STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 652

This is to certify that:

RECEIVED
DEC 27 2022
DEPARTMENT OF
WATER RESOURCES

OWYHEE FARMING CO LLC
FRANK TIEGS PO BOX 3350
PASCO, WA 99302

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
2-10395	7/30/1969	SNAKE RIVER	**5.74**	1,222	**271.6**	0.021	4.50
2-10398	7/30/1969	SNAKE RIVER	**0.67**	150	**33.4**	0.020	4.50
2-2361	1/8/1965	SNAKE RIVER	3.61	1,220	242.4	0.015	5.04
2-2370	4/30/1965	SNAKE RIVER	0.09	21.9	4.4	0.020	5.00
2-7001	7/15/1967	SNAKE RIVER	3.61	12.9	251.9	0.014	0.05
2-10020	9/3/1970	SNAKE RIVER	3.61	4.0	248.5	0.015	0.02
		Combined Limit	***3.61***				
57-179	4/1/1865	SINKER CREEK	0.02	0.0	248.3	0.00	0.00
57-180B	4/1/1865	SINKER CREEK	0.01	0.0	248.3	0.00	0.00
57-181	12/26/1906	SINKER CREEK	4.38	0.0	248.3	0.018	0.00
		Combined Limit	***4.38***				
57-7152	10/30/1975	SINKER CREEK	0.00	221	248.3	0.00	0.89
57-7385	3/12/1984	SINKER CREEK	3.83	51.2	243.2	0.016	0.21
Combined	**Limit**		**11.83**		**256.5**		
Combined Limit Totals			**18.24**		**561.5**	**0.020**	**4.50**
Combined Rental Totals			**18.24**	**2,526.8**	**561.5**	**0.020**	**4.50**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: $5,053.60 annually
2023 - 2026: $5,811.64 annually

The full fee for the rental of the above-described right(s) is $5,053.60 per year for the year 2022 and $5,811.64 per year for years 2023 - 2026. The rental fee includes an administrative fee of $5,053.60 per year for the year 2022 and $5,811.64 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 2-10395, 2-10398, 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180 B, 57-181, 57-7152, 57-7385.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 652

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

Total Water Use Authorized Under Rental Agreement

Water Right	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
2-2361	SNAKE RIVER	3.61	1,220	242.4	0.015	5.04
2-2370	SNAKE RIVER	0.09	21.9	4.4	0.020	5.00
2-7001	SNAKE RIVER	3.61	12.9	251.9	0.014	0.05
2-10020	SNAKE RIVER	3.61	4.0	248.5	0.015	0.02
	Combined Limit	**3.61**	**1,154**	**256.5**		**4.5**
2-10395	SNAKE RIVER	**5.74**	**1,222**	**271.6**	**0.021**	**4.5**
2-10398	SNAKE RIVER	**0.67**	**150**	**33.4**	**0.020**	**4.5**
	Combined Total	**10.02**	**2,526.75**	**561.5**	**0.02**	**4.5**

**** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and to address enlargement.***

Detailed water right conditions are attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 652

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

Frank Tiegs — Signature of Renter

December 23, 2022 — Date

Frank Tiegs — Printed Name

Managing Member — Title

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

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

By _____ Date 12/30/22
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 12/30/22

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 652

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER SESE Sec. 4, Twp 06S, Rge 08E, OWYHEE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	10.02 CFS	2,526.75 AF

SEASON OF USE

Water Right No.	From	To
57-181	3/1	11/15
57-179	3/1	11/15
57-180B	3/1	11/15
57-7152	3/15	11/15
57-7385	4/1	11/1
2-7001	4/1	10/15
2-2361	4/1	10/15
2-2370	4/1	10/15
2-10020	3/1	11/15
2-10395	3/1	10/31
2-10398	3/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	08E	5			0.4			0.4 32.7 L4	34.0	25.0	38.0	32.0	5.0	6.2		18.8			192.1
06S	08E	6	28.0 L1			28.0													56.0
06S	08E	7				26.0					16.0			16.0	23.0	26.0	29.0	23.0	159.0
06S	08E	8					29.0	30.0	39.0	33.0	0.4	23.0							154.4

Total Acres: 561.5

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.

