STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87966

This is to certify that: TEUNISSEN PROPERTIES LP
3749 SW 3RD AVE
NEW PLYMOUTH, ID 83655-5166

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
65-22349	WR/LICENSE	3/13/2001	0.500 cfs	100.2 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-22349	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-22349	65-22349	0.500 cfs	100.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.500 cfs**	**100.2 af**	**N/A**	**N/A**		**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 26Th day of June, 2023.

SCOTT STORMS, Water Rights Supervisor

SCANNED
JUL 06 2023

WATER RIGHT NO. 65-22349

As Modified by Transfer No. 87966

In accordance with the approval of Transfer No. 87966, Water Right No. 65-22349 is now described as follows:

Right Holder: TEUNISSEN PROPERTIES LP
3749 SW 3RD AVE
NEW PLYMOUTH, ID 83655-5166

Priority Date: 3/13/2001

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.500 cfs	99.0 af
DOMESTIC	01/01	to	12/31	0.040 cfs	1.2 af
STOCKWATER	01/01	to	12/31	0.500 cfs	99.0 af
				0.500 cfs	100.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 17 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNW	Sec 17 Twp 07N Rge 04W PAYETTE County
GROUND WATER	NESW	Sec 17 Twp 07N Rge 04W PAYETTE County
GROUND WATER	NESW	Sec 17 Twp 07N Rge 04W PAYETTE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	04W	17							X	X	X	X							

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	04W	17								X									

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	04W	17								X	X								

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.

SCANNED
JUL 06 2023

WATER RIGHT NO. 65-22349

As Modified by Transfer No. 87966

CONDITIONS OF APPROVAL

2. Domestic use is for 1 home.

3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

4. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

5. 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.

6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

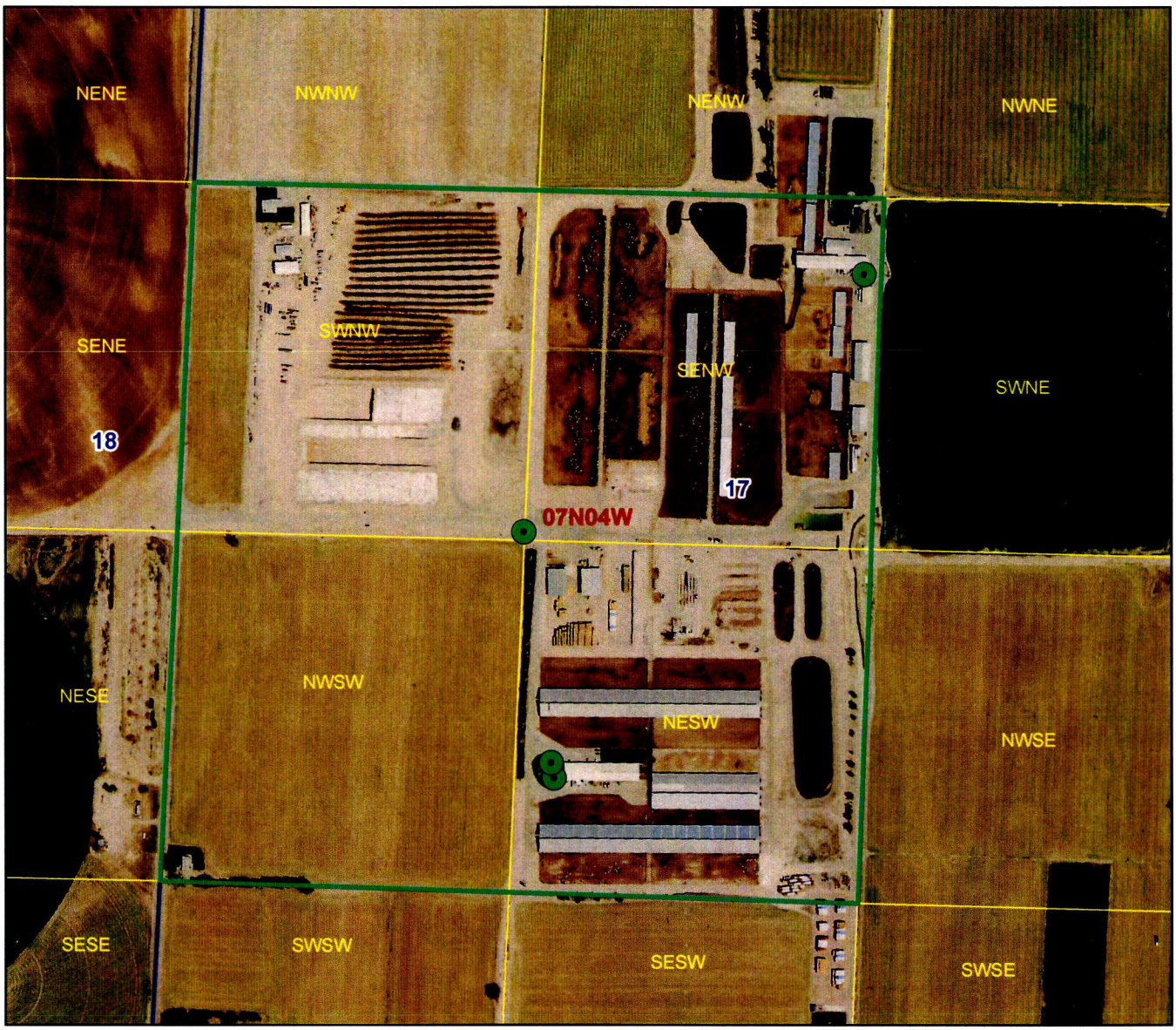
JUL 06 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87966

