

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 28 2022

DEPARTMENT OF
WATER RESOURCES

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. DE ✓

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: Tony Palacio and Jean Palacio

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): The Tony and Jean Palacio Ranch, LP

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

2289 E. Chateau

Meridian

ID

83642

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: May 28, 2014
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
- ☐ 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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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.

SUPPORT DATA

IN FILE # 37-4308

8. Signature: [Signature] General Partner 2-8-22
Signature of new owner/claimant Title, if applicable Date

William M. Palacio

Print name

Signature: Thomas R. Palacio General Partner 3-17-22
Signature of new owner/claimant Title, if applicable Date

Thomas R. Palacio

Print name

Received by KM Date 3.28.22 For IDWR Office Use Only: Receipt No. C112252 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 [Signature] Date 4/5/22

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

8. Signature: Betty P. Davis 3-10-2022 General Partner
Signature of New owner/claimant Title, if applicable

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

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PO Box 2720
Boise, ID 83701
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Facsimile: 208-388-1300
www.givenspursley.com

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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)

March 23, 2022

RECEIVED

MAR 28 2022

DEPARTMENT OF
WATER RESOURCES

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

RECORDING REQUESTED BY:
STEVEN D. PETERSON

AND WHEN RECORDED
MAIL TO:
Steven D. Peterson, P.C.
PO Box 5827
Twin Falls, ID 83303-5827

LINCOLN COUNTY

Recorded for:

PTERSON LAW OFFICE, PLL
9:05:03 am 05-28-2014

0000-194985

No. Pages: 5 Fee: \$22.00

SUZANNE MCCONNELL

County Clerk
Deputy: CAROLE

QUITCLAIM DEED

KNOW TO ALL MEN BY THESE PRESENTS THAT:

TONY PALACIO and JEAN PALACIO, husband and wife, hereinafter "Grantor" hereby convey, release, transfer, remise and forever Quit-claim all their right, title and interest in certain real property located in Lincoln County, Idaho, unto THE TONY AND JEAN PALACIO RANCH, LP, an Idaho Limited Partnership, hereinafter "Grantee", whose address is 799 W 720 N, Shoshone, Idaho, 83352, in and to said real property legally described as follows:

SEE ATTACHED EXHIBIT "A"

Together with all improvements and appurtenances including 199 shares of stock in Big Wood Canal Co. and American Falls Reservoir District No. 2 as represented on Certificate No. 123.

IN WITNESS WHEREOF, I have set my hand hereto this 23rd day of May, 2014.

Tony Palacio
TONY PALACIO

Jean Palacio
JEAN PALACIO

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 23 day of May, 2014, before me, a Notary Public in and for said county and state, personally appeared TONY PALACIO and JEAN PALACIO, husband and wife, known 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 same day and year in this certificate first above written.

STEVEN D. PETERSON
NOTARY PUBLIC
STATE OF IDAHO


 NOTARY PUBLIC FOR IDAHO
 Residing at: TWIN FALLS, ID
 My Commission Expires: 5-2-2018

EXHIBIT "A"

Parcel 1:

Township 4 South, Range 16 East of the Boise Meridian, Lincoln County, Idaho
Section 33: NE & N1/2NESE

Parcel 2:

Township 4 South, Range 16 East of the Boise Meridian, Lincoln County, Idaho
Section 34: W1/2NW1/4

Parcel 3:

Township 4 South, Range 16 East of the Boise Meridian, Lincoln County, Idaho

Section 28: E1/2 SE1/4 NE1/4, E1/2 SE1/4

AND

Section 28: Commencing at the East One Quarter (E1/4) corner of said Section 28, from which the Southeast corner of Section 28 bears South 00°05'32" East 2641.96 feet; thence South 89°56'05" West (South 89°40'52" West - measured) along the South boundary of the SE1/4NE1/4 of Section 28 for a distance of 657.87 (657.85 - measured) feet to the Southeast corner of the W1/2SE1/4NE1/4 of Section 28 and being the TRUE POINT OF BEGINNING.

Thence continuing South 89°56'05" West (South 89°40'52" West - measured) along the South boundary of the SE1/4NE1/4 of Section 28 for a distance of 550.87 (550.85 - measured) feet to the center of an irrigation canal;

Thence along the center of the irrigation canal on the following courses:

North 00°28'32" West - 8.61 feet;
North 29°42'18" East (North 30°05'34" East - measured) - 164.86 feet;
North 33°31'08" East (North 33°54'24" East - measured) - 254.57 feet;
North 37°15'05" East (North 37°38'21" East - measured) - 262.47 feet;
North 22°18'08" East (North 22°41'24" East - measured) - 222.65 feet;
North 21°23'37" East (North 21°46'43" East - measured) - 230.42 feet to a point
on the East boundary of the W1/2SE1/4NE1/4 of Section 28;

Thence South 00°04'19" East (South 00°18'57" East - measured) along the East boundary of the W1/2SE1/4NE1/4 of Section 28 for a distance of 992.89 feet to the TRUE POINT OF BEGINNING.