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WATER SUPPLY BANK RENTAL AGREEMENT No. 652

5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Water shall not be diverted under this right when flows in the Snake River are below 8400 cfs at United States Geological Survey Murphy gaging station.
10. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
11. This right does not grant any right-of-way or easement across the land of another.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
13. The rented portions of rights 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 and 57-7385 when combined shall not exceed a total diversion rate of 10.02 cfs and the irrigation of 561.5 acres.
14. The rented portions of rights 2-2361, 2-2370, 2-7001 and 2-10020 when combined shall not exceed a total diversion rate of 3.61 cfs.
15. The rented portions of rights 57-179, 57-180B, 57-181, and 57-7152 when combined shall not exceed a the irrigation of 248.3 acres.
16. The rented portions of rights 57-179, 57-180B and 57-181 when combined shall not exceed a total diversion rate of 4.38 cfs.
17. The period of use for the irrigation described in this approval for the rented portions of rights 2-10395 and 2-10398 may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/8/2009.
18. The period of use for the irrigation described in this approval for the rented portions of rights 2-2361, 2-2370, and 2-7001 may be extended to a beginning date of 3/1 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 6/15/2009.
19. The period of use for the irrigation described in this approval for the rented portions of right 57-7385 may be extended to a beginning date of 3/1 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 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2017.
20. The period of use for the irrigation described in this approval for the rented portions of right 57-7152 may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/21/2003.
21. Use of water under these rights may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this rental is within State Water District No. 02.

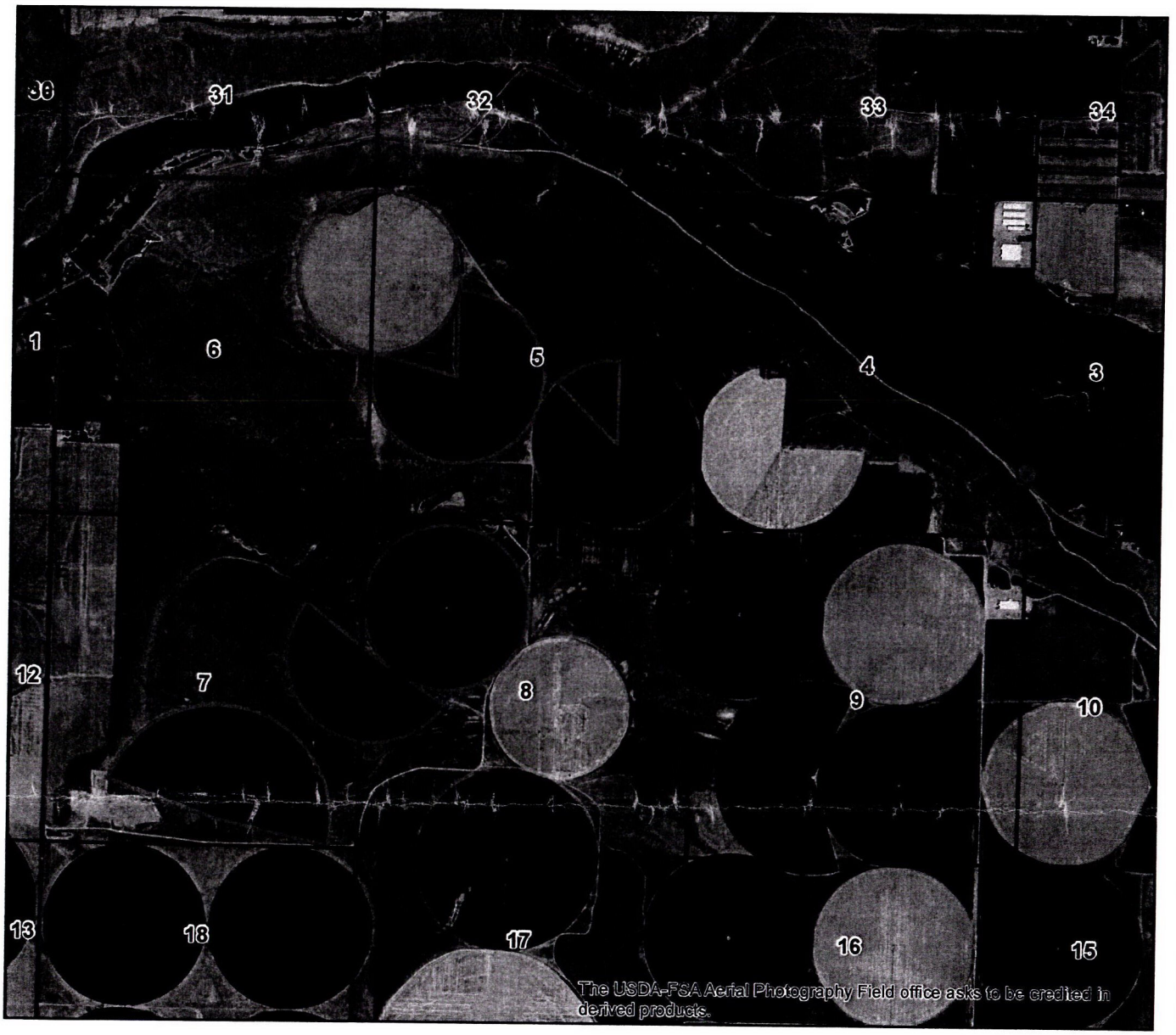
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Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 652