Water Right(s): 65-22349

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles

N

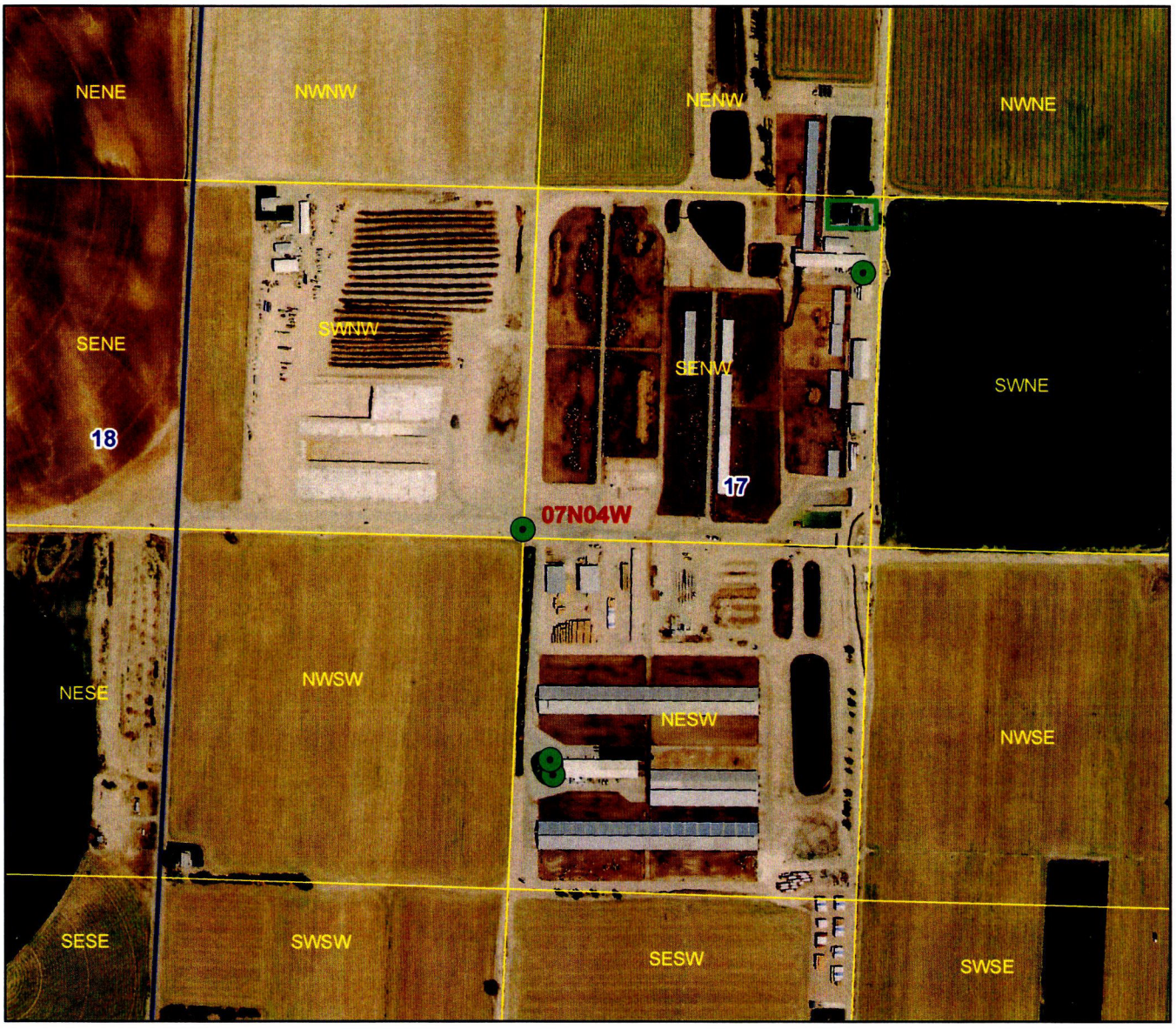
SCANNED
JUL 06 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87966

