

RECEIVED

MAY 23 2022

DEPARTMENT OF
WATER RESOURCES

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-4308 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8089 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10153 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10154 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10155 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: The Tony and Jean Palacio Ranch, LP
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): BT Farms, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1468 State Highway 46 Gooding ID 83330
Mailing address City State Zip
208-869-7570
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 15, 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Thomas R. Palacio Manager 5-10-22
Signature of new owner/claimant Title, if applicable Date
Thomas R. Palacio
Print name
- Signature: _____ Manager _____
Signature of new owner/claimant Title, if applicable Date
Betty J. Palacio
Print name

For IDWR Office Use Only:

Received by W Date 5-23-22 Receipt No. C112854 Receipt Amt. \$125.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by _____ Processed by di Date 6/1/2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-4308	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8089	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10153	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10154	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10155	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: The Tony and Jean Palacio Ranch, LP
Name of current water right holder/claimant
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New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
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☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ Manager _____
Signature of new owner/claimant Title, if applicable Date
Thomas R. Palacio
Print name
- Signature: Betty J. Palacio Manager _____ 5-10-2022
Signature of new owner/claimant Title, if applicable Date
Betty J. Palacio
Print name

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

8. Signature: Beth Palacio General Partner
 Betty Palacio Title, if applicable

LINCOLN COUNTY

Recorded for:
TITLEONE - BURLEY

02:03:19 PM 05-10-2022

0000206420

No. Pages 8 Fee: \$15.00

Cindi Sievers

County Clerk

Deputy: SC

Electronically Recorded by Simplifile

When recorded return to:

Randall A. Peterman
Givens Pursley LLP
601 W. Bannock St.
Boise, Idaho 83701

22447958

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED William M. Palacio, Betty J. Palacio, and Thomas R. Palacio, general partners of **THE TONY AND JEAN PALACIO RANCH, LP**, ("Grantor"), do hereby bargain, sell, and convey unto **BT FARMS, LLC**, an Idaho limited liability company, whose current address is 1468 State Highway 46, Gooding, Idaho 83330 ("Grantee"), all of Grantor's right, title, and interest in and to the real property located in Lincoln County, Idaho, more specifically described on **Exhibit A**, attached hereto ("Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all streets, alleys and rights of way adjacent thereto, all mineral and water rights appurtenant thereto, and 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 the Property with its appurtenances unto Grantee, its successors and assigns, forever.

AND Grantor for itself, its successors, heirs, and assigns does hereby covenant to and with Grantee that Grantor is the owner of the Property in fee simple and that the Property is free from all liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, except (a) matters of record, (b) real property taxes and assessments for the current year that are not yet due and payable, and (c) any matters arising from the acts or omissions of Grantee or Grantee's agents. Grantor hereby covenants to and with Grantee and its successors, heirs, and assigns that Grantor shall warrant and defend the same against any other liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, but none other.

[Remainder of page intentionally left blank; signature page follows.]

When recorded return to:

Randall A. Peterman
Givens Pursley LLP
601 W. Bannock St.
Boise, Idaho 83701

22447938

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED William M. Palacio, Betty J. Palacio, and Thomas R. Palacio, general partners of **THE TONY AND JEAN PALACIO RANCH, LP**, ("Grantor"), do hereby bargain, sell, and convey unto **BT FARMS, LLC**, an Idaho limited liability company, whose current address is 1468 State Highway 46, Gooding, Idaho 83330 ("Grantee"), all of Grantor's right, title, and interest in and to the real property located in Lincoln County, Idaho, more specifically described on **Exhibit A**, attached hereto ("Property").

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TO HAVE AND TO HOLD the Property with its appurtenances unto Grantee, its successors and assigns, forever.

AND Grantor for itself, its successors, heirs, and assigns does hereby covenant to and with Grantee that Grantor is the owner of the Property in fee simple and that the Property is free from all liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, except (a) matters of record, (b) real property taxes and assessments for the current year that are not yet due and payable, and (c) any matters arising from the acts or omissions of Grantee or Grantee's agents. Grantor hereby covenants to and with Grantee and its successors, heirs, and assigns that Grantor shall warrant and defend the same against any other liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, but none other.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, Grantors have executed this Special Warranty Deed effective as of May __, 2022.

GRANTOR:

THE TONY AND JEAN PALACIO RANCH, LP

William M. Palacio
By: William M. Palacio
Its: General Partner

By: Betty J. Palacio
Its: General Partner

By: Thomas R. Palacio
Its: General Partner

STATE OF IDAHO)
) ss.
County of Gooding)

On this 10 day of May, 2022, before me personally appeared WILLIAM M. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that he executed the same in said limited partnership's name.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Gooding, ID
My Commission Expires 10/8/2022

IN WITNESS WHEREOF, Grantors have executed this Special Warranty Deed effective as of May 10, 2022.

