

**1/26/2023**

|                          |                                                                                     |
|--------------------------|-------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                      |
| Current Owner            | PICABO BREWING COMPANY LLC<br>PO BOX 675<br>PICABO, ID 83348-0675<br>(952) 334-4502 |

**Status:** Active

**Tributary**  
LITTLE WOOD RIVER  
SILVER CREEK

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15                  | 10/31     | 0.060 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.060 CFS             |               |

|              |            |                            |               |
|--------------|------------|----------------------------|---------------|
| SILVER CREEK | NESW       | Sec. 20, Twp 01S, Rge 20E, | BLAINE County |
| SILVER CREEK | NWSW       | Sec. 26, Twp 01S, Rge 20E, | BLAINE County |
| SILVER CREEK | SWNENW     | Sec. 30, Twp 01S, Rge 20E, | BLAINE County |
| SILVER CREEK | L1(NENWNW) | Sec. 30, Twp 01S, Rge 20E, | BLAINE County |
| LOVING CREEK | NESENW     | Sec. 24, Twp 01S, Rge 19E, | BLAINE County |
| SILVER CREEK | SWSWSE     | Sec. 20, Twp 01S, Rge 20E, | BLAINE County |

Right Acre Limit: 2.80  
POU Total Acres: 12.0

|    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | X27 | This right is limited to the irrigation of 700 acres within the authorized place of use in a single irrigation season.                                                                                                                                                                                                                                                                                                         |
| 2. | X35 | Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, 37-20609, 37-23408, 37-23412, 37-23414, 37-23415, & 37-23416 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. |
| 3. | 192 | When water is diverted under this right at the Point of Diversion, located in                                                                                                                                                                                                                                                                                                                                                  |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/26/2023

- TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, 37-20609, 37-23408, 37-23412, 37-23415, & 37-23416 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, 37-20609, 37-23408, 37-23412, 37-23415, & 37-23416.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, 37-20609, 37-23408, 37-23412, 37-23415, & 37-23416.
6. R05 Use of water under this right will 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 water right is within State Water District No. 37.
7. R43 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).
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Comments:**

1 djudd 1/26/2023 Split Right  
This right is the result of split from 37-11900 due to change in ownership.

2 djudd 1/26/2023 POU  
Updated Shape

**Dates and Other Information:**

Decreed Date: 11/30/2010

State or Federal: S

IDAHO DEPARTMENT OF WATER RESOURCES  
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1/26/2023

Water District Number: 37  
Mitigation Plan: False

**Combined Use Limits:**

| <b><u>Rate</u></b> | <b><u>Volume</u></b> | <b><u>Acres</u></b> | <b><u>Water Rights</u></b>                                                                                                                                                                                                                                 |
|--------------------|----------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 72.780             | 9,489.6              | 2,711.3             | 37-2627A ,37-11911 ,37-11914 ,37-21 ,37-22 ,37-186 ,37-187 ,37-189 ,37-213 ,37-215D ,37-333 ,37-351A ,37-352A ,37-377 ,37-378 ,37-695 ,37-942 ,37-2405 ,37-11892 ,37-11898 ,37-11900 ,37-11903 ,37-20609 ,37-23408 ,37-23412 ,37-23414 ,37-23415 ,37-23416 |
| 72.780             | 9,489.6              | 2,711.3             | 37-21 ,37-22 ,37-186 ,37-187 ,37-189 ,37-213 ,37-215D ,37-333 ,37-351A ,37-352A ,37-377 ,37-378 ,37-695 ,37-942 ,37-2405 ,37-11892 ,37-11898 ,37-11900 ,37-11903 ,37-20609 ,37-23408 ,37-23412 ,37-23415 ,37-23416                                         |
| 72.780             | 9,505.2              |                     | 37-21 ,37-22 ,37-186 ,37-187 ,37-189 ,37-213 ,37-215D ,37-333 ,37-351A ,37-352A ,37-377 ,37-378 ,37-695 ,37-942 ,37-2405 ,37-11892 ,37-11898 ,37-11900 ,37-11903 ,37-20609 ,37-23408 ,37-23412 ,37-23415 ,37-23416                                         |

