

1/26/2023

37-23416

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 37-20609 due to change in ownership.

2 djudd 1/26/2023 POU
Updated Shape

Dates and Other Information:

Decreed Date: 11/30/2010
Water District Number: 37

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2023

Mitigation Plan: False

Combined Use Limits:

Rate

72.780

Volume

9,505.2

Acres

Water 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
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
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

9,489.6

2,711.3

72.780

9,489.6

2,711.3

SubCase:

N/A

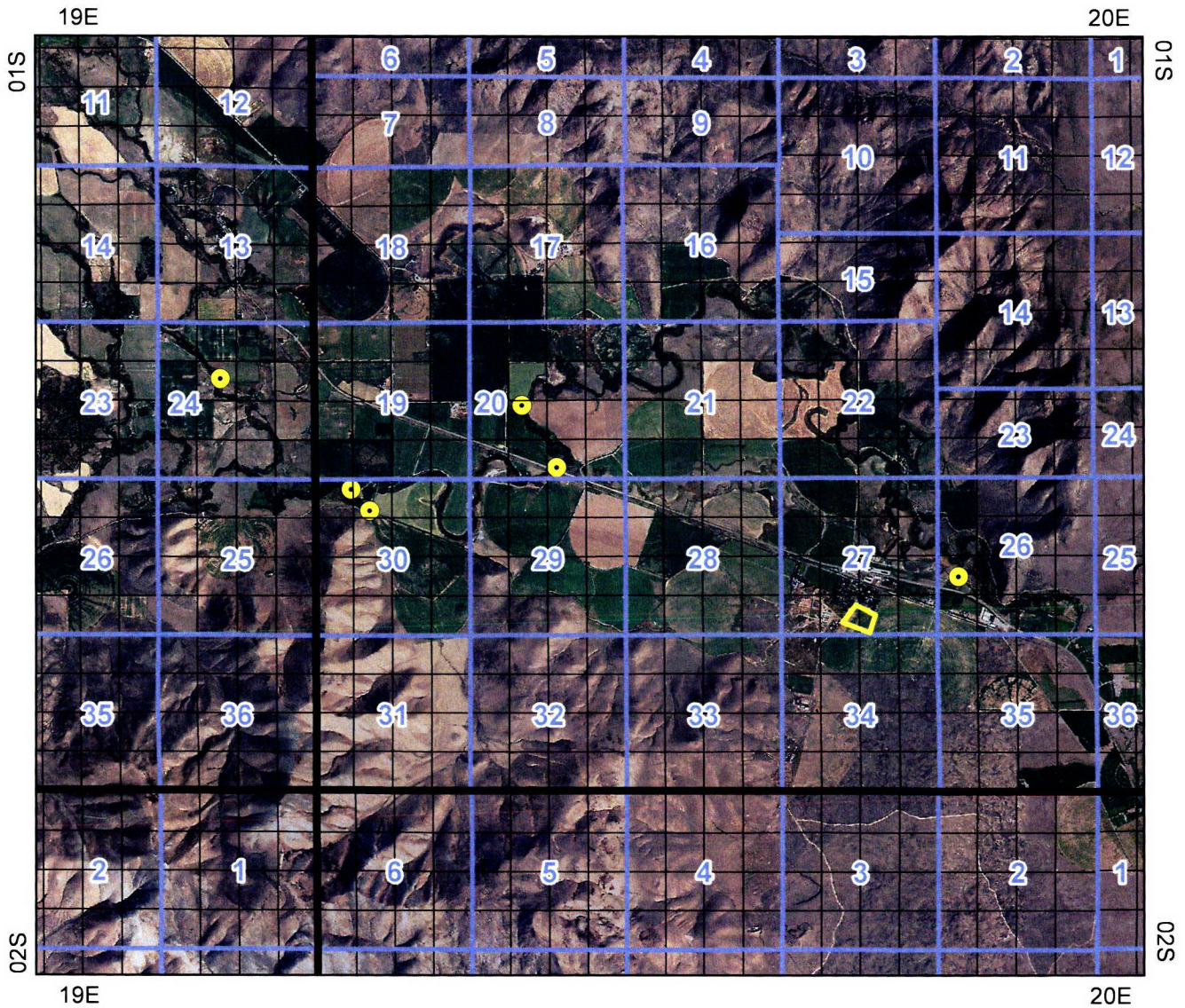
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

37-23416



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 ☒	Yes ☐	+ 37-23414	Yes ☐	Yes ☐
37-20609	Yes ☒	Yes ☐	+ 37-23416	Yes ☐	Yes ☐
37-11900	Yes ☒	Yes ☐	+ 37-23415	Yes ☐	Yes ☐
37-21	Yes ☒	Yes ☐	+ 37-23408	Yes ☐	Yes ☐
37-215D	Yes ☒	Yes ☐	+ 37-23412	Yes ☐	Yes ☐

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