Effective until December 31, 2026

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



- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Township/Range
- Sections

N

0 0.25 0.5 1 Miles

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Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
FEB 03 2022
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Owyhee Farming Company, LLC

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☑ **No** ☐
If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Attachment	N/A	Yes	
		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☐	☑	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☑	☐	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☐	☑	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☐	☑	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

Exhibit A

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Owhyee Farming Company, LLC

Mailing Address P.O. Box 3350 Pasco, WA 99302
Street City State Zip Code

Email Address _____ Phone Number 509-545-4545

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

Representative Greg Sullivan Professional Title Engineer

Organization Brockway Engineering Relationship to Applicant Consultant

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

Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
11.23 CFS	2246 AF	11.23 CFS	2246 AF	561.5 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☑ Process application as soon as possible	☐ Return application to applicant
4/01/2022	6/01/2022							

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

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

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WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

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

POD Description	Water Source	Other Water Rights Diverted from this POD
06S08E Sec 4 SESE	Snake River	

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

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

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

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

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

☑ Irrigation 561.5 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
2-2260, 2-7019B, 2-1019D, 2-7022B, 2-7023B, 2-7102B, 2-10422, 2-10510. Snake River

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
Exhibit A								
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	11.23 CFS	2246.0 AF	561.5 AC

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

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

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

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

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?
If yes, describe: Yes ☐ No ☑

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

D. Additional Information
None

DECLARATION

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

Signature of Applicant	Printed Name of Applicant	Date
Frank Tiegs	Frank Tiegs	1-11-23
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

SCANNED JAN 24 2023

Path: F:\Projects\Frank Tiegs LLC\Hoodco Farm\Arcview\Hoodco Farm Rental 2020.mxd



0 0.5 1 Miles

HOODCO FARM

FRANK TIEGS LLC
WATER BANK RENTALS
NAIP 2019 AERIAL

Legend

- POD
- 2019_Owhyee_Rental
- Hoodco Farm PPU

N

BROCKWAY ENGINEERING, PLLC.
GWS -

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CONTRACT OF AGREEMENT

To Whom It May Concern,

Frank Tiegs LLC and Murphy Flats Water Co Inc have entered into an agreement regarding the rental payment for water rights 57-179, 57-180B, 57-181, 2-2361, 2-2370, 2-7001, 2-10020, 57-7152 and 57-7385.

Murphy Flats Water Co Inc has been paid in full for the duration of the rental contract of any portion of water rights 57-179, 57-180B, 57-181, 2-2361, 2-2370, 2-7001, 2-10020, 57-7152 and 57-7385 from Frank Tiegs LLC.

Therefore, the rental payment of the 90% of the rental fee to the owner of water rights 57-179, 57-180B, 57-181, 2-2361, 2-2370, 2-7001, 2-10020, 57-7152 and 57-7385 has been paid in full. Frank Tiegs LLC will pay the annual rental fee of 10% of the rental fee to the Idaho Water Supply Bank.

