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Water Resources

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MAY 17 2017
WATER RESOURCES
WESTERN REGION

May 15, 2017

Nick Miller
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-508

Re: Frank Tiegs, LLC

Dear Mr. Miller:

Frank Tiegs, LLC is requesting that Transfer # 81492 be withdrawn at this time. Please continue to process the ownership change for water rights 61-7375, 61-7449 and 61-7427.

Please refund any additional funds that are not required for the ownership change back to Brockway Engineering.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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MAR 02 2017

WATER RESOURCES
WESTERN REGIONWITHDRAWN
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81498

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

ORIGINAL

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Frank Tiegs, LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

81498

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 02 2017

WATER RESOURCE
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Frank Tiegs, LLC Phone 509-545-4545

Mailing address P.O. Box 3110 Pasco, WA 99302 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543

Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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.

Frank Tiegs
Signature of Applicant or Authorized Representative

Frank Tiegs Managing Member 2-17-17
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Transfer portions of water rights 61-7375, 61-7449 and 61-7427 to a new POU and existing PODs.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	61-7375	0.64/155.6	Irrigation	4/01 to 10/31	Ground Water
☐ ☒	61-7449	0.65/147.2	Irrigation	4/01 to 10/31	Ground Water
☐ ☒	61-7427	0.18/43.6	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 16.4 cfs and/or 3808 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.46 cubic feet per second and/or 346.4 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	SW	19	04S	05E	Elmore	Ground Water	
			NE	NE	30	04S	05E	Elmore	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	19	61-7375									4.3	34.6						38.9
04S	05E	19	61-7449								7.9	28.9							36.8
04S	05E	19	61-7427								10.9								10.9
Total Acres (for irrigation use)																			86.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing wells, mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? Murphy Land Company

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Northwest Farm Credit Service

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

61-12290 and 61-12269

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 61-7375

Current Owner: DONALD K BRANDT
JOHN ALSIP

Priority Date: 8/25/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	3.89 CFS	952 AF
	<u>Total Diversion</u>	3.89 CFS	952 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4SW1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	SE1/4SE1/4	Sec. 30,	Twp 04S,	Rge 05E B.M.
ELMORE County				
GROUND WATER	NE1/4NE1/4	Sec. 31,	Twp 04S,	Rge 05E B.M.
ELMORE County				

Place of Use

IRRIGATION Within ELMORE County

T04S R05E S30	NESE	40.00	T04S R05E S30	NWSE	40.00
T04S R05E S30	SWSE	39.00	T04S R05E S30	SESE	39.00
T04S R05E S31	NENE	40.00	T04S R05E S31	NWNE	40.00

Total Acres: 238

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7375, 61-7427 and 61-7449 shall not exceed 16.44 cfs, nor total combined annual volume of 3809.2 af.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 af per acre at the field headgate for irrigation of the lands above.
3. X61 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 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 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-25-2000.
4. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Single point of diversion is located on or near the line between SESE, S30 and NENE, S31, T04S, R05E.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 10/26/2000

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

Current Water Right No.: 61-7449

Current Owner: DONALD K BRANDT
JOHN ALSIP

Priority Date: 5/18/1981

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
IRRIGATION	04/01 to 10/31	11.2 CFS	2536 AF
	<u>Total Diversion</u>	11.24 CFS	2537.2 AF

Location of Point(s) of Diversion

GROUND WATER	NE 1/4 SE 1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE 1/4 SW 1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE 1/4 NE 1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	SE 1/4 SE 1/4	Sec. 30,	Twp 04S,	Rge 05E B.M.
ELMORE County				
GROUND WATER	NE 1/4 NE 1/4	Sec. 31,	Twp 04S,	Rge 05E B.M.
ELMORE County				

Place of Use

DOMESTIC Within ELMORE County

T04S R04E S36 NENE

IRRIGATION Within ELMORE County

T04S R04E S36	NENE	37.00	T04S R04E S36	NWNE	40.00
T04S R04E S36	SWNE	40.00	T04S R04E S36	SENE	39.00
T04S R04E S36	NENW	40.00	T04S R04E S36	NWNW	40.00
T04S R04E S36	SWNW	40.00	T04S R04E S36	SENE	40.00
T04S R04E S36	NESW	40.00	T04S R04E S36	NWSW	40.00
T04S R04E S36	SWSW	40.00	T04S R04E S36	SESW	40.00
T04S R04E S36	NESE	39.00	T04S R04E S36	NWSE	40.00
T04S R04E S36	SWSE	40.00	T04S R04E S36	SESE	39.00

Total Acres: 634

Conditions of Approval:

1. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. R64 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.
3. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7375, 61-7427 and 61-7449 shall not exceed 16.44 cfs, nor total combined annual volume of 3809.2 af.
4. X61 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 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 10-25-2000.
5. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. T08 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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Single point of diversion is located on or near the line between SESE, S30 and NENE, S31, T04S, R05E.
9. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 10/26/2000

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

Current Water Right No.: 61-7427

Current Owner: DONALD K BRANDT
JOHN ALSIP

Priority Date: 1/19/1981

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.31 CFS	320 AF
	Total Diversion	1.31 CFS	320 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4SW1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	SE1/4SE1/4	Sec. 30,	Twp 04S,	Rge 05E B.M.
ELMORE County				
GROUND WATER	NE1/4NE1/4	Sec. 31,	Twp 04S,	Rge 05E B.M.
ELMORE County				

Place of Use

IRRIGATION Within ELMORE County

T04S R05E S31	SWNE	40.00	T04S R05E S31	SENE	40.00
Total Acres: 80					

Conditions of Approval:

1. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Single point of diversion is located on or near the line between SESE, S30 and NENE, S31, T04S, R05E.
5. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7375, 61-7427 and 61-7449 shall not exceed 16.44 cfs, nor total combined annual volume of 3809.2 af.
6. X61 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 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 10-25-2000.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. R64 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.
9. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 10/26/2000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 61-7375

1. amount 0.64/155.6 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/15
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 61-7449

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use)	36.8
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 61-7427

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 10.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 15 PAGES of attachments.

