



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

RECEIVED

JUL 26 2021

DEPARTMENT OF
WATER RESOURCES

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 13, 2021

FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302-3350

RE: **AMENDED AGREEMENT 531 TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-7061, 2-7062 & 27157 C**

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

Dear Renter:

I have enclosed an Amended 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.

For AMENDED rental 531, a rental fee of \$47,576.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 2,378.8 acre-feet, an increase of 43.16 AF, equal to \$863.20.

On May 27, 2021, you sent us payment of \$133,476.80, of which \$46,712.80 was applied to Rental Agreement 531. This amendment has increased the rental cost by \$863.20.

On July 13, 2021, we also requested payment of \$3,000 for a shortage on the total rental fees due for Rental Agreements 530, 531, & 534, which will be applied to the remaining balance due for 534.

If you have not already done so, please send a check for \$3,863.20 made payable to the Idaho Department of Water Resources, together with the signed AMENDED rental agreement, within 14 days so I can complete processing.

Pursuant to the Water Supply Bank Rules, the remaining 10% of the total fees charged or \$3.863.20 will be retained by the Department to offset administrative costs.

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

Sincerely,

McCondon

Water Supply Bank

Enclosure

c: IDWR Front Desk
Greg Sullivan – Brockway Engineering

JUL 26 2021

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES***AMENDED*****WATER SUPPLY BANK RENTAL AGREEMENT No. 531*****AMENDED***

This is to certify that:

FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302-3350

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)
2-7061	4/9/1970	SNAKE RIVER	3.62	903.8	180.8	0.02	5.0
2-7062	4/9/1970	SNAKE RIVER	4.10	1,025.0	205.0	0.02	5.0
2-7157C	10/24/1974	SNAKE RIVER	2.01	450.0	100.5	0.02	4.5
Combined Rental Totals			9.73	2,378.8	486.3	0.02	4.9

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2025. 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 2021, whichever occurs last.

Annual Rental Fee:

2021 - 2022: \$47,576.00 annually
2023 - 2025: \$53,719.72 annually

The full fee for the rental of the above-described right(s) is \$47,576.00 per year for years 2021 - 2022 and \$53,719.72 per year for years 2023 - 2025. The rental fee includes an administrative fee of \$4,757.60 per year for years 2021 - 2022 and \$5,371.97 per year for years 2023 - 2025.

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

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	9.73	1946.0	486.3	0.02	4.0
Combined Total	9.73	1946.0	486.3	0.02	4.0

** The authorized water usage reflects a reduction from the water right elements rented, to account for reduced standard rate per acre and volume per acre at the rental place of use*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

WATER SUPPLY BANK RENTAL AGREEMENT No. 531

AMENDED

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 7/16/21
Signature of Renter Date

Frank Tiegs Managing Member
Printed Name Title

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

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

By Brian Patton Date 2/1/22
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR HP Date 2/1/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

WATER SUPPLY BANK RENTAL AGREEMENT No. 531

AMENDED

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

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

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
9.73 CFS

VOLUME
1946.0 AF

SEASON OF USE

Water Right No.	From	To
2-7061	3/15	11/15
2-7062	3/15	11/15
2-7157 C	3/15	11/15

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	4										33.1	39.8	39.9					112.8
06S	08E	5													0.3			9.4	9.7
06S	08E	8	20.1	15.5															35.6
06S	08E	9	4	5.1		10.0	15.9	1.3							15.1	1.3		13.1	65.8
06S	08E	10									0.8	1.3							2.1
06S	08E	15						0.7	1.1		1.0								2.8
06S	08E	16	14.3	0.1	1.1	13.4			0.7	14.9					26.3	23	5.6	6	105.4
06S	08E	17			20.3						11.3		14.5	38.4	1.8	40.1	26		152.4

Total Acres: 486.6

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.
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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

WATER SUPPLY BANK RENTAL AGREEMENT No. 531

AMENDED

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 established minimum flow amounts of 3,300 cfs at Murphy and 4,750 cfs at Weiser.
10. 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 place of use.



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DEPARTMENT OF
WATER RESOURCES

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 13, 2021

FRANK TIEGS LLC
PO BOX 3350
PASCO WA 99302-3350

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JUL 15 2021

RESPONSE DEADLINE
8/1/2021

RE: Water Supply Bank Rental Fees for Rental Agreements 530, 531 and 534, Water Right No(s) 2-7061, 2-7062, 2-7064, 2-7157 C, 2-7237 A, 2-10181, 2-10189 & 61-2162

Dear Renter,

The following is a summary of your annual rental payment schedule and associated payments:

Rental Agreement	Rental Volume (AF)	Annual Rate per AF	Owner Fee (90%)	Admin Fee (10%)	Rental Fee (Total)	Rental Fee Due Date	Amount Received	Receipt No.	Date Payment Received
530	309	\$20.00	\$5,572.80	\$619.20	\$6,192.00	5/30/2021	\$6,192.00	C110446	5/27/2021
531	2,335	\$20.00	\$42,041.52	\$4,671.28	\$46,712.80	5/30/2021	\$46,712.80		
534	4,4179	\$20.00	\$75,214.80	\$8,357.20	\$83,572.00	5/30/2021	\$80,572.00		
Total Due				\$136,476.80		Total paid	\$133,476.80		
Total Remaining Due: \$3,000.00									

Please remit the remaining balance due of **\$3,000.00**, by the date due of 8/1/2021.

If you have any questions, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Specialist

Enclosure: Rental Receipt Letter (copy)

c: IDWR Front Desk



State of Idaho
DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 21, 2021

FRANK TIEGS LLC
PO BOX 3350
PASCO, WA 99302-3350

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-2162, 2-7062, 2-7157C, 2-7061, 2-7064, 2-7237A, 2-10181 & 2-10189 AGREEMENT 530, 531 & 534**

*****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.

For rental 530, rental fee of \$6,192.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 309 acre-feet.

For rental 531, a rental fee of \$46,712.80 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 2,335 acre-feet.

For rental 534, a rental fee of \$83,572.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 4,179 acre-feet.

136,476.80 me
Please send a check for \$133,476.80 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

\$122,829.12 me
Pursuant to the Water Supply Bank Rules, 90% or \$123,129.12 of the rental fee will be paid to the lessor(s) and 10% or \$13,347.68 will be retained by the Department to offset administrative costs.

\$13,647.68 me
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

c: IDWR Front Desk
Greg Sullivan – Brockway Engineering

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DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources Receipt

Receipt ID: C110662

Payment Amount	\$3,863.20	Date Received	7/26/2021	Region	STATE
Payment Type	Check	Check Number	25187		
Payer	OWYHEE FARMING COMPANY, LLC				
Comments	WATER SUPPLY BANK RENTAL AGREEMENT FOR WR # 61-2162, 2-7062, 2-7157C, 2-7061, 2-7237A, 2-10181 & 2-10189 RENTER NAME: FRANK TIEGS LLC RENTAL AGREEMENT # 530, 531, & 534 FOR 2021				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$3,863.20	WATER BANK-DEPARTMENT SHARE	55113	0229	21		1205



Signature Line (Department Representative)