Frank Tiegs LLC

Frank Tiegs

Date: 1-25-22

Murphy Flats Water Co Inc

Frank Tiegs

Date: 1-25-22

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CONTRACT OF AGREEMENT

To Whom It May Concern,

Frank Tiegs LLC and Murphy Land Company have entered into an agreement regarding the rental payment for water rights 2-10395 and 2-10398.

Murphy Land Company has been paid in full for the duration of the rental contract of any portion of water rights 2-10395 and 2-10398 from Frank Tiegs LLC.

Therefore, the rental payment of the 90% of the rental fee to the owner of water rights 2-10395 and 2-10398 has been paid in full. Frank Tiegs LLC will pay the annual rental fee of 10% of the rental fee to the Idaho Water Supply Bank.

Frank Tiegs LLC

Frank Tiegs

Date: 1-25-22

Murphy Land Company

Frank Tiegs

Date: 1-25-22

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Exhibit A
2022 Rental
Owhyee Farming Co LLC
Greg Sullivan

Water right Elements Leased to Water Supply Bank					Water Supply Bank Rental Request		
Water Right Number	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres	Diversion Rate (CFS)	Volume (AF)	Acres
2-10395	Irrigation	6.7	1426.5	317	6.70	1426.5	317.0
2-10398	Irrigation	0.78	175.5	39	0.78	175.5	39.0
2-2361	Irrigation	3.2	1228	215	3.2	1228	215.0
2-2370	Irrigation	0.09	22	4.4	0.09	22	4.4
2-7001	Irrigation	3.66	13	255.3	3.66	13	255.3
2-10020	Irrigation	3.66	4	251.8	3.66	4	251.8
57-179	Irrigation	0.02	10.3	251.7	0.02	10.3	251.7
57-180B	Irrigation	0.01	5.2	251.7	0.01	5.2	251.7
57-181	Irrigation	4.44	1187.6	251.7	4.44	1187.6	251.7
57-7152	Irrigation	0	223.9	251.7	0	223.9	251.7
57-7385	Irrigation	3.88	51.9	246.4	3.88	51.9	246.4
				Totals	**11.23**	**2246.00**	**561.50**

SCANNED

0004545627

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 #: 0004545627

Date Filed: 12/30/2021 6:15:38 PM

Entity Name and Mailing Address:

Entity Name:	OWYHEE FARMING COMPANY, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000305187
Address	6610 W COURT ST PASCO, WA 99301-2010

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:	W98608

The registered agent on record is:

Registered Agent	STEVEN SCHOSSBERGER Registered Agent Physical Address 1205 IRON EAGLE DR STE B EAGLE, ID 83616 Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
PASCO FARMING INC	Member	JIM MCCLELLAND PO BOX 3350 PASCO, WA 99302
FRANK TIEGS	Member	JIM MCCLELLAND 6610 W COURT ST PASCO, WA 99301

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

Job Title: Managing Member

Frank Tiegs — Sign Here

12/30/2021 — Date

B0672-6223 12/30/2021 6:15 PM Received by ID Secretary of State Lawerence Denney

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IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 24, 2023

OWYHEE FARMING CO LLC
PO BOX 3350
PASCO WA 99302

PAST DUE NOTICE
RESPOND NLT 2/13/2023

RE: Water Supply Bank Rental Agreement No. 652 Rental Fees for 2023 for Water Right No(s) 2-2361, 2-2370, 2-7001, 2-10020, 2-10395, 2-10398, 57-179, 57-180 B, 57-181, 57-7152, 57-7385

Dear Renter,

The following are rental fees associated with your active Water Supply Bank rental agreements for 2023:

Rental Agreement	Start Year	End Year	Water Right	Rental Volume (AF)	Total Rental Fee	Owner Fee (90%)	Admin Fee (10%)	Rental Fee Due Date
652	2022	2026	2-2361, 2-2370, 2-7001, 2-10020, 2-10395, 2-10398, 57-179, 57-180 B, 57-181, 57-7152, 57-7385	2,526.8	$5,811.64	$-	$5,811.64	12/31/2022
			Total	2,526.8	$5,811.64	$-	$5,811.64	12/31/2022

Our records indicate that payment has not yet been fully received for 2023 rentals of the above water rights. If you have not already done so, please remit payment of **$5,811.64** prior to the due dates above and enclose a copy of this letter with your payment.