Received by Q Date 3/2/17 Preliminary check by _____ Date _____

Fee paid \$955.00 Date 3/2/17 Received by CJ Receipt # W044991

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

QUITCLAIM DEED

For value received, Murphy Land Company LLC, as grantor hereby quitclaims unto Frank Tiegs, LLC, the grantee whose current address is PO Box 3110 Pasco, WA 99302, all of the grantor's right, title, and interest in and to the following described water rights situated in Elmore County, Idaho.

All of water right 61-7375, priority date 8/25/1976, for 0.64 cfs, 155.6 acre feet annually and irrigation of 38.9 acres.

All of water right 61-7449, priority date 5/18/1981, for 0.65 cfs, 147.2 acre feet annually and irrigation of 36.8 acres.

All of water right 61-7427, priority date 1/19/1981, for 0.18 cfs, 43.6 acre feet annually and irrigation of 10.9 acres.

See Exhibit A for details of the 86.6 acres located in T04 S R 4 E Sec 36, T04 S R 5 E Sec 33 SE ¼ and T04 S R 5 E Sec 31 NE ¼ in Elmore County, Idaho.

Grantor has caused this quitclaim deed to be executed this 13 day of February, 20 17.

By: Frank Tiegs
<GRANTOR>

By: _____
<GRANTOR>

Murphy Land Company LLC
<TITLE>

<TITLE>

State of Washington)
County of Franklin) S.S.

On this 17 day of February, in the year of 20 17, before me, a Notary Public, personally appeared Frank Tiegs, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
E
A
L



Janelle L. McClory
Notary Public

In and for said State and County

04-21-2018

My Commission Expires on

Pioneer1031Co

PTC A PIONEER COMPANY

COPY

June 21, 2016

Carrie Homburg
Pioneer Title Company
610 S. Kimball
Caldwell, ID 83605

Re: Conclusion of Reverse Exchange: Farms LLC property, Ada & Elmore Counties, ID
Your escrow number: 581478 Our file number: 1031-9619R

Dear Carrie:

In regards to the above referenced transaction, please find attached a Special Warranty Deed from #265 Pioneer Exchange Accommodation Titleholder, LLC to MURPHY LAND COMPANY, LLC to place them in title to the subject real property. You are instructed to record said deed upon receipt and endorse the owner's title insurance policy on the subject property to MURPHY LAND COMPANY, LLC using ALTA endorsement form No. 107.9. Please return the recorded Deed and endorsement to us at your earliest convenience.

Further be informed that we have advised the exchangor to contact you direct in regards to the reconveyance/satisfaction of the Promissory Note and Deed of Trust/Satisfaction of Mortgage in the amount of \$17,003,318.63 which was executed by our LLC at closing.

Any fees applicable to the endorsement, reconveyance and additional recordings should have been collected at the time of closing, as per our written Exchange Escrow Instructions.

Thanks in advance for your assistance. Feel free to call me directly should you have any questions or concerns.

Sincerely,


Candy Kirkes
Accommodator

208.373.3734 phone • WWW.PIONEER1031.COM • 208.373.3737 fax
1414 W. Bannock • Boise, Idaho 83702

81492

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:335431

FOR VALUE RECEIVED

Delbert G. Kohtz and Frances L. Kohtz, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Frank Tiegs, LLC

whose current address is: 6610 West Court Street, #B, Pasco, WA 99302

the grantee(s), the following described premises, in Elmore County, Idaho, TO WIT:

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 19: U.S. Government Lots 5 and 8, the South 30 feet of U.S. Government Lot 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

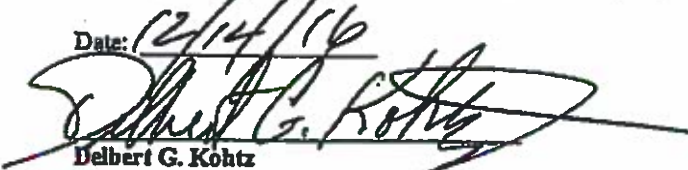
Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 30: NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Date: 12/14/16


Delbert G. Kohtz


Frances L. Kohtz

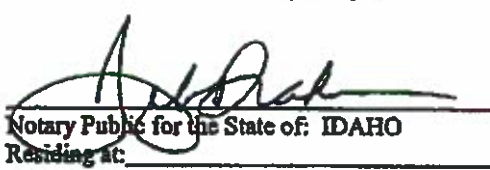
State of IDAHO } ss
County of Twin Falls }

On 12/14/16, before me, the undersigned, a Notary Public in and for said state, personally appeared Delbert G. Kohtz and Frances L. Kohtz, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that THEY executed same.

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



File No. 335431


Notary Public for the State of: IDAHO
Residing at: _____
Commission Expires: _____
Residing at: Twin Falls, Idaho
Commission Expires: 04-13-2018

Instrument # 0000457304
ELMORE COUNTY, ID
04:14:00 PM
For ALLIANCE TITLE - MTN. HOME O
No. of Pages: 1
BARBARA STEELE, Recorder
DE, Deputy
Electronically Recorded by Simplifile
Dec 15, 2016
Fee: \$10.00

BILL OF SALE

Order No. 335431

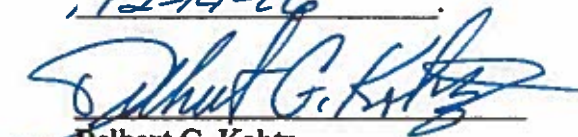
KNOW ALL MEN BY THESE PRESENTS: That Delbert G. Kohtz and Frances L. Kohtz, husband and wife, party of the first part, for good and valuable consideration in hand paid by Frank Tiegs, LLC, the party of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto the said party of the second part, all of that certain property described as follows, to wit:

Three (3) Zimmatic Center Pivots together with a 250 HP pump and motor and a 150 HP pump and motor, together with all mainlines and other appurtenances, including, but not limited to, electrical panels/components and valves.

