

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 225

RECEIVED

MAR 19 2018

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

TIEGS, FRANK, LLC
PO BOX 3110
PASCO, WA 99302

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
61-11977	4/23/1964	GROUND WATER	0.10	31.8	7.10	0.014	4.48
61-11979	3/15/1977	GROUND WATER	0.02	5.2	1.30	0.015	4.00
Combined Limit Totals			0.10	31.8	8.40	0.012	3.78
61-12241	3/16/1963	GROUND WATER	0.06	18.40	4.60	0.013	4.00
61-11985	4/23/1964	GROUND WATER	0.10	31.8	7.10	0.014	4.48
61-11987	3/15/1977	GROUND WATER	0.02	Not stated	1.30	0.02	
Combined Limit Totals			0.10	31.8	8.40	0.012	3.78
61-12230	3/15/1977	GROUND WATER	0.02	10.4	3.00	0.007	3.47
61-12232	4/23/1964	GROUND WATER	0.10	33.5	6.70	0.015	5.00
Combined Limit Totals			0.10	33.5	9.70	0.010	3.45
61-12140	9/15/1980	GROUND WATER	0.09	20.3	5.1	0.018	3.98
Combined Rental Totals			0.45	135.8	36.2	0.012	3.75

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2019.

Annual Rental Fee:

2018 - 2019: \$2,716.00

The full fee for the rental of the above-described right(s) is \$2,716.00 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$271.60 per year for years 2018 - 2019.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

SUPPORT DATA

IN FILE # 61-11977

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Total Water Use Authorized Under Rental Agreement No. 225

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.45	112.0	28.0*	0.016	4.0
Combined Total	0.45	112.0	28.0*	0.016	4.0

** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and concentration of elements to match the irrigation system requirements*

Detailed water right conditions are attached.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT NO. 225

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Frank Tiegs
Signature of Renter

3-12-18
Date

Frank Tiegs
Printed Name

Managing Member
Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 3/21/2018

Rental approved by IDWR Ch. Webb

Date 3-21-2018

WATER SUPPLY BANK RENTAL AGREEMENT NO. 225**WATER USE DETAILS****LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	L5 (NWSW)	Sec. 19, Twp 04S, Rge 05E,	ELMORE County
GROUND WATER	NENE	Sec. 30, Twp 04S, Rge 05E,	ELMORE County
GROUND WATER	NENE	Sec. 31, Twp 04S, Rge 05E,	ELMORE County

Beneficial Use
IRRIGATION

Diversion Rate
0.45 CFS

Volume
112.0 AF

SEASON OF USE

Water Right No.	From	To
61-12241	4/1	10/31
61-11985	4/1	10/31
61-11987	3/15	11/15
61-11977	4/1	10/31
61-11979	3/15	11/15
61-12232	4/1	10/31
61-12230	3/15	11/15
61-12140	4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	19																11.3	11.3
04S	05E	30	5.1		5.7	5.9													16.7

Total Acres: 28.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date. This rental for mitigation by non-use may be ineffective if the mitigating water right is not in priority.

