-30-06



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

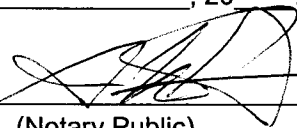
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

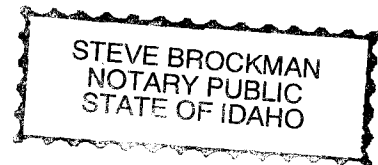
(Title or Office)

Subscribed and sworn to before me this 15 day of SEPT, 2005



(Notary Public)

My commission expires 5-30-06



Transfer No. 72270

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-8484

Priority Date: December 11, 1989

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	1/01	12/31	0.02 CFS	0.4 AFA	
DOMESTIC	1/01	12/31	0.06 CFS	1.8 AFA	
Total Diversion			0.08 CFS	2.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENE Sec. 15 Twp 09S Rge 17E JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	17E	15	X																

Conditions/Remarks:

- Commercial use is for offices.
Domestic use is for 2 homes.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The licensed business was moved to the new location in 1995.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Proposed Water Right No. 36-8484

Origin: Water Right
Basis: License
Status: Active

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.02 CFS	0.4 AFA	
DOMESTIC	01/01 12/31	0.06 CFS	1.8 AFA	
	Total Diversion	0.08 CFS	2.2 AFA	

GROUND WATER SWSENW Sec. 31 Twp 08S Rge 17E JEROME County

Point of Diversion # 1 Existing well, motor, pump, mainlines to buildings

[illegible][illegible]

Hwy I-84

Jerome
Exit

SE/NW Sec. 31
T. 8S R. 17E

T72270 POU



8/25/05

PMO100 - PARCEL MASTER INQUIRY

13:37:25

PARCEL: RP 08S17E311210 A F1=SL

F9=MS F10=SW
F17=DD

BROCKMAN, VIRGIL ETUS TRUST

LEGAL DESCRIPTION

TAX 41 OF S1/2NW

TAX 42 OF SWNE

SEC 31 T8 R17

ProVal Area Number 1

CODE AREA 4-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 10/1/1994 EXPDATE

PREV PARCEL RP08S17E311206T

20 EAST FRONTAGE NORTH

JEROME ID 83338

20 FRONTAGE RD E 83338

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	1000	AC	23470				
13	2005	37050	AC	184360				
35	2005			95650				

TOTALS 38050 303480

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

WARRANTY DEED

For Value Received

RONALD A. WOLFE and KATHLEEN ANN WOLFE, husband and wife

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

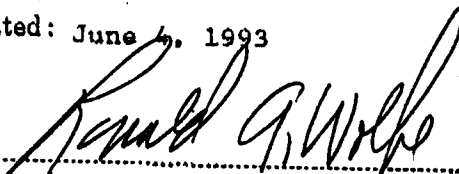
THE VIRGIL & AMA LEE BROCKMAN FAMILY TRUST, dated December 13, 1991,
Virgil Brockman and Ama Lee Brockman, as Trustees
whose address is: 5363 Hwy 93 Jerome, Idaho 83338Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho,
to-wit:

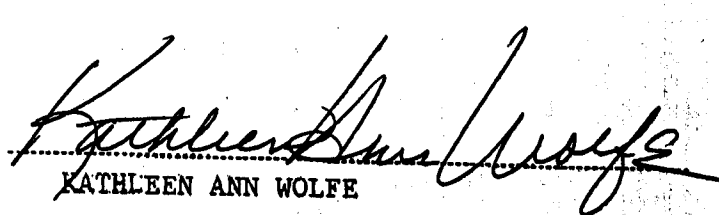
See Exhibit "A" Attached Hereto:

THIS PROPERTY IS CONVEYED DRY AND WITHOUT WATER SHARES

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: June 9, 1993


 RONALD A. WOLFE


 KATHLEEN ANN WOLFE

Montana

STATE OF IDAHO, COUNTY OF Yellowstone

On this 5th day of June, 19 93
before me, a notary public in and for said State, personally appeared

RONALD A. WOLFE and
KATHLEEN ANN WOLFE

known to me to be the persons whose names ARE
subscribed to the within instrument and acknowledged
to me that THEY executed the same.

Residing at NOTARY PUBLIC for the State of Montana
Commission expires, Residing at Billings, Montana, Idaho.
My Commission Expires August 1, 1994

RECORDED AT THE REQUEST
of Land Title & Escrow, Inc.
JUN 9 1 32 PM '93
JEROME COUNTY IDAHO
FEES \$2.00

932127

EXHIBIT "A"