TO HAVE AND TO HOLD the above described property to the said party of the second part, their heirs, administrators and assigns, forever. And the party of the first part does warrant and defend the sale of said property, goods and chattels, hereby made unto the said party of the second part against all and any person whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the party of the first part sets their hands and seals this

12-14-16

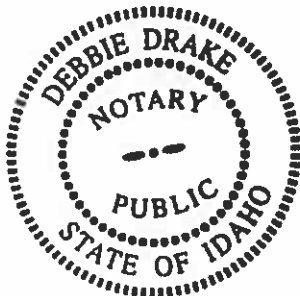

Delbert G. Kohtz


Frances L. Kohtz,

State of IDAHO } ss
County of ~~ELMORE~~ } Twin Falls

On 12/14/16, before me, the undersigned, a Notary Public in and for said state, personally appeared Delbert G. Kohtz and Frances L. Kohtz, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that THEY executed same.

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 the State of: IDAHO
Residing at: Mountain Home, ID
Commission Expires:
Residing at: Twin Falls, Idaho
Commission Expires: 04-13-2018

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:335431

FOR VALUE RECEIVED

Delbert G. Kohtz and Frances L. Kohtz, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Frank Tiegs, LLC

whose current address is: 6610 West Court Street, #B, Pasco, WA 99302

the grantee(s), the following described premises, in Elmore County, Idaho, TO WIT:

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 19: U.S. Government Lots 5 and 8, the South 30 feet of U.S. Government Lot 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 30: NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Date: 12/14/16

Delbert G. Kohtz
Delbert G. Kohtz

Frances L. Kohtz
Frances L. Kohtz

State of IDAHO } ss
County of Twin Falls }

On 12/14/16, before me, the undersigned, a Notary Public in and for said state, personally appeared Delbert G. Kohtz and Frances L. Kohtz, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that THEY executed same.

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



File No. 335431

[Signature]
Notary Public for the State of: IDAHO

Residing at: _____

Commission Expires: _____

Residing at: Twin Falls, Idaho
Commission Expires: 04-13-2018

Instrument # 0000457304
ELMORE COUNTY, ID
04:14:00 PM
For ALLIANCE TITLE - MTN. HOME OI
No. of Pages: 1
BARBARA STEELE, Recorder
DE, Deputy
Electronically Recorded by Simplifile
Dec 15, 2016
Fee: \$10.00

RECEIVED
DEC 20 2016

BY:

Recording Requested By and
When Recorded Return to:

MURPHY LAND COMPANY, LLC
PO Box 3110
Pasco, WA. 99302

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

COPY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of the 21st day of June, 2016, is between #265 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC, an Idaho limited liability company ("Grantor"), and MURPHY LAND COMPANY, LLC ("Grantee"), whose legal address is: PO Box 3110, Pasco, WA. 99302.

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County(ies) of Ada and Elmore, State of Idaho, more particularly described as follows:

See legal description attached hereto and made a part thereof as Exhibit "A"

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "Property").

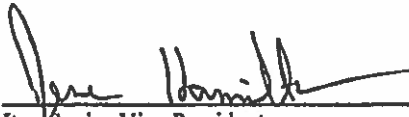
TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of December 18, 2015.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

#265 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC,
an Idaho limited liability company

By: Pioneer 1031 Company, Member

By: 
Its: Senior Vice President

STATE OF IDAHO

)

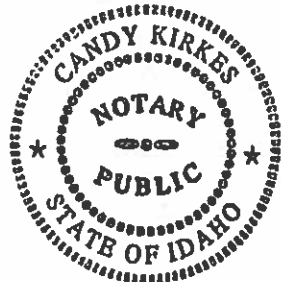
) ss.

COUNTY OF ADA

)

On this 22nd day of June, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Jesse Hamilton, known to me to be the Senior Vice President of Pioneer 1031 Company, an Idaho corporation, which corporation is the Sole Member of #265 Pioneer Exchange Accommodation Titleholder, LLC, an Idaho limited liability company, and acknowledged to me that she/he executed the within and foregoing instrument for and on behalf of said corporation as Sole Member of said limited liability company and in said corporation's name as Sole Member of said limited liability company.

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



(NOTARIAL SEAL)

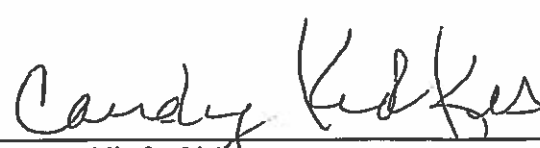

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 3/1/2019

EXHIBIT A

Parcel A: Ada County Property

The Northeast Quarter and the Southeast Quarter of Section 28, Township 2 South, Range 4 East, Boise Meridian, Ada County, Idaho.

Parcel B: Elmore County Property

Tract I:

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 25: SW 1/4

Section 36: NE 1/4, NW 1/4, SE 1/4

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 29: NW 1/4 SW 1/4, SW 1/4 SW 1/4

SAVE & EXCEPT: Commencing at the Southwest corner of said Section 29;
thence East 970 feet along the South boundary of Section 29 to the Point of Beginning;
thence continuing East 350 feet along the South boundary of Section 29;
thence North 1320 feet along the East boundary of the Southwest 1/4 of the Southwest 1/4;
thence West 350 feet along the North boundary of the Southwest 1/4 of the Southwest 1/4;
thence South 1320 feet to the Point of Beginning

SAVE & EXCEPT: Those portions deeded to the Mountain Home Highway District as disclosed in Right of Way Deed, recorded September 9, 1976, as Instrument No. 170152 and Right of Way Deed, recorded August 17, 1982, as Instrument No. 210057, records of Elmore County, Idaho.