WATER SUPPLY BANK RENTAL AGREEMENT NO. 225

WATER USE DETAILS

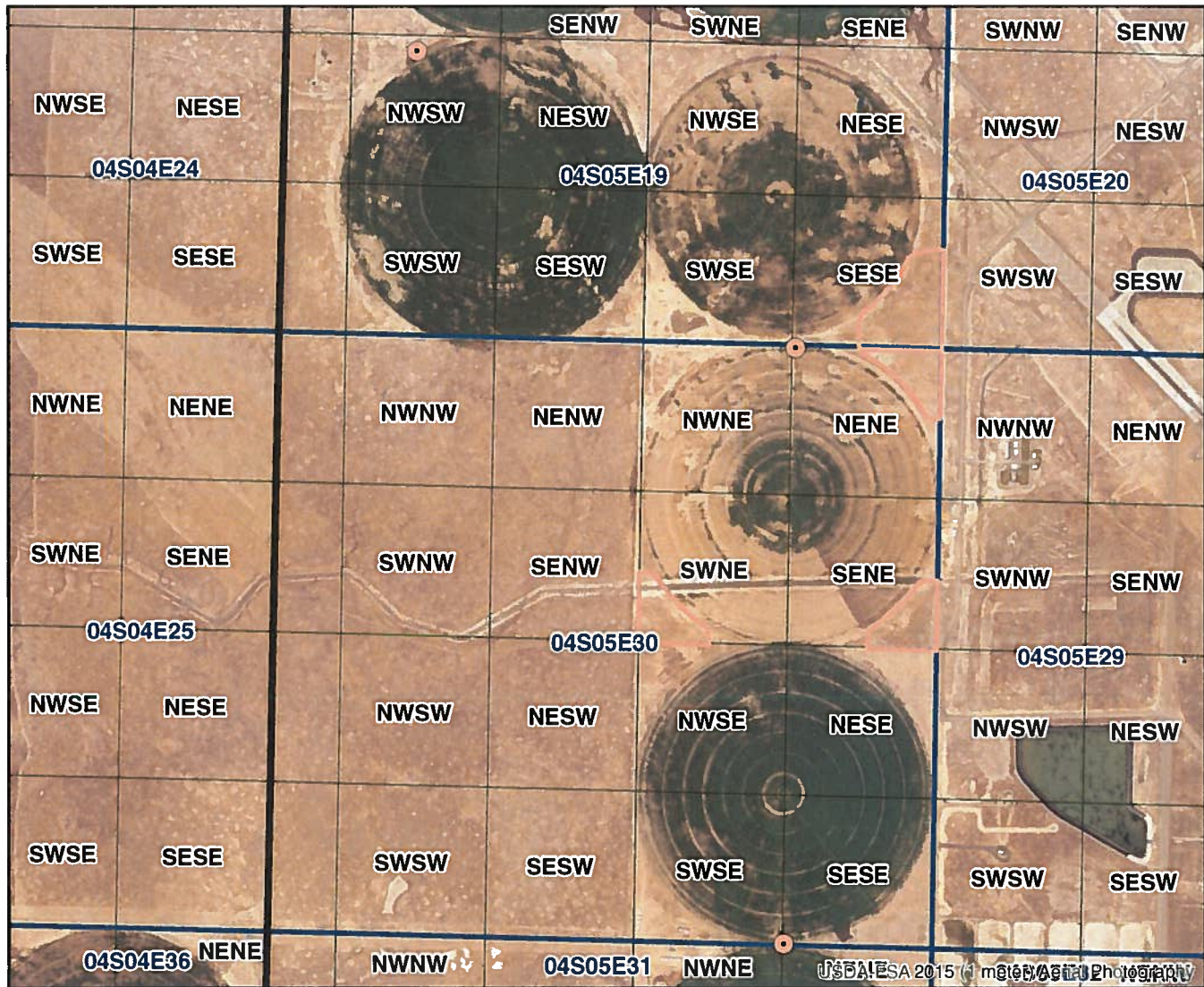
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This rental agreement does not authorize the construction of a well.
9. Prior to diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 161.
13. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
14. The following rights are diverted through the points of diversion described above: 61-12290, 61-12269 and 61-7375.
15. Right 61-11979 is an enlargement of Right 61-11977 pursuant to Section 42-1426, Idaho Code.
16. Right 61-11977 retains its priority date of April 23, 1964 and right 61-11979 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
17. Right 61-11987 is an enlargement of Right 61-11985 pursuant to Section 42-1426, Idaho Code.
18. Right 61-11985 retains its priority date of April 23, 1964 and right 61-11987 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
19. Right 61-12230 is an enlargement of Right 61-12232 pursuant to Section 42-1426, Idaho Code.
20. Right 61-12230 is subordinate to all water rights with a priority date earlier than April 12, 1994 that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
21. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
22. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 for Rights 61-11977, 61-11985, 61-12232, 61-12240, 61-12141 and provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than this approval.

Idaho Water Resource Board

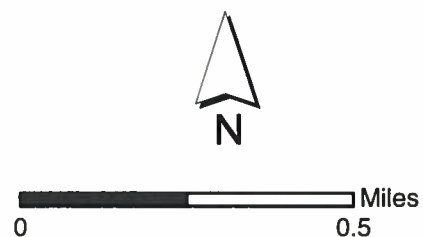
Attachment to Water Supply Bank Rental Agreement No 225

Effective until December 31, 2019

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Townships
- PLS Sections
- Quarter Quarters



STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK**

RECEIVED

FEB 07 2018

DEPARTMENT OF
WATER RESOURCESApplicant Name: Frank Tiegs, LLC

Is this application being submitted with a lease application as a lease/rental package?