If payment is not received by the response deadline above, IDWR may cancel your rental agreement. Any use of rental water during 2023 under a cancelled rental agreement may be considered unauthorized.

If you have questions about your rental, you can contact me at 208-287-4936.

Thank you,

Mary Condon
Water Supply Bank Coordinator

CC: IDWR Front Desk
GREG SULLIVAN - BROCKWAY ENGINEERING

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?
CLERICAL STAFF: MC
REVIEWER:

Received Date: 2/3/2022
Latest Start Date: 6/1/2022
Renter: Owyhee Farming
Rental Expiration Date 2026
Lease/Rental Package (Y) N

Application # 2308 Agreement # 052

Water Right	Lease Contract ID
# 2-10395	App 2305
# 2-10398	
# 2-2361	App 2306
# 2-2370	
# 2-7001	
# 57-179	
# 57-180B	
# 57-181	
# 57-7152	
# 57-7385	
#	
#	
#	
#	

Applicant Authorized?	(Y) / N
Map of POU and POD	(Y) / N
POD consent?	(Y) / N
ESPA Modeling?	Y / N (NA)
Application Complete?	(Y) / N
Minimum Checklist in database?	☑
Request for additional information letter sent:	Y (NA)
WSB Action Request for deficiencies	☐

Comments:

Repeat, see 301

Admin Fee only

Mailings (per application)	Original	CC	Email or Address
Renter: Owyhee Farming	☒	☐	
Attorney:	☐	☐	
Consultants			
Name: Greg Sullivan - Brockway Engineering	☐		
Conveyence Entity: (Ex. Irrigation Dist. of Canal Co.)	(final only)	☐	
(Ground) Water Dist: 2 & 57	(final only)	☐	
Other: (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☐	
Region: Western	(final only)	☐	
Watermaster: Rob Whitney & Nick Miller	(final only)	☐	
Compliance:	(final only)	☐	

Resolving NOV? Y / N
#

Call up Date:

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 24, 2023

OWYHEE FARMING CO LLC
C/O FRANK TIEGS
PO BOX 3350
PASCO, WA 99302

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-10395, 2-10398, 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 & 57-7385 AGREEMENT 652

Dear Renter:

Please find enclosed receipt in the amount of **$5,053.60** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 2,526.8 acre-feet of water for irrigation of 561.5 acres. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Since you have a private agreement with the water right owner, **you are only obligated to pay the 10% administrative fee or $5,053.60.**

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C114965
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Wetern Regional Office
Greg Sullivan
Water Districts 2 & 57

SCANNED
JAN 24 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
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Governor Brad Little

Director Gary Spackman

December 19, 2022

OWYHEE FARMING CO LLC
FRANK TIEGS
PO BOX 3350
PASCO, WA 99302

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 652 AND PAYMENT FOR WATER RIGHT(S) 2-10395, 2-10398, 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 & 57-7385

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

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement") for your review and signature** on September 12, 2022. The signed agreement and annual rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of $5,053.60 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

c. Greg Sullivan

SCANNED
JAN 24 2023

IDAHO DEPARTMENT
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 12, 2022

OWYHEE FARMING CO LLC
FRANK TEIGS
PO BOX 3350
PASCO, WA 99302

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK WATER RIGHT NO(S). 2-10395, 2-10398, 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 & 57-7385, AGREEMENT 652

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

Dear Applicant:

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

A rental fee of **$5,053.60** was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 2,526.8 acre-feet for 2022. Since you have a private agreement with the water right owner, **you are only obligated to pay the 10% administrative fee or $5,053.60 for 2022.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for $5,053.60 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Greg Sullivan – Brockway Engineering

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MEMORANDUM FOR AGREEMENT #652

To: Water Right(s) 2-10395, 2-10398, 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152, 57-7385

From: Mackenzie Kienholz

Date: July 26, 2022 – August 18, 2022

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

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PURPOSE/NARRATIVE:
This application was submitted by Greg Sullivan of Brockway Engineering on behalf of Owhyee Farming Company, LLC and was received on February 3, 2022. The application proposes to rent water rights 2-10395 and 2-10398, owned by Murphy Land Company, LLC, and 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152, and 57-7385, which are owned by Murphy Flats Water Co. Inc. The rented water rights would be used for the irrigation of 561.50 acres located in T06S R08E.