Section 30: NW 1/4, SW 1/4, SE 1/4

SAVE & EXCEPT: Those portions deeded to the Mountain Home Highway District as disclosed in Right of Way Deed, recorded August 17, 1982, as Instrument No. 210057, records of Elmore County, Idaho.

Section 31: NW 1/4

Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 6: U.S. Government Lots 1 and 2, SW 1/4 NE 1/4, NW 1/4 SE 1/4,
SE 1/4 NE 1/4, NE 1/4 SE 1/4, S 1/2 SE 1/4

Tract II:

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 27: S1/2N1/2, NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4,
SE1/4SW1/4 SW1/4SE1/4

Section 34: E1/2NW1/4, NE1/4

Tract III:

PARCEL 1

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho.

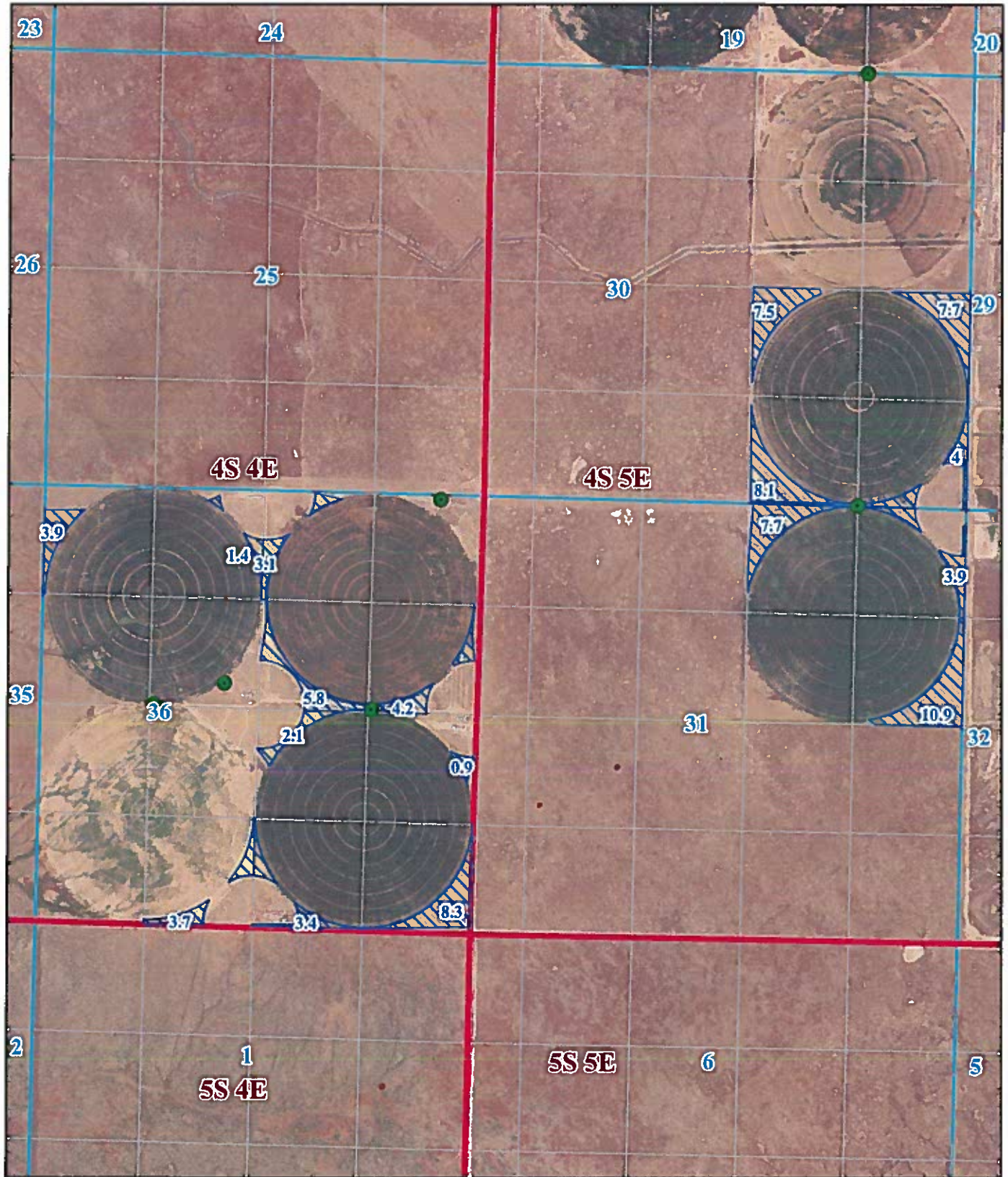
Section 30: SE1/4

Section 31: N1/2NE1/4 and S1/2NE1/4

PARCEL 2

Township 4 South, Range 4 East, Boise Meridian, Elmore County, Idaho.