Water Right(s): 65-22349

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles

N

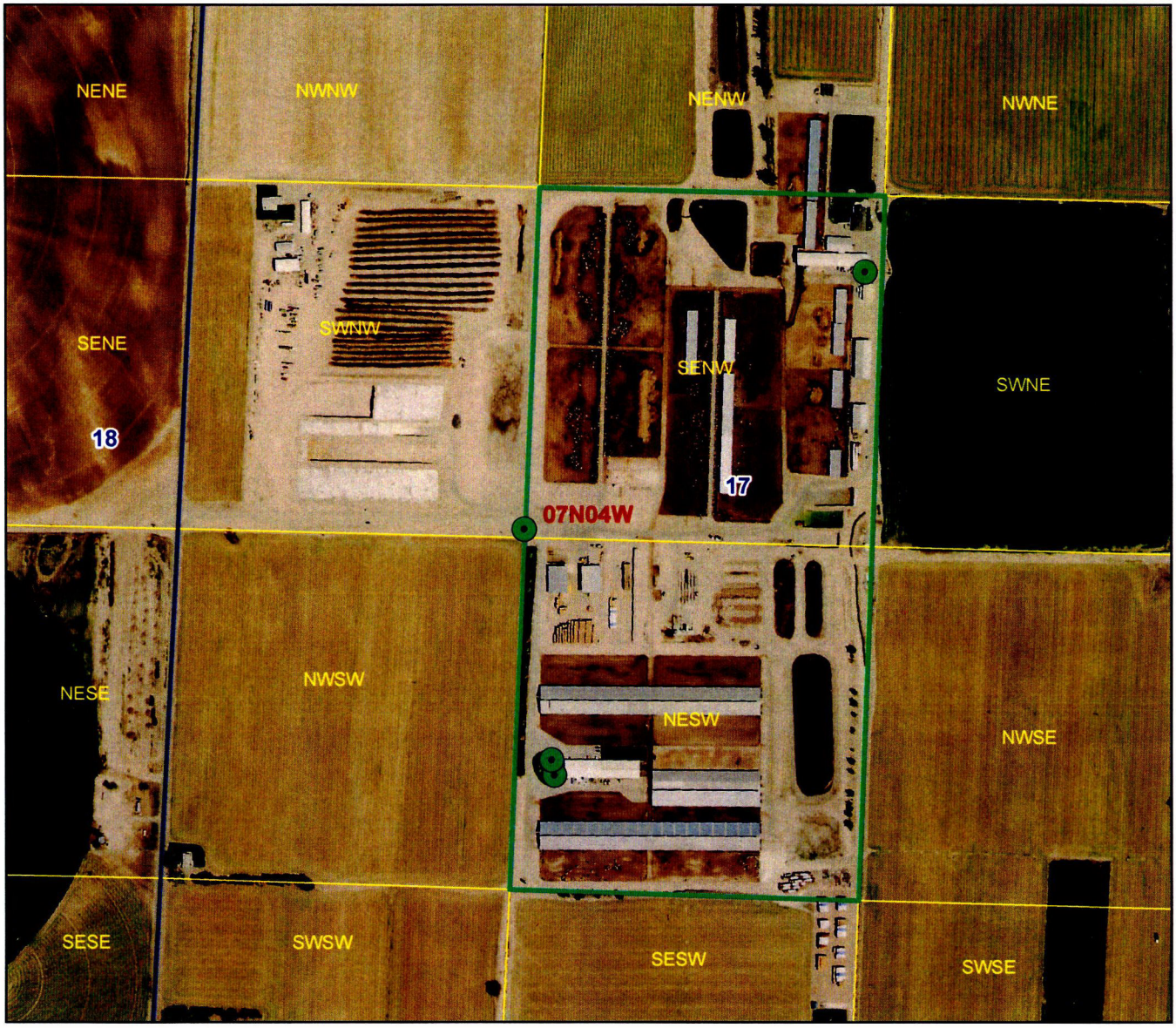
SCANNED
JUL 06 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87966