Snake River and Sinker Creek water rights were requested for this application, however only the Snake River rights were requested for actual use. The rights in this package all have combined limits that require them to be leased and rented together. The rental POD is upstream of the Sinker Creek POD meaning Sinker Creek water is unable to be used through the rental POD. Because Sinker Creek does not physically pass the rental point of diversion, and Sinker Creek sourced rights were not indicated to be used through this rental, the diversion that these rights would contribute to the overall limits was not included in the package. They do not contribute to the volume or acres of the group of rights.

All 256.5 acres from Murphy Flats Water Co LLC Lease Contract #1557 were used to satisfy this rental as well as a portion from Murphy Land Co LLC Lease Contract #1555. Murphy Flats leased acres were fully used before Murphy Lands acres because the Murphy Flats Lease has combined limits that could make leftover portions more difficult to rent out for other uses.

AUTHORITY TO FILE:
The application was signed by Frank Tiegs who is listed as a managing member on the IDSOS Business Search. The proposed rental POU is located in sections 5, 6, 7, and 8 of 6S8E. All parcels in the POU as well as the POD are owned by Frank Tiegs, LLC. Permission is assumed for the parcels and POD because Frank Tiegs is the owner and authorized signing representative for the application.

An agreement between Frank Tiegs LLC and Murphy Flats Water Co Inc regarding the rental payment for water rights 57-179, 57-180B, 57-181, 57-7152, 57-7385, 2-2361, 2-2370, 2-7001, and 2-10020 and another agreement for 2-10395 and 2-10398 were included with the application. Frank Tiegs signed for all parties; a review of the IDSOS Business Search lists Frank Tiegs as a managing member of Frank Tiegs LLC, Owyhee Farming Company LLC, and Murphy Flats Water Co Inc. The departments accepts the signed agreements based on the Secretary of State information found.

WATER RIGHT VALIDITY:
Rights 2-10395 and 2-10398 have been owned by Murphy Land Company since 2012 and have been leased to the Bank since 2014. Rights 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152, and 57-7385 have been owned by Murphy Flats Water Co Inc or its affiliates.

RECEIVED

since the early 2000's and have been leased to the Bank since 2011. All the water rights proposed for rental had an approved POU transfer in 2017. Review of imagery from previous lease contract acres suggests compliance. Forfeiture is not an issue at this time.

INJURY TO OTHER WATER RIGHTS:
No anticipated injury.

ENLARGEMENT OF USE:
No anticipated enlargement of use. The diversion rate that the Sinker Creek rights would have contributed to the package was not included in the rental to avoid enlargement concerns.