GRANTOR:

THE TONY AND JEAN PALACIO RANCH, LP

By: William M. Palacio
Its: General Partner

Betty J. Palacio
By: Betty J. Palacio
Its: General Partner

By: Thomas R. Palacio
Its: General Partner

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of May, 2022, before me personally appeared WILLIAM M. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that he executed the same in said limited partnership's name.

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

NOTARY PUBLIC FOR IDAHO
Residing at _____
My Commission Expires _____

IN WITNESS WHEREOF, Grantors have executed this Special Warranty Deed effective as of May __, 2022.

GRANTOR:

THE TONY AND JEAN PALACIO RANCH, LP

By: William M. Palacio
Its: General Partner

By: Betty J. Palacio
Its: General Partner


By: Thomas R. Palacio
Its: General Partner

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of May, 2022, before me personally appeared WILLIAM M. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that he executed the same in said limited partnership's name.

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

NOTARY PUBLIC FOR IDAHO
Residing at _____
My Commission Expires _____

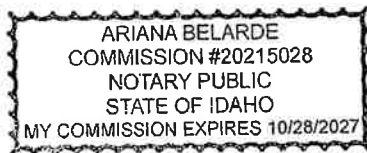
STATE OF IDAHO)

County of Ada)

) ss.

On this 10 day of May, 2022, before me personally appeared BETTY R. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that she executed the same in said limited partnership's name.

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



[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at Ada

My Commission Expires 10/28/27

STATE OF IDAHO)

County of _____)

) ss.

On this ____ day of May, 2022, before me personally appeared THOMAS R. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that he executed the same in said limited partnership's name.

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

NOTARY PUBLIC FOR IDAHO

Residing at _____

My Commission Expires _____

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of May, 2022, before me personally appeared BETTY R. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that she executed the same in said limited partnership's name.

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

NOTARY PUBLIC FOR IDAHO

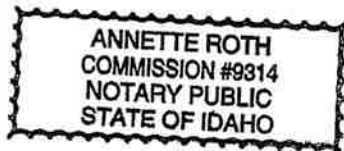
Residing at _____

My Commission Expires _____

STATE OF IDAHO)
) ss.
County of Jerome)

On this 10 day of May, 2022, before me personally appeared THOMAS R. PALACIO, known or identified to me to be a General Partner of **THE TONY AND JEAN PALACIO RANCH, LP**, the person who executed the instrument on behalf of The Tony and Jean Palacio Ranch, LP, and acknowledged to me that he executed the same in said limited partnership's name.

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



Annette Roth
NOTARY PUBLIC FOR IDAHO
Residing at Rupert ID
My Commission Expires 8-4-2023

EXHIBIT A
LEGAL DESCRIPTION

PARCEL NO. 1:

TOWNSHIP 4 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO
Section 33: NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 4 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO
Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 4 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 28: That part of the East $\frac{1}{2}$, more particularly described as follows:

Commencing at a 5/8 inch steel pin marking the Southeast corner of said Section 28, from which a 5/8 inch steel pin marking the

Southwest corner of the East $\frac{1}{2}$ of Section 28 bears North 89°44'47" West at a distance of 2636.41 feet, said Southeast corner of Section

28 being also the POINT OF BEGINNING;

Thence along the South line of the East $\frac{1}{2}$ of said Section 28, North 89°44'47" West a distance of 1422.31 feet;

Thence North 08°28'32" West a distance of 65.79 feet;

Thence North 30°02'10" East a distance of 92.29 feet;

Thence North 55°04'41" East a distance of 18.30 feet;

Thence North 25°22'14" East a distance of 117.99 feet;

Thence North 12°27'28" East a distance of 371.28 feet;

Thence North 28°20'53" West a distance of 283.01 feet;

Thence North 28°47'00" East a distance of 304.22 feet;

Thence North 13°38'12" East a distance of 481.35 feet;

Thence North 21°41'18" East a distance of 316.95 feet;

Thence North 29°26'24" East a distance of 672.06 feet;

Thence South 59°49'46" East a distance of 65.57 feet;

Thence North 30°10'14" East a distance of 1180.16 feet to a point 35 feet distant from the East line of the NE $\frac{1}{4}$ of said Section 28;

Thence parallel to and 35 feet distant from said East line, North 00°17'15" East a distance of 214.53 feet;

Thence South 57°52'44" West a distance of 114.23 feet;

Thence South 30°10'14" West a distance of 1695.17 feet;

Thence North 59°49'46" West a distance of 94.70 feet to the center of the Gooding Milner Canal

Thence along the center of said canal the following bearing and distances:

North 00°40'49" West a distance of 86.08 feet;

Thence North 32°32'16" West a distance of 224.30 feet;

Thence North 15°57'01" West a distance of 96.97 feet;