Water Right(s): 65-22349

This map depicts the STOCK WATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles

N

SCANNED
JUL 06 2023

RECEIVED
42-222 POD - 07/18
MAY 18 2023
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s) ☑ Add diversion point(s) ☐ Ownership change ☐ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Teunissen Properties LP Phone 208-573-3027
2. **MAILING ADDRESS** 3749 SW 3rd Ave City New Plymouth
   State ID Zip 83655 Email flteunissen@msn.com

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ 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.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 65-22349

☑ Attach a copy of the water right(s) as recorded, available at *idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.50 (diversion rate) cubic feet per second and/or _____ (storage volume) acre-feet per annum.

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources.*

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	NW	17	7N	4W	Payette	Ground Water	
N			SE	NW	17	7N	4W	Payette	Ground Water	
N			NE	SW	17	7N	4W	Payette	Ground Water	
N			NE	SW	17	7N	4W	Payette	Ground Water	

SCANNED
JUL 06 2023

Transfer No. 87960

6. **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:

Three existing wells, one new well (12-inch casing, up to 250' deep), integrated pressurized system for dairy operation. Measuring devices & lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Teunissen Land & Cattle LLC

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

See attached IDSOS documents linking Frank Teunissen as manager for LP and LLC.

c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent	Print name and title if applicable	Date
Franci D. Teun	Franklin D. Teunissen	5-17-23

9. **FEE** – ☑ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at *www.idwr.idaho.gov, Water Right Transfers, Step 4* and in the *Application for Transfer Instructions.*

FOR DEPARTMENT USE ONLY

Transfer includes 12 pages of attachments. Received by DM Date 5-18-2023

Fee paid $500 Date 5-18-2023 Receipted by DM Receipt # W051244

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED
87966
JUL 06 2023



APPLICATION FOR TRANSFER

WATER RIGHT 65-22349

TEUNISSEN PROPERTIES LP

PROJECT #TBD

PATH: S:\PROJECTS\S THRU Z PROJECTS\T PROJECTS\TEUNESSEN, FRANK & LESLIE\PROJECT\GIS\ARCMAP_PROJECTS\XFR MAP.MXD - USER: LGRAVES - DATE: 5/17/2023

SCANNED
JUL 06 2023

87966

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-22349

PRIORITY: March 13, 2001

Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume: 100.2 AF

It is hereby certified that:

TEUNISSEN PROPERTIES LP 3749 SW 3RD AVE NEW PLYMOUTH ID 83655-5166

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 13, 2001, and has submitted Proof of Beneficial Use on August 29, 2006. An examination confirms water is diverted from:

SOURCE:
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
COMMERCIAL	01/01 to 12/31	0.50 CFS	99.0 AF
STOCKWATER	01/01 to 12/31	0.50 CFS	99.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NE¼SW¼ Sec. 17, Twp 07N, Rge 04W, B.M. PAYETTE County
GROUND WATER SE¼NW¼ Sec. 17, Twp 07N, Rge 04W, B.M. PAYETTE County
GROUND WATER NE¼SW¼ Sec. 17, Twp 07N, Rge 04W, B.M. PAYETTE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	04W	17								X									

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	04W	17							X	X	X	X							

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	04W	17								X	X								

87966

SCANNED
JUL 06 2023

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-22349

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.

2. Domestic use is for 1 home.

3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

4. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

5. 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.

6. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 10th day of August, 2018.