Section 36: W1/2 and E1/2



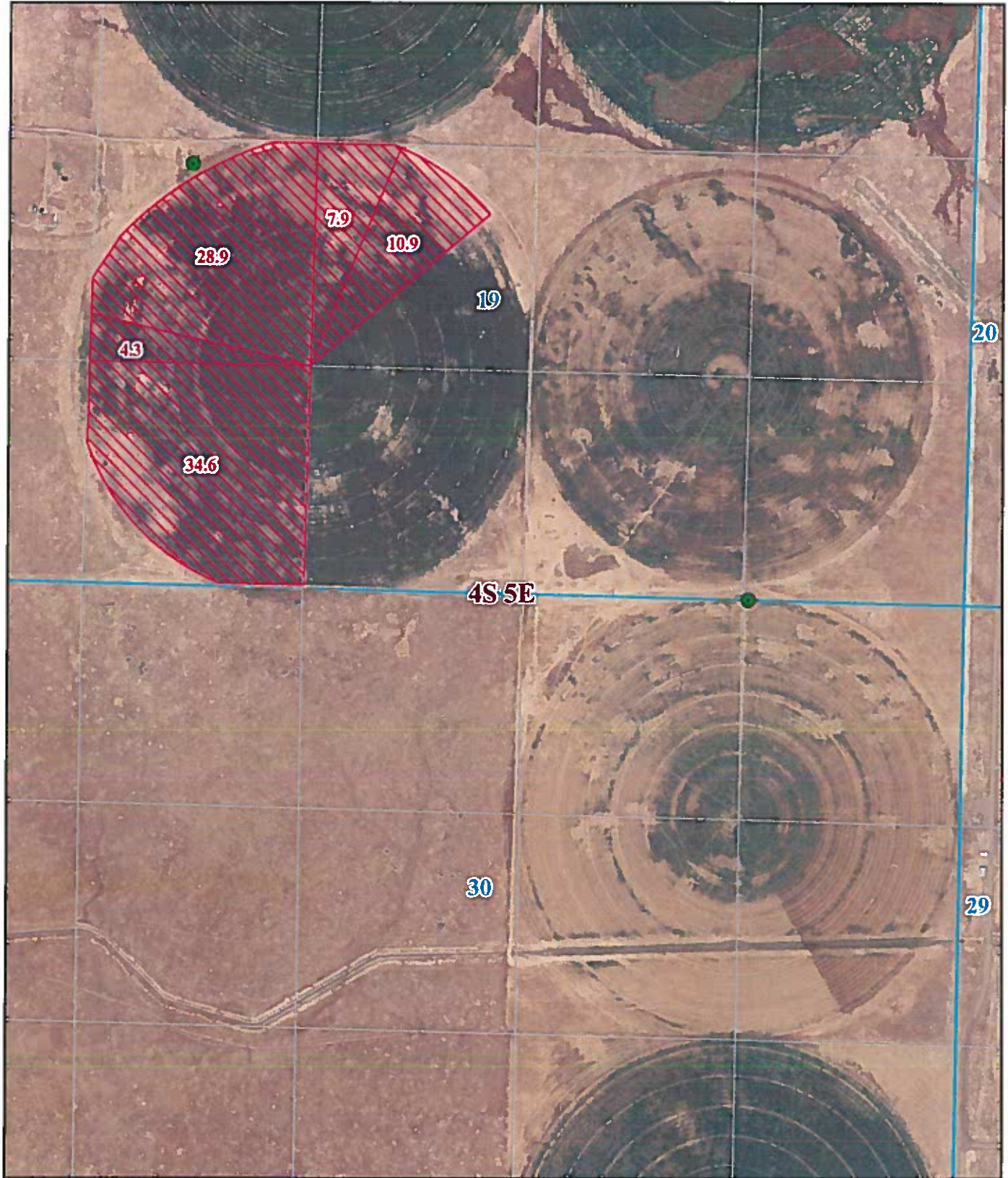
**Brandt Farm Transfer FROM Acres
Frank Tiegs**

NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC
GWS - Date: 10/7/2016

Legend
 ● Brandt PODs
 ▨ Brandt Farm Transfer Acres From

81492



0 250 500 1,000 Feet

**Brandt Farm Transfer TO Location
Frank Tiegs**

NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/7/2016

Legend

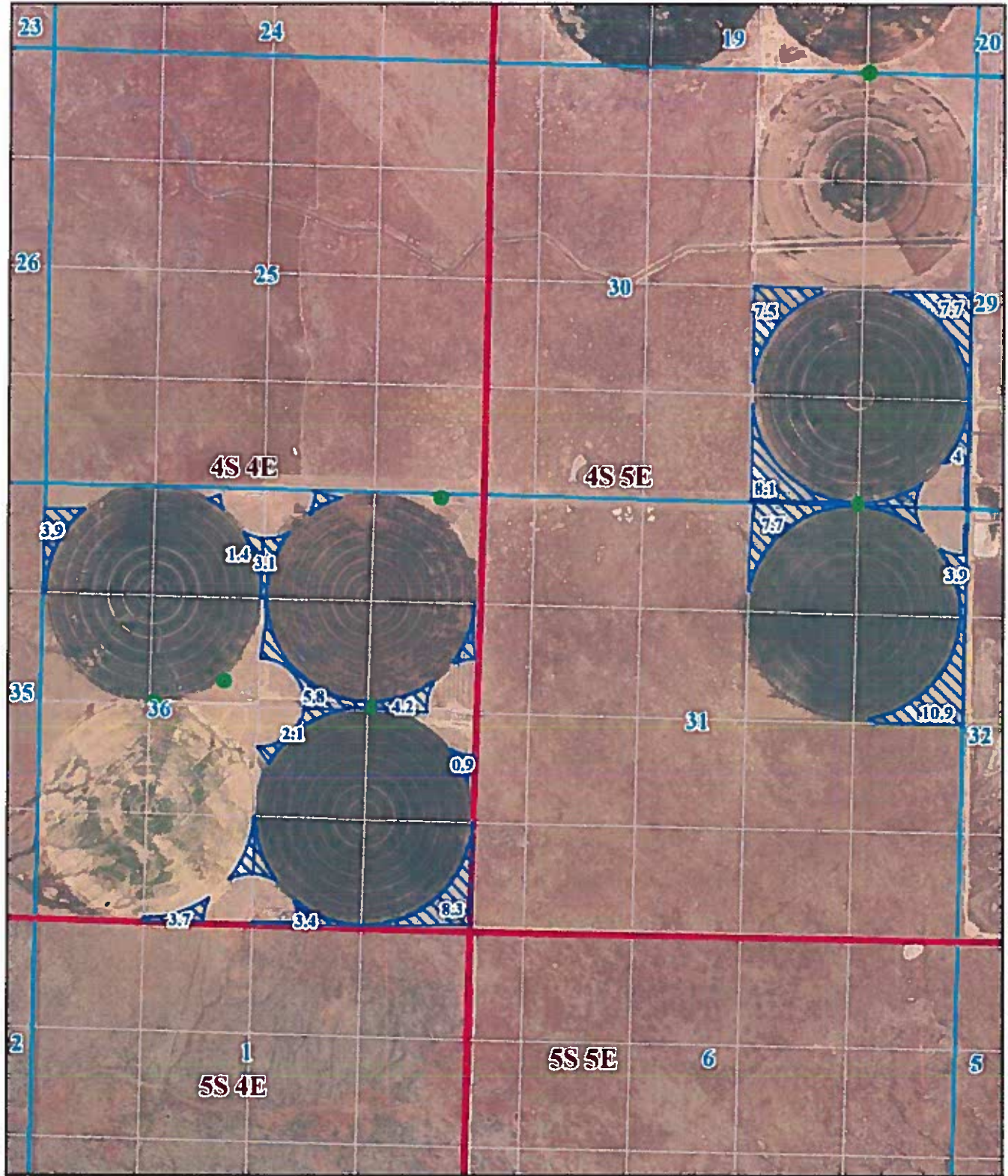
- Brandt PODs
- ▨ Brandt Farm Transfer Acres To