AND

Section 28: Commencing at the Southeast corner of said Section 28, from which the S1/4 corner of Section 28 bears South 89°52'00" West - 2636.39 feet, Thence South 89°52'00" West (South 89°44'47" West - measured) along the South boundary of the SE1/4 of section 28 for a distance of 1318.19 (1318.20 - measured) feet to the Southeast corner of the SW1/4SE1/4 of Section 28 and being the TRUE POINT OF BEGINNING;

Thence continuing South 89°52'00" West (South 89°44'47" West - measured) along the South boundary of the SW1/4SE1/4 of Section 28/ for a distance of 181.57 feet to the center of an irrigation canal;

Thence along the center of the irrigation canal on the following courses:

North 29°07'08" East 168.81 feet (North 29°30'40" East - 168.80 measured);
North 22°28'05" East (North 22°51'14" East - measured) - 179.93 feet;
North 49°12'49" West (North 48°49'40" West - measured) - 98.60 feet;
North 16°41'55" East (North 17°05'04" East - measured) - 102.06 feet;
North 35°51'34" East (North 36°14'42" East - measured) - 129.02 feet to a point on the East boundary of the SW1/4SE1/4 of section 28;

Thence North 00°02'21" West (North 00°20'48" West - measured) along the East boundary of the SW1/4 SE1/4 of Section 28 for a distance of 26.62 feet to the center of the irrigation canal;

Thence continuing along the center of the irrigation canal on the following courses:

North 41°16'42" West (North 40°53'33" West - measured) - 119.44 feet;
North 39°02'13" West (North 38°39'04" West - measured) - 131.25 feet;

North 22°19'56" West (North 21°56'47" West - measured) - 88.23 feet;
North 37°14'13" East (North 37°37'22" East - measured) - 75.57 feet;
North 52°01'59" East (North 52°25'08" East - measured) - 143.52 feet;
North 14°48'43" East (North 15°11'53" East - measured) - 139.76 feet to a point on the East boundary of the SW1/4 SE1/4 of Section 28;

Thence North 00°02'17" West (North 00°20'48" West - measured) along the East boundary of the SW1/4 SE1/4 of Section 28 for a distance of 79.24 feet to the center of the irrigation canal;

Thence along the center of the irrigation canal on the following courses:

North 13°48'33" West (North 13°25'24" West - measured) - 92.47 feet;
North 17°46'33" East (North 17°42'11" East - measured) - 71.94 feet to a point
on the East boundary of the SW1/4 SE1/4 of Section 28;

Thence leaving the center of the irrigation canal and along the East boundary of the
SW1/4 SE1/4 of Section 28 on a bearing of South 00°02'21" East (South
00°20'48" East - measured) for a distance of 1401.10 feet to the TRUE POINT
OF BEGINNING.

EXCEPTING THEREFROM

Section 28: Part of the East 1/2 of the SE 1/4 described as follows:

Commencing at a 5/8-inch pin marking the SE corner of said Section 28;

Thence along the South line of said East 1/2 of the SE1/4 of said Section 28, North
89°44'47" West, a distance of 1318.20 feet to the SW corner of said East 1/2 of
the SE1/4;

Thence along the West line of said East 1/2 of the SE1/4, North 00°20'48" East, a
distance of 1403.03 feet to the center of the Milner-Gooding Canal, being the
POINT OF BEGINNING;

Thence continuing along the West line of said East 1/2 of the SE1/4, North 00°20'48"
East (North 00°02'21" East, Rec.), a distance of 1240.41 feet (1242.43 feet,
Rec.) to a 1/2-inch rebar marking the NW corner of said East 1/2 of the SE 1/4;

Thence along the North line of said East 1/2 of the SE 1/4, South 89°40'52" East, a
distance of 107.00 feet in the center of said Canal;

Thence along the center of said Canal the following hearings and distances:

South 00°05'42" East (South 00°28'32" East, Rec.), a distance of 62.89 feet
(62.88 feet, Rec.);

Thence South 15°57'01" East (South 16°20'10" East, Rec.), a distance of 96.97 feet;

Thence South 32°32'16" East (South 32°55'25" East, Rec.), distance of 224.30 feet;

Thence South 00°40'49" East (South 01°03'58" East, Rec.), a distance of 94.86 feet;

Thence South 21°59'16" West (South 21°36'07" West, Rec.), a distance of 188.24 feet;

Thence South 24°47'06" West (South 24°23'57" West, Rec.), a distance of 154.26 feet;

Thence South 07°41'20" East (South 08°04'29" East, Rec.), a distance of 189.60 feet;

Thence South 13°55'12" West (South 13°32'03" West, Rec.), a distance of 194.38 feet;

Thence South 44° 26'45" West (South 44°03'36" West, Rec.), a distance of 152.06 feet
(150.67 feet; South 17°46'33" West, 3.17 feet, Rec.) to the POINT OF
BEGINNING.