Shelley W. Keen

SHELLEY W. KEEN
Water Allocation Bureau Chief

87966 SCANNED

JUL 06 202

State of Idaho
Department of Water Resources

Attachment to Water Right License

65-22349

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



87966

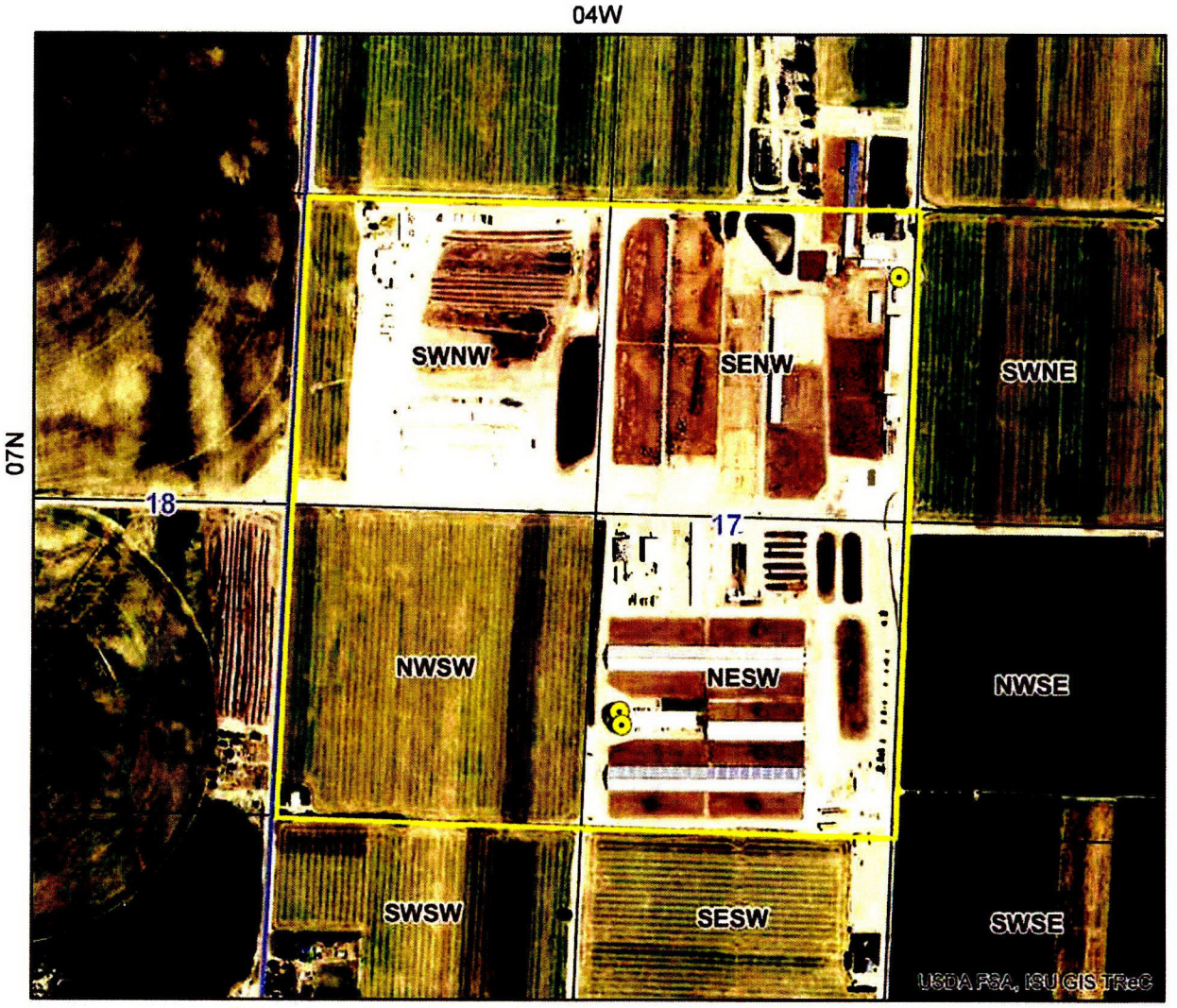
SCANNED
JUL 06 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