81492

Exhibit A

Path: F:\Projects\Frank Tiegs LLC\Arcview Maps\Brandt Farm 2016 Transfer From.mxd



Brandt Farm Transfer FROM Acres Frank Tiegs

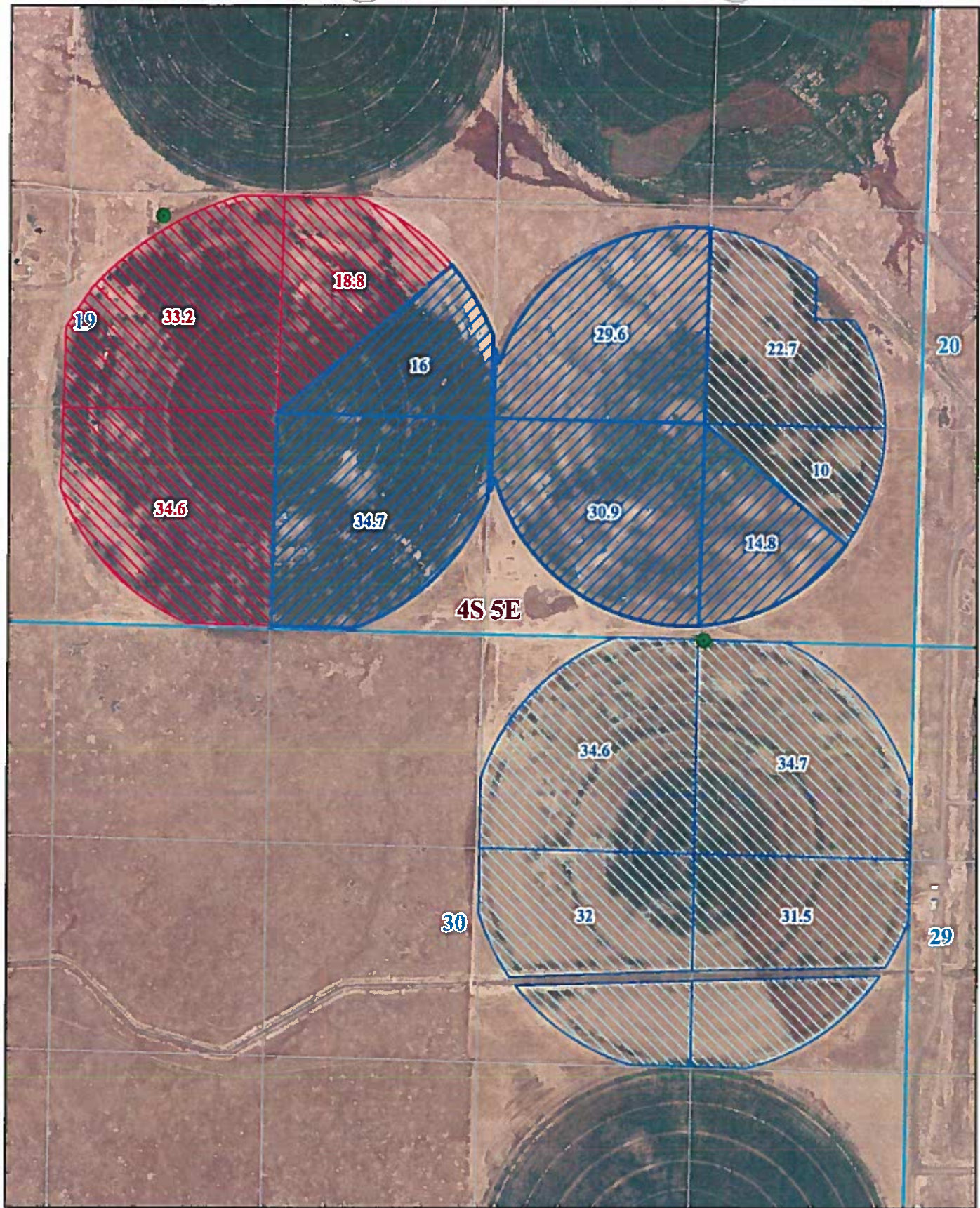
NAIP 2015 AERIAL

Legend

- Brandt PODs
- Brandt Farm Transfer Acres From

BROCKWAY ENGINEERING, PLLC
GWS - Date: 10/7/2016

81492



4S 5E

0 250 500 1,000 Feet

Brandt Farm Transfer TO Location Frank Tiegs

NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 2/3/2017

- Legend**
- Brandt PODs
 - 61-12269
 - 61-12290
 - Brandt Farm Transfer Acres To