Thence North 00°05'42" West a distance of 62.89 feet to the intersection with the South line of the SE¼NE¼ of Section 28;
Thence North 00°05'42" West a distance of 8.66 feet;
Thence North 30°05'34" East a distance of 164.86;
Thence North 33°54'24" East a distance of 254.57 feet;
Thence North 37°38'21" East a distance of 262.47 feet;
Thence North 22°41'24" East a distance of 222.65 feet;
Thence North 21°46'43" East a distance of 230.42 feet to the West line of the E½SE¼NE¼ of Section 28;
Thence leaving said canal and proceeding along said West line, North 00°18'57" East a distance of 327.29 feet to a ½ inch steel pin marking the Northwest corner of said E½SE¼NE¼ of Section 28;
Thence along the North line of said E½SE¼NE¼, South 89°41'55" East a distance of 657.20 feet to the Northeast corner of the SE¼NE¼ of said Section 28;
Thence along the East line of said SE¼NE¼, South 00°17'15" West a distance of 1320.38 feet to a 5/8 inch steel pin with a plastic cap imprinted PLS 889 marking the Northeast corner of the SE¼ of said Section 28;
Thence along the East line of said SE¼, South 00°17'33" West a distance of 2641.94 feet to the POINT OF BEGINNING.

Water Rights



11/10/2021, 4:17:15 PM

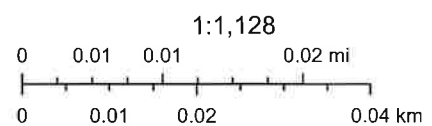
 ESPA Model Outline

POU - Water Rights

 All Other POU (non-provider)

 Irrigation Providers and Municipal Service Areas

 POD - Water Rights



Maxar, Microsoft, Esri, HERE, IPC, Esri, HERE, Garmin, IPC

Water Rights



11/10/2021, 4:17:35 PM

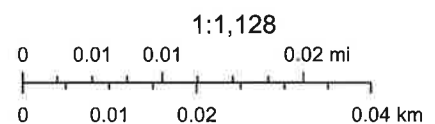
 ESPA Model Outline

POU - Water Rights

 All Other POU (non-provider)

 Irrigation Providers and Municipal Service Areas

 POD - Water Rights



Maxar, Microsoft, Esri, HERE, IPC, Esri, HERE, Garmin, IPC

Water Rights



11/10/2021, 4:16:12 PM

ESPA Model Outline

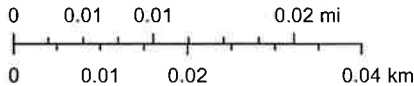
POU - Water Rights

	POU	Non-Provider POU	Total
All Other POU (non-provider)	0.00%	0.00%	0.00%

Irrigation Providers and Municipal Service Areas

POD - Water Rights

1:1,128



Maxar, Microsoft, Esri, HERE, iPC, Esri, HERE, Garmin, iPC

Water Rights



11/10/2021, 4:16:56 PM

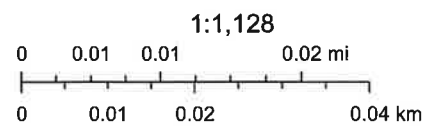
 ESPA Model Outline

POU - Water Rights

 All Other POU (non-provider)

 Irrigation Providers and Municipal Service Areas

 POD - Water Rights



Maxar, Microsoft, Esri, HERE, IPC, Esri, HERE, Garmin, IPC



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 2, 2022

BT FARMS LLC
1468 STATE HIGHWAY 46
GOODING ID 83330-5109

Re: Change in Ownership for Water Right Nos: 37-4308, 37-8098, 37-10153, 37-10154 & 37-10155

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd

Technical Records Specialist

Enclosures

c. Water District 37 – *via email*

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street
PO Box 2720
Boise, ID 83701
Telephone: 208-388-1200
Facsimile: 208-388-1300
www.givenspursley.com

Keri A. Moody, Paralegal
208-388-1224
kad@givenspursley.com

Gary G. Allen
Charlie S. Baser
Christopher J. Beeson
Jason J. Blakley
Clint R. Bolinder
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Michael C. Creamer
Amber N. Dina
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Kersti H. Kennedy
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Franklin G. Lee
David R. Lombardi
Lars E. Lundberg
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Kenneth R. McClure
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Melodie A. McQuade
Christopher H. Meyer
L. Edward Miller
Judson B. Montgomery
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.

Samuel F. Parry
Randall A. Peterman
Blake W. Ringer
Michael O. Roe
Danielle M. Strollo
Cameron D. Warr
Robert B. White
Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

RECEIVED

MAY 23 2022

DEPARTMENT OF
WATER RESOURCES

May 19, 2022

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Tony and Jean Palacio Ranch LP – Notice of Change in Water Right Ownership

To Whom It May Concern:

Enclosed please find the original Notice of Change in Water Right Ownership and corresponding documents. Also, enclosed please find a check in the amount of \$125.00 for the fees associated with this Notice. Please reply to provide confirmation when this Notice has been processed.

Thank you for your assistance!

Sincerely,

Keri A. Moody
Paralegal

Enclosures