65-22349

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



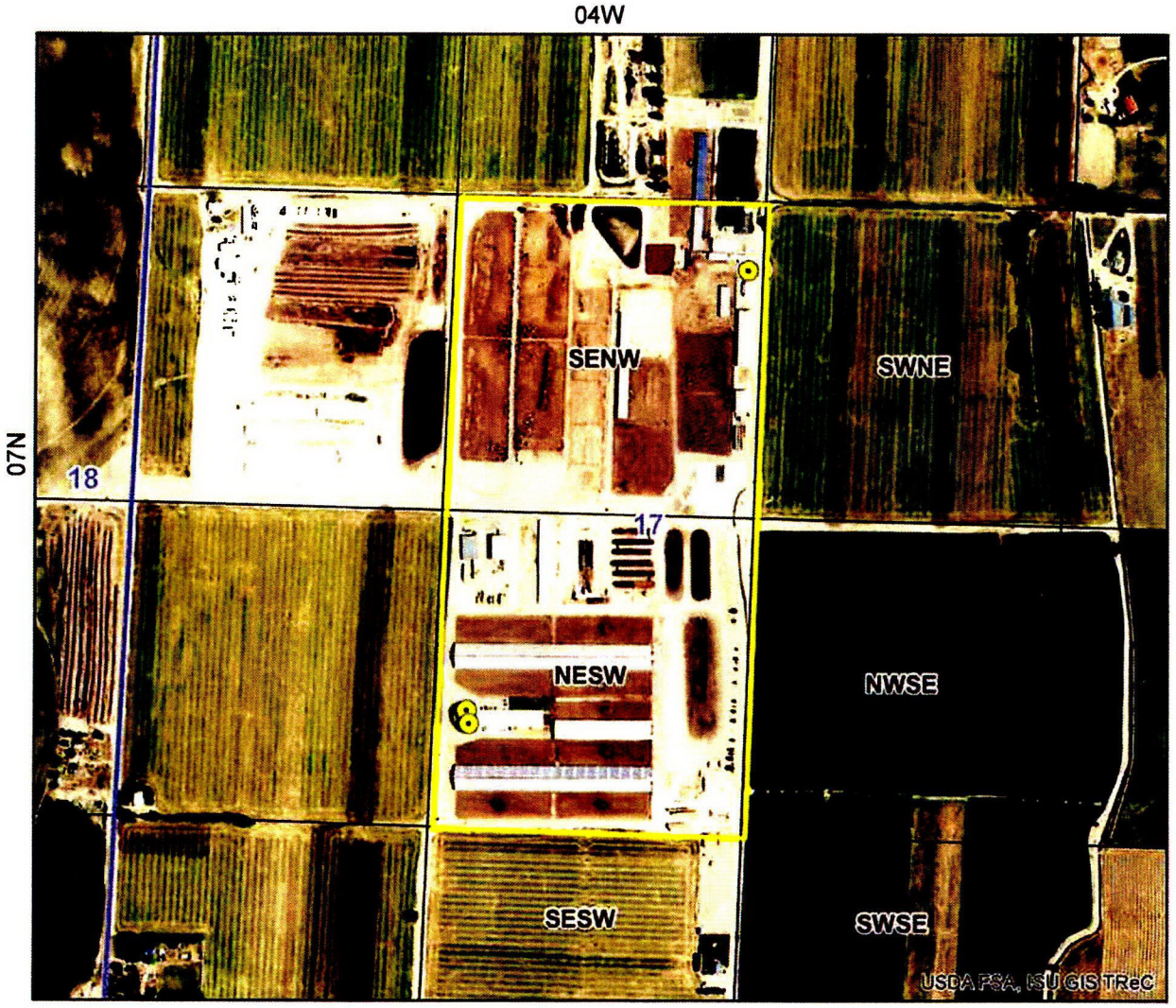
8796 SCANNED
JUL 06 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

65-22349

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections

N

0 0.075 0.15 0.3 Miles

SCANNED
87966
JUL 06 2023

0004969986

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only
-FILED-
File #: 0004969986
Date Filed: 11/3/2022 9:04:34 AM

Entity Name and Mailing Address:

Entity Name:	TEUNISSEN PROPERTIES, L.P.
The file number of this entity on the records of the Idaho Secretary of State is:	0000031078
Address	LESLIE TEUNISSEN 3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

Entity Details:

Entity Status	Active-Current
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	L5542

The registered agent on record is:

Registered Agent	FRANK D TEUNISSEN Registered Agent Physical Address 3749 SW THIRD AVE NEW PLYMOUTH, ID 83655 Mailing Address

Limited Partnership General Partners

Name	Business Address
Teunissen Investments, LLC	LESLIE TEUNISSEN 3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

The annual report must be signed by an authorized signer of the entity.