81493

No. W 122003	Due no later than Feb 28, 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. FRANK TIEGS, L.L.C. FRANK TIEGS PO BOX 3110 PASCO WA 99302		RICHARD F GOODSON 877 MAIN ST STE 1000 BOISE ID 83702																						
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>6610 W COURT ST STE B</td><td>PASCO</td><td>WA</td><td>USA</td><td>99301</td></tr> <tr> <td>MANAGER</td><td>FRANK TIEGS</td><td>6610 W COURT ST STE B</td><td>PASCO</td><td>WA</td><td>USA</td><td>99301</td></tr> </tbody> </table>					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
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: WA W 122003	6. Annual Report must be signed.* Signature: Tim Tippet Date: 12/23/2016 Name (type or print): Tim Tippet Title: Authorized Agent																										
Processed 12/23/2016		* Electronically provided signatures are accepted as original signatures.																									

No. W 98607	Due no later than Dec 31, 2015 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			RICHARD F GOODSON 877 MAN STREET STE 1000 BOISE ID 83702 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	PO BOX 3110	PASCO WA USA 99302
5. Organized Under the Laws of: ID W 98607	6. Annual Report must be signed.* Signature: Tim Tippett Date: 11/03/2015 Name (type or print): Tim Tippett Title: Authorized Agent		
Processed 11/03/2015 * Electronically provided signatures are accepted as original signatures.			

MEMORANDUM

TO: 81492
FROM: Rachel Sommer
DATE: July 19, 2017
RE: Application for Transfer including an Ownership Change

On March 2, 2017 Frank Tiegs LLC submitted a transfer that included a proposal to split three water rights; 61-7375, 61-7427, and 61-7449. On May 17, 2017 the Department received a request to withdraw the above referenced application and to continue to process the ownership change. On May 19, 2017 a letter was sent to the applicants requesting a Notice of Change in Water Right Ownership form be completed and returned. Because the department has not received the ownership change form, the water rights splits will not be completed. I will request a full refund be sent to the payer.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 19, 2016

FRANK TIEGS LLC
PO BOX 3110
PASCO WA 99302

RE: Withdrawal of Application for Transfer No. 81492

Dear Applicants:

On March 2, 2017 the Department received your Application for Transfer including a request to process an ownership change. On May 17, 2017 the Department received your request to withdrawal the above referenced application and to continue to process the ownership change.

The ownership change cannot be completed until the enclosed Notice of Change in Water Right Ownership form is signed, and returned to me. A map identifying the specific acres to be placed in your name is also required. Attached to the form you will find the proposal map that was submitted with your transfer. Please review the map to make sure the acres identified are correct. Once received, I will request a refund be sent to the payer for fees paid towards the unprocessed transfer.

Please contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the internet at www.idwr.idaho.gov.

Sincerely,

Rachel Sommer
Water Resource Agent
IDWR, Western Region

Enclosures:

Application for Transfer received March, 2, 2017
Notice of Change in Water Right Ownership, deeds and map.

Cc:

Brockway Engineering PLLC
C/O Greg Sullivan
2016 N Washington St STE 4
Twin Falls ID 83301

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
61-7375	Yes ☒	Yes ☐		Yes ☐	Yes ☐
61-7427	Yes ☒	Yes ☐		Yes ☐	Yes ☐
61-7449	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