**SubCase:**

N/A

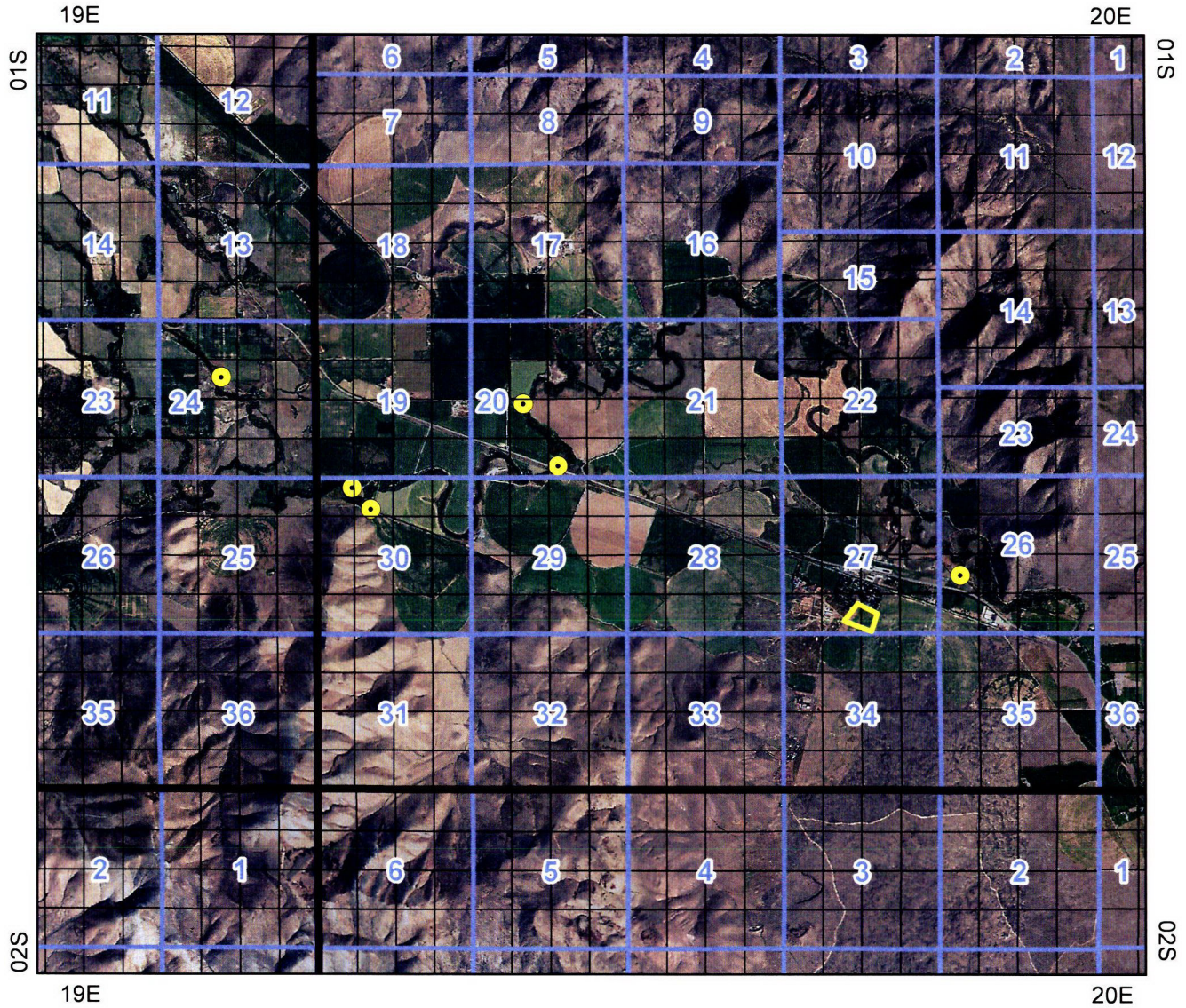
**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources

# Water Right

37-23415



0 0.75 1.5 3 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

SCANNED  
JAN 31 2023



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

**RECEIVED**  
**JAN 04 2023**  
DEPARTMENT OF  
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 37-2627A              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | + 37-23414            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-20609              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | + 37-23416            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-11900              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | + 37-23415            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-21                 | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | + 37-23408            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-215D               | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | + 37-23412            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Picabo Livestock Company Inc  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Picabo Brewing Company LLC  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or
- |                        |                               |              |              |
|------------------------|-------------------------------|--------------|--------------|
| <u>PO Box 675</u>      | <u>Picabo</u>                 | <u>ID</u>    | <u>83348</u> |
| <u>Mailing address</u> | <u>City</u>                   | <u>State</u> | <u>Zip</u>   |
| <u>952-334-4502</u>    | <u>fctonnemaker@gmail.com</u> |              |              |
| <u>Telephone</u>       | <u>Email</u>                  |              |              |
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 24, 2018
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒  
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:  
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☒ Filing fee (see instructions for further explanation):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:   
 Signature of new owner/claimant  
Frank C. Tonnemaker  
 Print name

President  
 Title, if applicable

12.24.22

Date

Signature: \_\_\_\_\_  
 Signature of new owner/claimant  
 \_\_\_\_\_  
 Print name

\_\_\_\_\_  
 Title, if applicable

Date

Received by KU Date 1. 4. 23

**For IDWR Office Use Only:**

Receipt No. C115031

Receipt Amt. 500 --

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_

Approved by \_\_\_\_\_

Processed by dj

Date 1/26/23

**SCANNED**  
**JAN 31 2023**