Job Title: Attorney agent for entity

Jason Melville — Sign Here

11/03/2022 — Date

B0751-9175 11/03/2022 9:04 AM Received by Office of the Idaho Secretary of State

SCANNED
87966
JUL 06 2023

Page 1 of 1

0004969941

STATE OF IDAHO

Office of the secretary of state, Lawerence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0004969941

Date Filed: 11/3/2022 9:01:27 AM

Entity Name and Mailing Address:

Entity Name:	TEUNISSEN INVESTMENTS, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000147754
Address	3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W45273

The registered agent on record is:

Registered Agent	FRANK D TEUNISSEN Registered Agent Physical Address 3749 SW THIRD AVE NEW PLYMOUTH, ID 83655 Mailing Address

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	TItle	Business Address
Frank D Teunissen	Manager	3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166
Leslie Teunissen	Manager	3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

The annual report must be signed by an authorized signer of the entity.

Job Title: Attorney agent for entity

Jason Melville — Sign Here

11/03/2022 — Date

B0751-9123 11/03/2022 9:02 AM Received by Office of the Idaho Secretary of State

SCANNED
JUL 06 2023

Page 1 of 1

0005224935

STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only
-FILED-
File #: 0005224935
Date Filed: 5/5/2023 10:12:12 AM

Entity Name and Mailing Address:

Entity Name:	Teunissen Land & Cattle, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0003910929
Address	3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	

The registered agent on record is:

Registered Agent	Franklin D. Teunissen Registered Agent Physical Address 3749 SW 3RD AVENUE NEW PLYMOUTH, ID 83655 Mailing Address 3749 SW 3RD AVE NEW PLYMOUTH, ID 83655-5166

Limited Liability Company Managers and Members

Name	TItle	Business Address
Franklin D. Teunissen	Manager	3749 SW 3RD AVE NEW PLYMOUTH, ID 83655

The annual report must be signed by an authorized signer of the entity.
Job Title: Manager

Franklin D. Teunissen — Sign Here
05/05/2023 — Date

B0798-3243 05/05/2023 10:12 AM Received by Office of the Idaho Secretary of State

87966 SCANNED
JUL 06 2023

Page 1 of 1

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 28, 2023

TEUNISSEN PROPERTIES LP
3749 SW 3RD AVE
NEW PLYMOUTH ID 83655-5166

Re: Transfer No: 87966
Water Right No(s).: 65-22349

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change.

SCANNED
JUL 06 2023

Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED
JUL 06 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87966
Water Right No(s).: 65-22349

TEUNISSEN PROPERTIES LP
3749 SW 3RD AVE
NEW PLYMOUTH ID 83655-5166

LORI GRAVES
HDR INC
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659

Lynne Evans
Administrative Assistant I

SCANNED
JUL 06 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED

JUL 06 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
JUL 06 2023

MEMORANDUM

TO: Transfer No. 87966 Teunissen Properties LP

FROM: Allen Bradbury

DATE: 6/23/2023

RE: Evaluation of Application for Transfer of Water Right

The purpose of the transfer is to add a point of diversion to water right number 65-22349 from groundwater.
Currently, license 65-22349 authorizes the diversion of 0.5 cfs and 99 afa for commercial, stockwater, and domestic uses associated with the applicant's existing dairy operation. At the time of licensing, the Department found dairy uses in excess of the original 65-22349 permit quantities resulting in a deficient licensed volume. A concurrently submitted application for permit #65-24243 seeks more water to fully cover present dairy uses and anticipated dairy growth during the permit development period. There are three existing wells and one new well (12-inch casing, up to 250 feet deep), Well #4, will be added to the operation. The additional point of diversion is in the SWSWNW of Section 17 Township 7N, Range 4W. All four wells will be integrated into a single pressurized system for the dairy. The system will provide commercial (dairy), stock water, and domestic water to a single home.

Water will be used at the current place of use near the intersection of SW 3rd Ave. and Butte Rd., approximately 2 miles southwest of New Plymouth, ID, in Payette County.

Contact: Frank D Teunissen, 3479 SW 3rd Ave, New Plymouth, ID 83655, flteunissen@msn.com, (208) 573-3027.

Representative: Lori Graves, , HDR|SPF Engineering, 412 E Parkcenter Blvd, Suite 100, Boise ID 83706, lori.graves@hdrinc.com, (208) 387-7000.