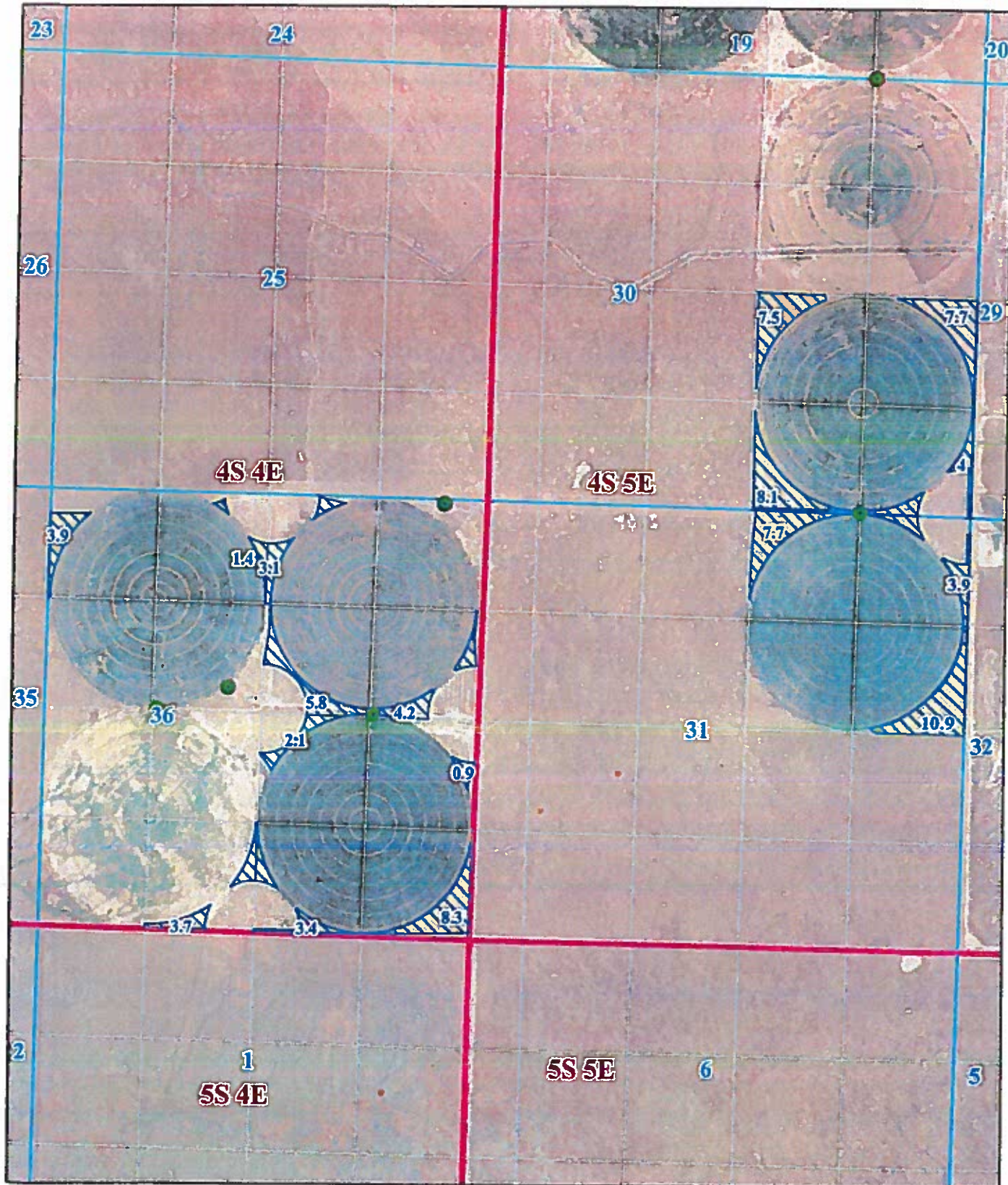
2. Previous Owner's Name: BRANT / ALSIP
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): FRANK TIEGS LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO BOX 3110 PASCO WA 99302
Mailing address City State ZIP
- 509-545-4545 _____
Telephone 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: 2/17/2017
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.

8. Signature: _____
 Signature of new owner/claimant Title, if applicable Date

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by WESTERN Date 3-2-17 Receipt No. W044991 Receipt Amt. 300.00
 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 X Approved by _____ Processed by _____ Date _____



Brandt Farm Transfer FROM Acres
Frank Tiegs

NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC
GWS - Date: 10/7/2016

Legend

- Brandt PODs
- ▨ Brandt Farm Transfer Acres From

N
↑

81492

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, April 18, 2017 5:49 PM
To: 'Greg Sullivan'
Subject: RE: Brandt Farm Transfer#81492
Attachments: Tranfer 81492 - Arial Imagery.pdf

Hi Greg,

My office day was busy so I apologize I am getting back to you so late.

Sincerely,
Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

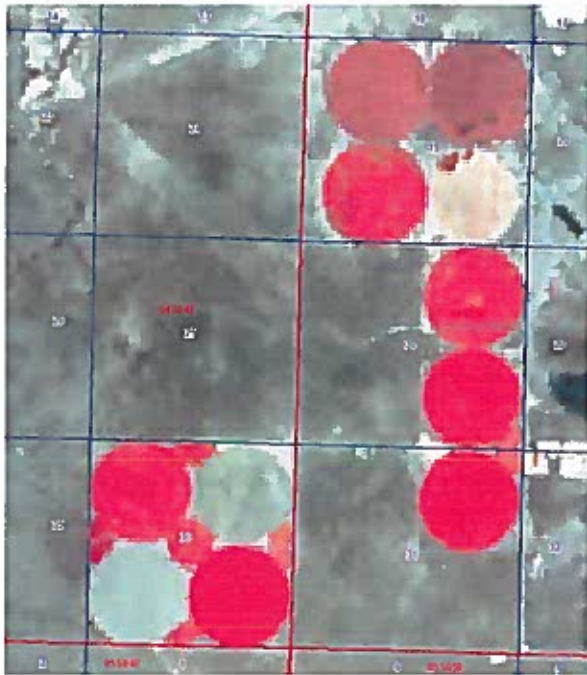
From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
Sent: Tuesday, April 18, 2017 11:04 AM
To: Sommer, Rachel <Rachel.Sommer@idwr.idaho.gov>
Subject: Brandt Farm Transfer#81492

Rachel,

Can you send me some of the aerial imagery that you used to review Transfer #81492?

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

2016 OCTOBER 12



2013



2015



2011





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 27, 2017

Nick Miller
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-508

RECEIVED

MAR 02 2017

WATER RESOURCES
WESTERN REGION

Re: Frank Tiegs, LLC

Dear Mr. Miller:

Frank Tiegs, LLC recently purchased a farm in Elmore County, Idaho. The farm is located at Township 04S Range 05E Section 19 South ½ and Section 30 NE ¼. The Idaho Department of Water Resources recently approved Transfer #81212 to this farm. The attached transfer proposes to transfer in an additional 86.6 acres to completely cover the three existing pivots on this farm.

A 1.46 cfs or 86.6 acre portion of water rights 61-7375, 61-7449 and 61-7427 will be transferred. The PODs, POU and ownership will be changing. The beneficial use and period of use will not be changing. Existing wells are currently being utilized on the farm. Water was been rented to this farm in 2016.

The portions of 61-7375, 61-7449 and 61-7427 that will be transferred with this water right transfer will be owned by Frank Tiegs, LLC. The remaining portions of the water rights that will not be moving will be owned by Murphy Land Company LLC. An additional \$375.00 is included in the attached check to cover the ownership change fees.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs

Enc: Transfer Application, Aerial Maps, Property Warranty Deeds, Change of Water Right Ownership Form, Brockway Engineering Check # 13871 for \$955.00

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506