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank* .17 cfs
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- | | | |
|----|-------------------------------------|--|
| 2 | ☒ | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A | ☐ | ☒ Detailed information on a proposed use of rental water |
| 3F | ☒ | ☐ Authorization from the owner/operator of the rental point(s) of diversion |
| 3H | ☒ | ☐ Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre |
| 3K | ☒ | ☐ Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☐ | ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☒ | ☐ Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Frank Tiegs, LLC

Mailing Address P.O. Box 3110 Pasco, WA 99302

Street

City

State

Zip Code

Email Address _____

Phone Number 509-545-4545

- B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Greg Sullivan

Professional Title Engineer

Organization Brockway Engineering

Relationship to Applicant Consultant

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301

Email Address greg.sullivan@brockwayeng.com

Phone Number 208-736-8543

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

- A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

This rental will provide an avenue to maximize the irrigation production on this farm.

- B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.56 CFS	112 AF	0.56 CFS	112 AF	28.0 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

- C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
6/1/2018	7/1/2018	☐ 1	☒ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

1015

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing well, mainlines and pivot systems.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
NWSW 19 04S 05E	Ground Water	61-12290 and 61-12269
NENE 30 04S 05E	Ground Water	61-12290 and 61-12269
SWSE 30 04S 05E	Ground Water	61-7375

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 28.0 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
61-7375, 61-12290 and 61-12269

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☐ No ☒

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL			
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe:
A permanent transfer application should be submitted to IDWR in 2018 or 2019.

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information
None

DECLARATION

I hereby assert that 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 rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.



Signature of Applicant

 managing member

Printed Name of Applicant

1-26-13

Date

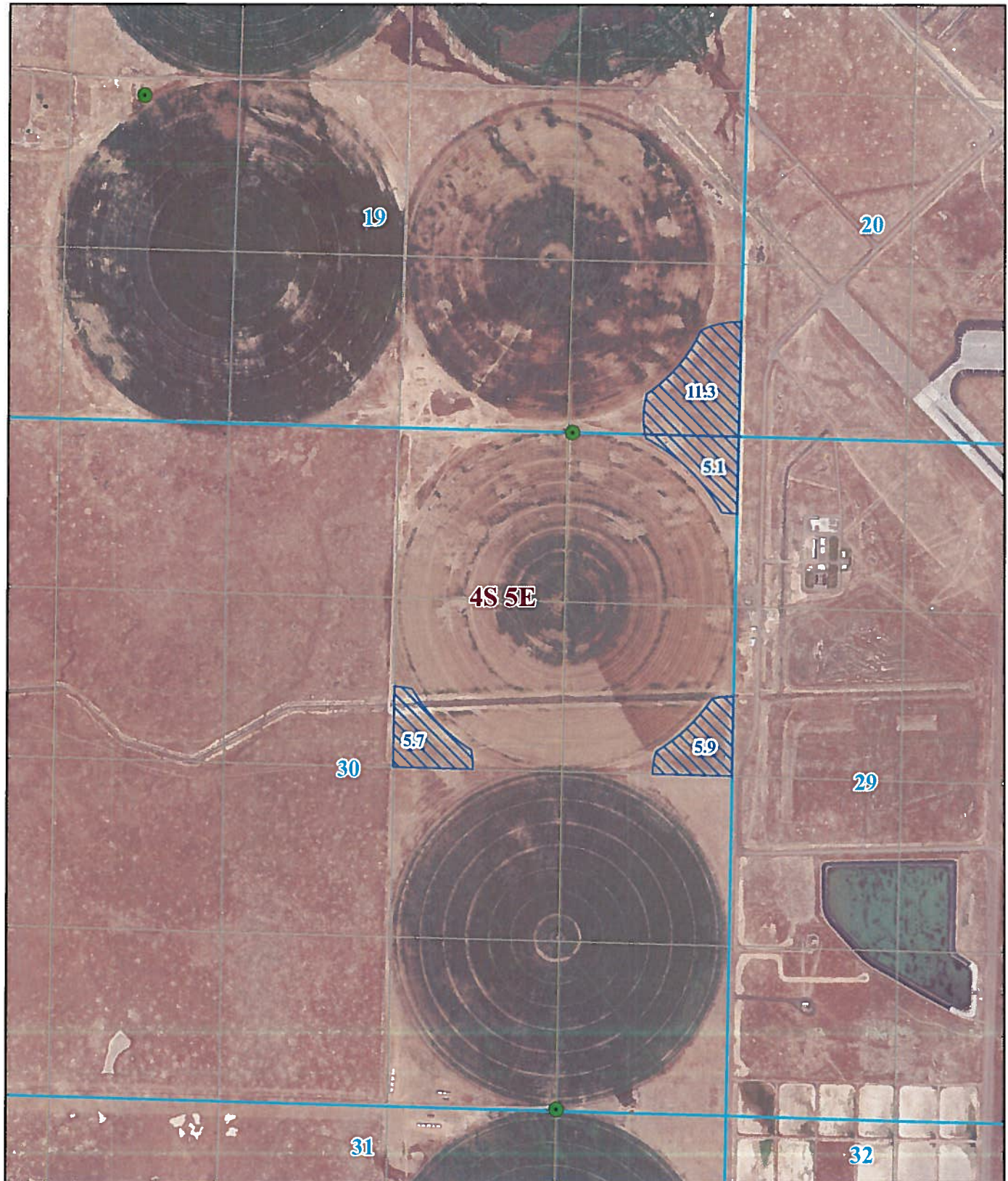
Signature of Representative

Printed Name of Representative

Date

Mail to:

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



0 250 500 1,000 Feet

2018 Brandt Farm Rental
Frank Tiegs

NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 1/25/2018

Legend

- Brandt PODs
- ▨ Brandt 2018 Rental





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 22, 2018

FRANK TIEGS LLC
PO BOX 3110
PASCO WA 99302

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 61-11977, 61-11979, 61-11985, 61-11987, 61-12140, 61-12230,
61-12232, and 61-12241**

Dear Renter:

Please find enclosed a receipt in the amount of **\$15,722.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 135.8 acre-feet of water for irrigation of 28.0 acres during 2018. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$2,444.40 of the rental fee will be paid to the lessor(s) and 10% or \$271.60 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C104810
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office
Nick Miller – Water District 161
Greg Sullivan – Brockway Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 6, 2018

FRANK TIEGS LLC
PO BOX 3110
PASCO WA 99302

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 61-11977, 61-11979, 61-11985, 61-11987, 61-12140, 61-12230,
61-12232, and 61-12241**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

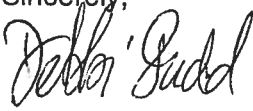
The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$2,716.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 135.8 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$2,716.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$2,444.40 of the rental fee will be paid to the lessor(s) and 10% or \$271.60 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


Deborah Judd
For Water Supply Bank

Enclosure

c: IDWR Front Desk
Greg Sullivan-Brockway Engineering PLLC

MEMORANDUM

To: Right(s) 61-11977, 61-11979, 61-11985, 61-11987, 61-12230, 61-12232 and 61-12241

From: Michele Edl

Date: March 5, 2018

Re: Review & Analysis of WSB Application #982 to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On February 7, 2018, Greg Sullivan (engineer, Brockway Engineering, PLLC) submitted a WSB rental application on behalf of Frank Tiegs, LLC. The application requested a two-year rental but did not identify any water rights. The rented water is proposed to be used for irrigation of 28 acres within the applicant's property. The 28 acres are not currently irrigated by the existing full pivots but the rental water is proposed to be diverted from existing wells.

AUTHORITY TO FILE: According to available Elmore County tax parcel information, the proposed place-of-use is owned by the Murphy Land Company LLC. It is listed with ISOS as #W98607. Frank Tiegs is listed as a member and he signed the application.

The proposed PODs are three existing wells. They are the authorized PODs for water rights 61-7375, 61-12269, and 61-12290. According to IDWR's database, 61-12269 and 61-12290 are owned by Frank Tiegs, LLC. (IDSOS # W122003). However, 61-7375 was still owned by Alsip. An ownership change was submitted 2/14/2018.

WATER RIGHT VALIDITY:

The rented water rights or portions of rights are for irrigation use and have been leased to the bank for several years.

A review of recent aerial photography indicates that the owners of the rights has respected their lease agreements. Forfeiture is not an issue at this time.