Legal Notice Not Required
6/26/2023

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Summary of Information Submitted

Authority to File: IDWR records show the applicant, Teunissen Properties, L.P., is the current owner of the involved water right. Payette County parcel data shows Teunissen Land & Cattle LLC as the owners of the lands at the place of use and proposed point of diversion. The Idaho Secretary of State website shows the following entities: Teunissen Land & Cattle, LLC (3910929) (Frank D Teunissen, manager), Teunissen Properties, L.P. (31078)((Leslie Teunissen, general partner and (Frank D Teunissen, registered agent), Teunissen Investments, LLC (147754) (Frank D Teunissen & Leslie Teunissen, managers). The transfer application is signed by Frank D Teunissen.

SCANNED
JUL 06 2023

Water Right Validity/Historical Beneficial Use: Water right no. 65-22349 was licensed on 8/10/2018. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use was confirmed by Department aerial imagery, Google Earth imagery, and the beneficial use field exam conducted in 2018.

Injury to Other Water Rights: A legal notice was not required for this transfer. Other water rights should not be impacted by the proposed transfer. The quantity of water used for these rights will not change because of the transfer. Based on this evidence there is not a concern with other users making a call or being injured.

Enlargement of Use: Enlargement does not appear to be an issue. The transfer does not propose any change to the diversion rate or volume nor any unsubordinated change to the season of use. The nature of use for commercial, stock water and domestic will remain the same. For these reasons, an enlargement of use is not anticipated as a result of this transfer.

Local Public Interest: There are no anticipated negative impacts to recreation, fish, or wildlife as a result of this transfer. There is no indication that any applicable water or hazardous substance standards designed to protect water resources would be violated. This transfer is compatible with the objectives and policies of the State Water Plan. It is within the local public interest to allow private properties to develop their property and fully use their water rights which in turn benefits the public at large. None of the available information suggests a conflict with the local public interest.

Beneficial Use/Conservation of Water Resources: No issues were identified. The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Additional Information/Analysis

Overlap Analysis: Application for permit # 65-24243 overlaps 65-22349 in both POD and POU, however it seeks to remedy the licensed volume with present uses and future needs.

Discussion

If approved the following changes should be made to the conditions of water right no. 63-22349. Add standard transfer conditions T07 and T08. Add condition 046 due to the new POD being a groundwater source.

Summary

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.

SCANNED
JUL 06 2023

RECEIVED
MAY 18 2023
WATER RESOURCES
WESTERN REGION

HDR | SPF

May 18, 2023

Scott Storms & Aaron Skinner
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Scott and Aaron,

Enclosed on behalf of Teunissen Properties LP is an *Application for Transfer* proposing an additional well be added to water right 65-22349. Expedited processing of the application would be greatly appreciated. Worth noting; the Department's GIS shape files and on-line water right maps were found inconsistent with the water right license. This can be remedied during processing of the transfer. The $500 application filing fee is being paid with a credit card upon submittal.

Thank you very much for your consideration and assistance in this matter. Please contact me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Leslie and Frank Teunissen, Terry Daugherty

Enclosers: transfer application

hdrinc.com

HDR | SPF, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000

SCANNED
JUL 06 2023

March 2017

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) **(maybe Workflow)**

Application # 87966 **Reviewer** AB **Date** 5/23/23

Acceptable Filing (TP Memo #24 Sect. 3) ✓ Y ____ N If "N" 30-day Deficiency Ltr Sent _____(date & initial)

Initial Review & Abbreviated Data Entry AB 05/23/23 (date & initial) Supervisor Notes ____Y ____N

Right(s) in Water Bank _____ Y ✓ N, Notify S.O. _____ (date) - WSB App Attachment _____

COMMENT LETTERS _____ Y ✓ N

Water District # _____ (Required even if No Legal Notice Required)

Other(s): list here or see attached _____

ADVERTISING _____ Y ✓ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo ___

Legal Notice Required - Saved as Legal Notice Remarks in Workflow _____Y *uncheck "Currently in Data Entry" flag

Statewide ads _____ Y ✓ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline _____

Y	N			
_____	_____	Protested	If Y: _____	Scan protest
_____	_____	Affidavit received/published correctly	If N:_____	Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade _____ Paid _____WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ✓ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ✓

E'folder w/ Draft Approval 87966 Tennissen
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) _____ Y _____N

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 214

~~WD~~
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.

✓DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
- ≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
- > 0.20 cfs - R43

~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME_____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 943 & WB7
Storage - R70
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077-218
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Boise above Star Bridge)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts

X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd rts not subject to SRBA

NOTES: