

**SECOND
AMENDED**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**SECOND
AMENDED**TRANSFER OF WATER RIGHT
TRANSFER NO. 81898

This is to certify that: FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-2280	WR/DECREED	3/2/1964	0.800 cfs	180.0 af	40.0	40.0	SNAKE RIVER
2-2368	WR/DECREED	4/8/1965	9.860 cfs	2218.5 af	493.0	580.0	SNAKE RIVER
2-2422	WR/DECREED	5/12/1966	1.740 cfs	391.5 af	87.0	580.0	SNAKE RIVER
63-31977	WR/DECREED	3/29/1967	3.440 cfs	720.0 af	160.0	780.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-2280	NO	NO	YES	NO	NO	NO
2-2368	NO	NO	YES	NO	NO	NO
2-2422	NO	NO	YES	NO	NO	NO
63-31977	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-2280	2-2280	0.800 cfs	180.0 af	40.0	797.0	N/A	N/A	N/A	N/A	N/A
2-2368	2-2368	9.860 cfs	2218.5 af	493.0	797.0	N/A	N/A	N/A	N/A	N/A
2-2422	2-2422	1.740 cfs	391.5 af	87.0	797.0	N/A	N/A	N/A	N/A	N/A
63-31977	63-31977	3.440 cfs	720.0 af	160.0	797.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		15.840 cfs	3510.0 af	780.0	797.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of November, 2017.



Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 81898IN FILE # 2-2280

**SECOND
AMENDED**

WATER RIGHT NO. 2-2280
As Modified by Transfer No. 81898

**SECOND
AMENDED**

In accordance with the approval of Transfer No. 81898, Water Right No. 2-2280 is now described as follows:

Right Holder: FRANK TIEGS LLC
 PO BOX 3350
 PASCO, WA 99302

Priority Date: 3/2/1964

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
 IRRIGATION

From
 03/15

To
 to 11/15

Diversion Rate
 0.800 cfs
 0.800 cfs

Diversion Volume
 180.0 af
 180.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L7 (SWNE) Sec 36 Twp 01N Rge 03W CANYON County

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	
02N	02W	31					40.0	41.0	41.0	40.0									162.0
								L 1	L 2										
02N	03W	36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	635.0

Right Acre Limit: 40.0

POU Total Acres: 797.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, all splits of 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10029, 2-10059, 2-10184, 2-10185, 2-10218, 2-10219, 2-10220, 2-10221, 2-10490, 2-10491, 2-10492, 2-10494, 2-10508 and 2-10509 when combined shall not exceed a total diversion rate of 74.30 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 81898

**SECOND
AMENDED**

**WATER RIGHT NO. 2-2280
As Modified by Transfer No. 81898**

**SECOND
AMENDED**

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 6/15/2009.
6. Use of water under this right is subject to the provisions of an agreement and stipulation between the water right holder and protestants dated 8/3/1992.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**SECOND
AMENDED****WATER RIGHT NO. 63-31977
As Modified by Transfer No. 81898****SECOND
AMENDED**

In accordance with the approval of Transfer No. 81898, Water Right No. 63-31977 is now described as follows:

Right Holder: FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302

Priority Date: 3/29/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	3.440 cfs	720.0 af
			3.440 cfs	720.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 31 Twp 02N Rge 02W CANYON County

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	
02N	02W	31					40.0	41.0	41.0	40.0									162.0
								L 1	L 2										
02N	03W	36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	635.0

Right Acre Limit: 160.0

POU Total Acres: 797.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 4/29/2009.

Transfer No. 81898

**SECOND
AMENDED**

WATER RIGHT NO. 63-31977
As Modified by Transfer No. 81898

**SECOND
AMENDED**

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**SECOND
AMENDED****WATER RIGHT NO. 2-2368
As Modified by Transfer No. 81898****SECOND
AMENDED**

In accordance with the approval of Transfer No. 81898, Water Right No. 2-2368 is now described as follows:

Right Holder: FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302**Priority Date:** 4/8/1965**Source:** SNAKE RIVER**Tributary:** COLUMBIA RIVER**BENEFICIAL USE**
IRRIGATION**From** 03/15
To 11/15**Diversion Rate**
9.860 cfs
9.860 cfs**Diversion Volume**
2218.5 af
2218.5 af**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L7 (SWNE)

Sec 36 Twp 01N Rge 03W CANYON County

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	
02N	02W	31					40.0	41.0	41.0	40.0									162.0
								L 1	L 2										
02N	03W	36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	635.0

Right Acre Limit: 493.0

POU Total Acres: 797.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 493 acres within the authorized place of use in a single irrigation season.
2. Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, all splits of 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10029, 2-10059, 2-10184, 2-10185, 2-10218, 2-10219, 2-10220, 2-10221, 2-10490, 2-10491, 2-10492, 2-10494, 2-10508 and 2-10509 when combined shall not exceed a total diversion rate of 74.30 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 81898

**SECOND
AMENDED**

**WATER RIGHT NO. 2-2368
As Modified by Transfer No. 81898**

**SECOND
AMENDED**

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 6/15/2009.
6. Use of water under this right is subject to the provisions of an agreement and stipulation between the water right holder and protestants dated 8/3/1992.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**SECOND
AMENDED****WATER RIGHT NO. 2-2422
As Modified by Transfer No. 81898****SECOND
AMENDED**

In accordance with the approval of Transfer No. 81898, Water Right No. 2-2422 is now described as follows:

Right Holder: FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302**Priority Date:** 5/12/1966**Source:** SNAKE RIVER**Tributary:** COLUMBIA RIVER**BENEFICIAL USE**
IRRIGATION**From**
03/15**To**
to 11/15**Diversion Rate**
1.740 cfs
1.740 cfs**Diversion Volume**
391.5 af
391.5 af**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L7 (SWNE)

Sec 36 Twp 01N Rge 03W CANYON County

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	
02N	02W	31					40.0	41.0	41.0	40.0									162.0
								L 1	L 2										
02N	03W	36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	635.0

Right Acre Limit: 87.0

POU Total Acres: 797.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 87 acres within the authorized place of use in a single irrigation season.
2. Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, all splits of 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10029, 2-10059, 2-10184, 2-10185, 2-10218, 2-10219, 2-10220, 2-10221, 2-10490, 2-10491, 2-10492, 2-10494, 2-10508 and 2-10509 when combined shall not exceed a total diversion rate of 74.30 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 81898

**SECOND
AMENDED**

**WATER RIGHT NO. 2-2422
As Modified by Transfer No. 81898**

**SECOND
AMENDED**

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 6/15/2009.
6. Use of water under this right is subject to the provisions of an agreement and stipulation between the water right holder and protestants dated 8/3/1992.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.