This rental package will exhaust the leased water amounts for 2018-19 seasons for all but WR 61-12140.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

Some of lease well locations are authorized more consumptive use volume, (3.5 afa) than is authorized for the rental location (3.0 afa). The rental volume will be made consistent and limited to the consumptive use volume for the rental POU.

The lease and rental locations are all within the Mountain Home Ground Water Management Area.

The proposed rental POU is located closer to the Snake River and further from the Cinder Cone Butte Critical Ground Water Area than any of the leased acres.

ENLARGEMENT OF USE: No enlargement is anticipated.

The rates rented from the rights will be concentrated to suit pivot irrigation and the rental volumes will be limited to the standard for the area. The total authorized rental rate will be approximately 0.016 cfs/ac which is sufficient for the proposed pivot irrigation system. The native water rights delivered by the existing full pivots average less than 0.02 cfs/ac.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The lease and rental locations is are subject to Water District #161. Comment has been solicited from the watermaster and from Western Region. They are not opposed to this rental.

The lease and rental wells are located within the Mountain Home Ground Water Management Area.

Edl, Michele

From: Miller, Nick
Sent: Monday, March 05, 2018 9:30 AM
To: Edl, Michele
Subject: RE: Tiegs rental #2

Hi Michele,

Sorry for my delay... but I am the right person to send this to. I have no comments on the rental itself, but I thought I'd point out that your memo refers to the "Mountain Home Ground Water Management District", but it is actually not a GWM district, it is a ground water management area. This seems like a small thing, but a GWM district is a different kind of entity (see Chapter 51, Title 42).

I remember when I was in the distribution section and I Shelley would correct me when I called an application a permit and it seemed like a minor distinction to me at the time, but I see now that it is important. Same goes here, but I still think these ground water administrative entities are confusing...

From: Edl, Michele
Sent: Monday, March 05, 2018 9:18 AM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Subject: FW: Tiegs rental #2

Nick,
I know you are busy, but usually you or your office responds pretty quickly to these requests. Is there someone else who should have received this? Thanks

From: Edl, Michele
Sent: Monday, February 26, 2018 4:04 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Subject: Tiegs rental #2

Nick,
I have completed my review of the 2nd of 2 WSB rental proposals on behalf of Frank Tiegs LLC. This one is to cover wiper pivots which are not in place yet.

The rental request is for the 2018 and 2019 irrigation seasons. Greg Sullivan submitted the application without identifying water rights. I did find enough water for the 28 acres but all of the leased rights I found were extra thin on the ground. I concentrated them to suit potential pivot operation. Frank Tiegs LLC will be buying water that they won't be using.

I have attached a copy of my review memo for this rental and the map showing the rental POU's location with respect to the lease well locations.

Please let me know if you have concerns about this rental.

Michele

Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$20 (2018 and 2019)	Rental Amounts			
				Rate	Acres			
new wiper pivots Tiegs Brandt farm								
61-11977 and 61-11979	31.8	\$572.40	\$63.60	\$636.00	0.10	6.40		
61-11985 and 61-11987	31.8	\$572.40	\$63.60	\$636.00	0.10	6.40		
61-12230 and 61-12232	33.5	\$603.00	\$67.00	\$670.00	0.10	6.40		
61-12241	18.4	\$331.20	\$36.80	\$368.00	0.06	3.70		
61-12140	20.3	\$365.40	\$40.60	\$406.00	0.09	5.10		
Total	135.8	\$2,444.40	\$271.60	\$2,716.00	0.45	28.00	0.016071429	
							wiper proposal needs ~0.016	
calculated by Michele Edl								
61-12241	rate	volume	acre	af/ac	cfs/ac	timester vol	comment	
decreed parent	0.3	88	22	4	0.014		lease thru 2019	
child 61-12241	0.07	20	5	4	0.014		estimate	
leased	0.06	18.4	4.6	4	0.013			
concentrated	0.06	18.4	3.7	4.9730	0.016			
remaining	0.000	0.000	0.900				lease exhausted	
	rate	volume	acre	af/ac	cfs/ac	timester vol	comment	
61-11985	0.1	31.8	7.1	4.4789	0.014		lease thru 2021	
61-11987	0.02		1.3					
leased	0.1	31.8	8.4	3.7857	0.012			
concentrated	0.1	31.8	6.4	4.9688	0.016		lease exhausted	
remaining	0.000	0.000	2.000					
	rate	volume	acre	af/ac	cfs/ac	timester vol	comment	
61-11977 (refer on 61-11988)	0.1	31.8	7.1	4.4789	0.014		limits	
61-11979 (refer on 61-11990)	0.02	5.2	1.3	4.0000	0.015		estimate	
combined limits	0.1	31.8	8.4	3.7857	0.012			
concentrated	0.1	31.8	6.4	4.9688	0.016		lease exhausted	
remaining	0.000	0.000	2.000					
	rate	volume	acre	af/ac	cfs/ac	timester vol	comment	
61-12230	0.02		3	0.0000	0.007			
61-12232 irrigation	0.1	33.5	6.7	5.0000	0.015			
mitigation	0.01	1.1						
concentrated	0.1	33.5	9.7	3.4536	0.010		limits	
remaining	0.1	33.5	6.4	5.2344	0.016		lease exhausted	
remaining	0.000	0.000	3.300					
	rate	volume	acre	af/ac	cfs/ac	timester vol	comment	
61-12140	0.2	41.5	10.4	3.9904	0.019			
	0.09	20.3	5.1	3.9804	0.018			
remaining	0.110	21.200	5.300					
Total rented	0.45	135.8	36.2	3.7514	0.012			
Total authorized for use	0.45	112	28	4.0000	0.016		should be sufficient for pivots	

No. W 122003	Due no later than Feb 28, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)				
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. FRANK TIEGS, L.L.C. FRANK TIEGS PO BOX 3110 PASCO WA 99302		STEVEN SCHOSSBERGER 1205 IRON EAGLE DR STE B EAGLE ID 83616				
			3. <u>New</u> Registered Agent Signature:*				
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.							
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
MEMBER	FRANK TIEGS	6610 W COURT ST STE B	PASCO	WA	USA	99301	
MANAGER	FRANK TIEGS	6610 W COURT ST STE B	PASCO	WA	USA	99301	
5. Organized Under the Laws of:		6. Annual Report must be signed.*					
WA W 122003		Signature: Tim Tippet		Date: 01/16/2018			
		Name (type or print): Tim Tippet		Title: Authorized Agent			
Processed 01/16/2018		* Electronically provided signatures are accepted as original signatures.					

No. W 98607	Due no later than Dec 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)															
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. MURPHY LAND COMPANY, LLC TIM TIPPETT PO BOX 3110 PASCO WA 99302-3110		STEVEN SCHOSSBERGER 1205 IRON EAGLE DR STE B EAGLE ID 83616															
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>FRANK TIEGS</td> <td>PO BOX 3110</td> <td>PASCO</td> <td>WA</td> <td>USA</td> <td>99302</td> </tr> </tbody> </table>			Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	FRANK TIEGS	PO BOX 3110	PASCO	WA	USA	99302	3. New Registered Agent Signature:*	
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MEMBER	FRANK TIEGS	PO BOX 3110	PASCO	WA	USA	99302												
5. Organized Under the Laws of: ID W 98607	6. Annual Report must be signed.* Signature: Tim Tippet Name (type or print): Tim Tippet Date: 01/16/2018 Title: Vice President																	
Processed 01/16/2018 * Electronically provided signatures are accepted as original signatures.																		



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ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 07 2018

DEPARTMENT OF
WATER RESOURCES

February 5, 2018

Remington Buyer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Water right Rental for Frank Tiegs

Dear Mr. Buyer:

Frank Tiegs is submitting two rental applications to the Idaho Water Supply Bank.

The first rental application is for 86.6 acres of ground water from water right 61-2162. A rental from this water right was approved in 2017. A transfer has been submitted to the Western IDWR office proposing to move 86.6 acres to this location.

The second rental application is for 28.0 acres of ground water for the 2018 and 2019 irrigation seasons. No water right has been identified to satisfy the rental application. The 28.0 acres are located in the corner areas of several pivots. Small half wiper pivots will be installed to irrigate the 28.0 acres. It is anticipated that a future permanent transfer will be submitted to cover the 28.0 acres.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs
Enc: Rental Applications, Aerial Maps

CHARLES E.
BROCKWAY,
PH.D., P.E.

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