Legal Description

LEGAL DESCRIPTION

PARCEL NO. 1

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

Section 33: NE¼; N½NE¼SE¼

PARCEL NO. 2

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

Section 34: W½NW¼

PARCEL NO. 3

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

Section 28: That part of the E¼, 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 ½ 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 of this land description;

Thence along the South line of the East ½ 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 82.28 feet;

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

Thence North 25°22'14" East, a distance of 117.89 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 NE¼ 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 bearings 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 said 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 feet;

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°48'43" East, a distance of 230.42 feet to the West line of the E½SE¼NE¼ of said 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 ¼ inch

steel pin marking the Northwest corner of said E½SE¼NE¼ of said 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.

Irrigation Supplement

The Big Wood Canal Company was contacted and the IDWR database was researched concerning the irrigation water rights covering the subject property. The subject is covered by a total of 199.0 shares of stock in the Big Wood Canal Company and several rights for waste water, domestic and stockwater use further described below. One share of stock in the BWCC is considered to be adequate to irrigate one acre for the season. The waste water is to be combined with the water from the American Falls Reservoir and is used to gravity/flood irrigate the pasture ground. The subject has been farmed for several years and the appraised value assumes an adequate supply of the water and an efficient delivery system. The irrigation system was not in operation at the time of the inspection and there were no problems with the system observed by the appraiser, nor were any disclosed by the owner. The irrigation water is delivered to the property through canals, ditches, and buried pipelines and pressurized by the pumps and motors. The two, four tower pivots irrigate the crop ground while the seven tower pivot and gravity irrigation irrigate the irrigated pasture ground. The water rights and the irrigation equipment appurtenant to the subject are listed below.

Water Rights:

- 1.) 199.0 shares of stock in the Big Wood Canal Company-American Falls Delivery under Customer #123 in the name of The Tony and Jean Palacio Ranch, LP.
- 2.) License 37-8089 for 0.18 CFS for waste water for the irrigation use of 9 acres. Priority Date: 04/21/1983. Right is in the name of Tony and Jean Palacio. Use of this right is to be combined with water from American Falls Reservoir Dist. No. 2.
- 3.) Decree 37-4308 for 0.9 CFS for waste water for the irrigation use of 45 acres. Priority Date: 06/01/1954. Right is in the name of Tony and Jean Palacio. Use of this right is to be combined with water from American Falls Reservoir Dist. No. 2.
- 4.) Decree 37-10153 for 0.03 CFS for stockwater use for a total diversion rate of 0.03 CFS. Priority Date: 12/31/1938. Right is in the name of Tony and Jean Palacio.
- 5.) Decree 37-10154 for 0.03 CFS for stockwater use for a total diversion rate of 0.03 CFS. Priority Date: 12/31/1938. Right is in the name of Tony and Jean Palacio.
- 6.) Decree 37-10155 for 0.03 CFS for stockwater use and 0.03 CFS for domestic use for a total diversion rate of 0.03 CFS. Priority Date: 12/01/1971. Right is in the name of Tony and Jean Palacio.

Irrigation Equipment:

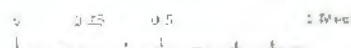
- 1.) One 7-tower pivot system
- 2.) Two 4-tower pivot systems.
- 3.) Unknown make and model pump and motor.

Aerial Map



Map Center: 114°33'27"W 43°2'26"N

033-0045-016E
Lincoln County
Idaho



border="1" style="display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"> for illustrative purposes only and are not intended to represent a survey.

Water Rights



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

ESPA Model Outline

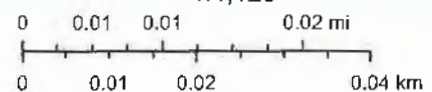
POU - Water Rights

	POU	Non-Provider POU	Total
POU	100%	100%	100%
Non-Provider POU	100%	100%	100%
Total	100%	100%	100%

Irrigation Providers and Municipal Service Areas

POD - Water Rights

1:1,128



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

Water Rights



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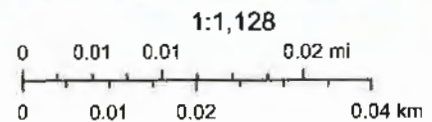
 ESPA Model Outline

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



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 ESPA Model Outline

POU - Water Rights



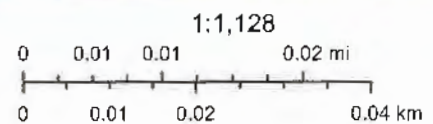
All Other POU (non-provider)



Irrigation Providers and Municipal Service Areas



POD - Water Rights



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

Water Rights



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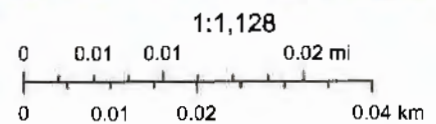
 ESPA Model Outline

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

April 07, 2022

THE TONY AND JEAN PALACIO RANCH, LP
2289 E CHATEAU DR
MERIDIAN ID 83646-7305

Re: Change in Ownership for Water Right No(s): 37-4308, 37-8089, 37-10153, 37-10154, 37-10155

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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)287-4921.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s)