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 31: A tract of land located in Government Lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the West quarter corner of said Section 31, also being the Southwest corner of said Government Lot 2;
Thence South 89°31'43" East a distance of 510.19 feet along the Southerly boundary of said Government Lot 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the Easterly boundary of I 84 right of way and THE TRUE POINT OF BEGINNING;
Thence Northwesterly along said Easterly right of way boundary the following courses and distances:
North 12°17'55" West a distance of 238.01 feet;
Thence North 6°47'25" West a distance of 110.52 feet;
Thence North 0°33'08" West a distance of 115.69 feet to a point of curvature;
Thence Northwesterly 102.09 feet on the arc of a curve to the left with a radius of 992.48 feet a central angle of 5°53'37" and a chord which bears North 3°44'37" West a distance of 102.04 feet to a point on the South side of the L 11 Coulee of the North Side Canal Company as presently constructed;
Thence Easterly along the South side of said L 11 Coulee the following courses and distances:
North 55°38'54" East a distance of 123.75 feet;
Thence North 83°56'55" East a distance of 144.00 feet;
Thence South 47°02'05" East a distance of 63.97 feet;
Thence South 60°19'05" East a distance of 158.32 feet;
Thence South 66°19'05" East a distance of 264.71 feet;
Thence North 77°55'55" East a distance of 135.12 feet;
Thence North 12°04'05" West a distance of 32.86 feet to a point on the North side of said L 11 Coulee;
Thence Easterly and Northerly along the North side of said L 11 Coulee the following courses and distances:
North 65°17'29" East a distance of 215.55 feet;
Thence North 83°03'29" East a distance of 39.03 feet;
Thence South 76°56'31" East a distance of 231.90 feet;
Thence South 57°28'31" East a distance of 139.03 feet;
Thence South 76°22'11" East a distance of 156.56 feet;
Thence North 79°50'49" East a distance of 251.18 feet;
Thence North 60°52'49" East a distance of 127.10 feet;
Thence North 53°42'35" East a distance of 116.23 feet;
Thence North 19°48'25" East a distance of 95.18 feet;
Thence North 11°40'38" West a distance of 55.40 feet;
Thence North 31°21'22" East a distance of 74.79 feet;
Thence North 52°26'16" East a distance of 99.50 feet;
Thence North 25°40'16" East a distance of 68.00 feet;
Thence North 18°55'44" West a distance of 97.40 feet;

Thence North 18°18'16" East a distance of 111.45 feet;
 Thence North 57°21'40" East a distance of 147.50 feet;
 Thence North 19°25'20" West a distance of 119.35 feet to a point on the Northerly boundary of said SW¼NE¼;
 Thence South 89°31'42" East a distance of 158.51 feet along the Northerly boundary of said SW¼NE¼ to the center of Community Ditch L 11-15;
 Thence Southerly along the center of said Community Ditch L 11-15 the following courses and distances:
 South 40°41'49" West a distance of 28.60 feet;
 Thence South 39°09'11" East a distance of 42.69 feet;
 Thence South 7°12'50" East a distance of 63.79 feet;
 Thence South 39°21'43" East a distance of 24.55 feet;
 Thence South 66°19'53" East a distance of 267.50 feet to a point on the Easterly boundary of said SW¼NE¼;
 Thence South 0°08'55" West a distance of 79.35 feet along the Easterly boundary of said SW¼NE¼ to the center of said Community Ditch L 11-15;
 Thence along the centerline of said Community Ditch L 11-15 the following courses and distances:
 South 16°22'55" West a distance of 53.39 feet;
 Thence South 34°24'08" West a distance of 57.38 feet;
 Thence South 55°29'26" West a distance of 48.15 feet;
 Thence South 73°38'08" West a distance of 45.16 feet;
 Thence South 33°34'52" West a distance of 77.82 feet;
 Thence South 26°01'10" East a distance of 71.42 feet;
 Thence South 10°54'07" East a distance of 65.57 feet;
 Thence South 24°45'53" East a distance of 65.44 feet;
 Thence South 05°10'40" West a distance of 76.40 feet;
 Thence South 38°10'32" West a distance of 103.46 feet;
 Thence South 22°30'08" East a distance of 89.67 feet;
 Thence South 18°28'13" East a distance of 137.91 feet;
 Thence South 17°15'45" East a distance of 58.30 feet;
 Thence South 18°18'26" East a distance of 189.89 feet to a point on the Southerly boundary of said SW¼NE¼;
 Thence North 89°31'43" West a distance of 2580.89 feet along the Southerly boundary of said SW¼NE¼ and the SE¼NW¼ to a point on said Easterly right of way boundary of I 84 and THE TRUE POINT OF BEGINNING.

SUBJECT TO an easement for the purpose of roadway and access to stock watering over a 20 foot strip of land adjacent to and Southerly from the above described boundary along the North side of the L 11 Coulee.

SUBJECT TO THE FOLLOWING:

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

Taxes for 1993 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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.

Easement contained in Warranty Deed given by Frederick N. Trappen and Marie Trappen, husband and wife, Grantors, to the State of Idaho, Grantee, dated September 25, 1963, recorded December 5, 1963 in Book 173 Page 617 as Instrument Number 157072, Jerome County records, wherein the Grantors 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 located on a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 17, East Boise Meridian, identified as I-80N-3(11)164, and all the contiguous remaining property of the Grantor whether acquired by separate conveyances or otherwise, of which the real property covered by this instrument is a part, where said remaining real property abuts on the both side of the said public way, except for: access to State Highway No. 79 Approach Section Northerly from Station 111+00 said State Highway No. 79 Approach Section Survey and access to Frontage Road No. 4.

Subject to a 20 foot easement Southerly and Easterly paralleling the courses and distances from Point No. 11 to Point No. 27 to be used as a roadway and access to stock water in the said L-11 Coulee as disclosed in Quitclaim Deed dated February 22, 1984, recorded May 20, 1992 as Instrument Number 921723, Jerome County records.

Any claim which may arise due to the variance in bearings and footages along the North boundary line with the property lying to the North as described in Warranty Deed by and between Dale L. Tanner and Mary Louise Tanner, husband and wife, to Western Farm Service, Inc., a Delaware Corporation, dated July 21, 1975, recorded July 29, 1975 in Book 197 Page 1994 as Instrument Number 213334, Jerome County records, and as an exception in Quitclaim Deed by and between Wallace H. Prigmore and Esther M. Prigmore, husband and wife, to Ronald A. Wolfe and Kathleen Ann Wolfe, husband and wife, dated February 22, 1984, recorded May 20, 1992 as Instrument Number 921723, Jerome County records, and Surveyed description provided by JUB Surveyors dated May 27, 1993.