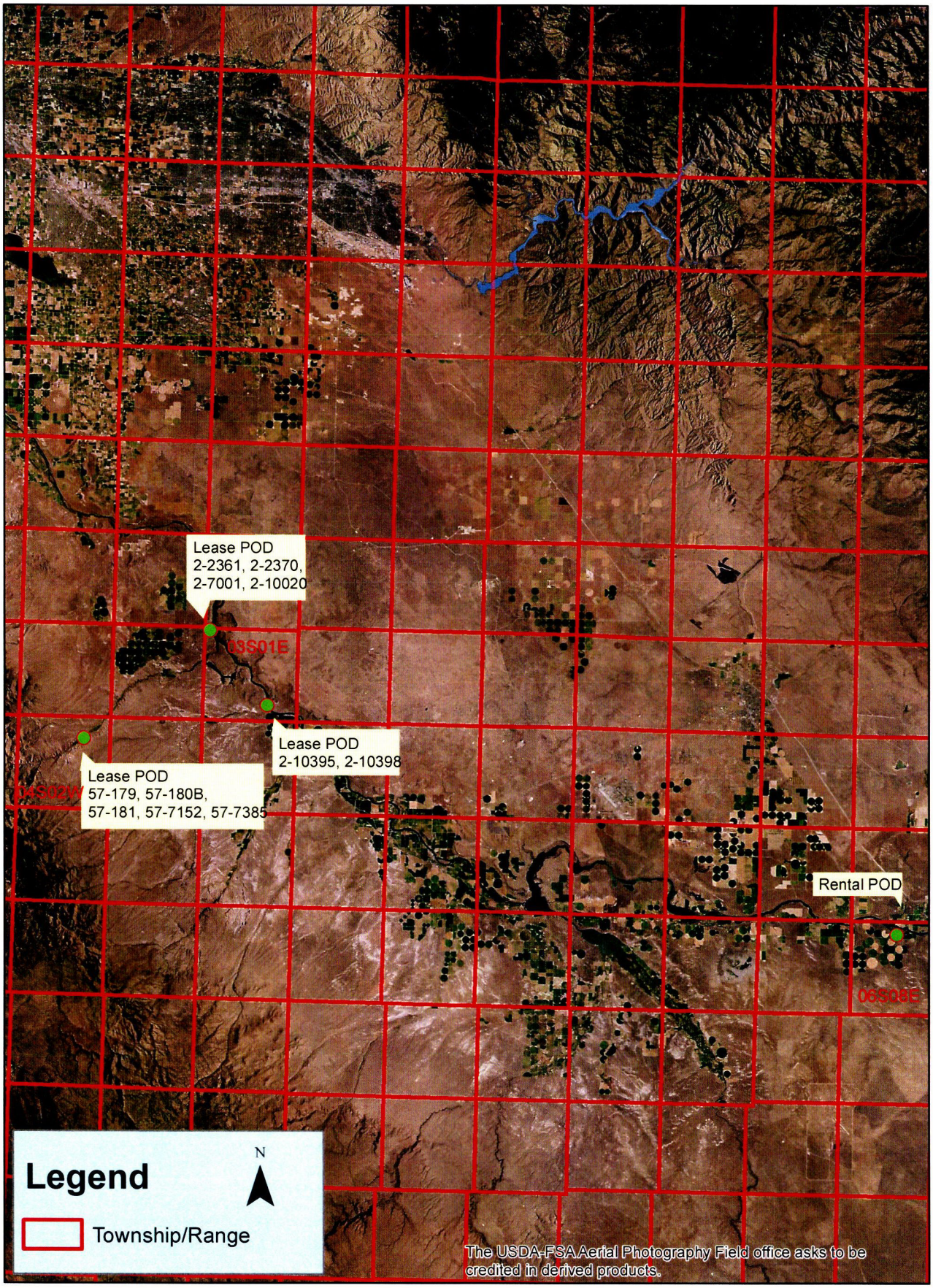
LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS:
The location of the rental PD is subject to Water District #02. A request for comments was sent to the Western Region and Rob Whitney on 8/16/2022. There is currently no contact information available for WD 02.

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Rental Contract #652 Owyhee Farming Co LLC 2022



Created by M Kienholz 2022

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FEB 03 2022
DEPARTMENT OF
WATER RESOURCES

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

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

February 1, 2022

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

Re: Rental Applications for Owyhee Farming Company, LLC

Dear Ms. Condon:

Owyhee Farming Company, LLC desires to rent 561.5 acres of irrigation water from the Idaho Water Supply Bank. Water rights 2-10395, 2-1398, 57-179, 57-180B, 57-181, 2-2361, 2-2370, 2-7001, 2-10020, 57-7152 and 57-7385 are the water rights proposed to be rented.

Water rights 2-10395 and 2-10398 are owned by Murphy Land Company. Owyhee Farming Company has entered into an agreement regarding the rental payment from these water rights. It is proposed to rent 356.0 acres from these two water rights.

Water rights 57-179, 57-180B, 57-181, 2-2361, 2-2370, 2-7001, 2-10020, 57-7152 and 57-7385 are owned by Murphy Flats Water Co. Inc. Owyhee Farming has entered into an agreement regarding the rental payment from these water rights. It is proposed that the rental of 251.7 acres will be for the 2018, 2019, 2020 and 2021 irrigation season. The basin 57 water rights must be rented with the basin 2 water rights due to the current combined limits set by IDWR on the water rights.

Rental payment agreements between Owyhee Farming Company, LLC and Murphy Land Company and Murphy Flats Water Co. Inc. are attached to this letter.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs
Enc: Rental Application, Aerial Map, Rental Payment Agreements

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2308