

1/26/2023

37-2627A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2023

01S	20E	34	40.0	40.0	34.0	0.5	114.5
01S	20E	35			41.0	25.0	66.0

Right Acre Limit: 2,486.40
POU Total Acres: 3,025.4

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X27 This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.
3. 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.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
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. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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. E60 Right Nos. 37-2627A, 37-11911, 37-11914, & 37-23414 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 5312.7 AF.
11. E55 Right Nos. 37-2627A, 37-11911, 37-11914, & 37-23414 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.
12. Rights identified under Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

Comments:

1 pskaggs 5/7/2004 Transferred Right
This is now a approved transfer, transfer number = 69624

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2023

2 tfawcett 10/13/2009 Condition X35
Condition X35 updated to reflect preliminary order correcting transfer approvals dated 8/12/2009.

3 nvandyke 6/17/2013 Water Right
This water right record was updated by decree record from old RightID 83365 to new RightID 577656

4 ameritt 11/22/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78831

5 djudd 1/26/2023 Split Right
Split into 37-2627A and 37-23414 due to change in ownership.

6 djudd 1/26/2023 POU
Updated Shape

Dates and Other Information:

Decreed Date: 11/30/2010
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
72.780	9,489.6	2,711.3
16.830	5,312.7	2,711.3

Water Rights

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 ,37-2627A ,37-11911 ,37-11914 ,37-23414

SubCase:

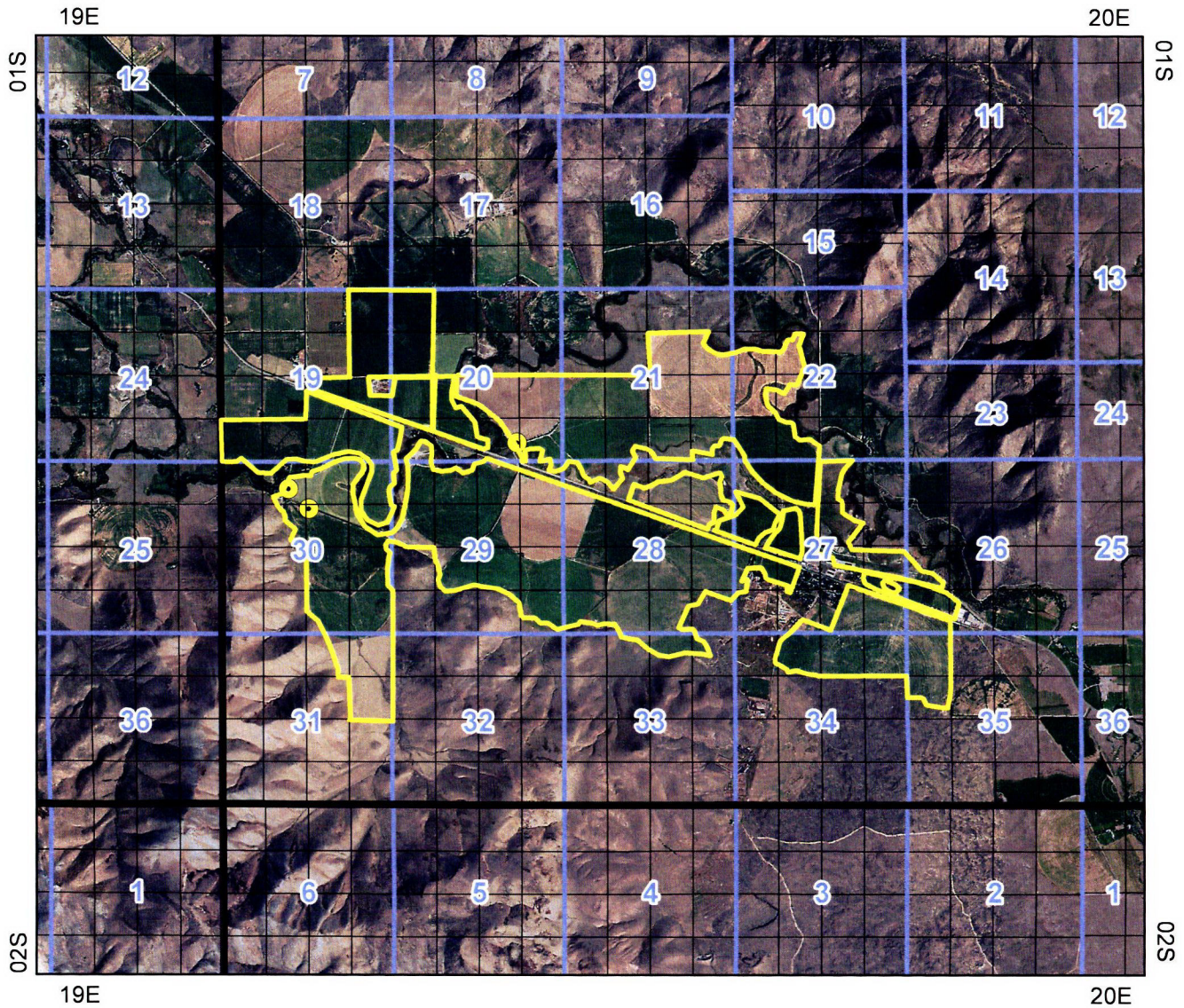
SubCaseNumber: 37-2627A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 11/14/2007
Objection Status: Active

State of Idaho
Department of Water Resources

Water Right

37-2627A

After Split



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

SCANNED
JAN 31 2023



1/25/2023

37-2627A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/25/2023

01S	20E	34	40.0	40.0	34.0	0.5	114.5
01S	20E	35			41.0	25.0	66.0
							Right Acre Limit: 2,496.30
							POU Total Acres: 3,037.4

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2. X27 This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.
3. 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, and 37-20609 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. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
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12. Rights identified under Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

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1/25/2023

Comments:

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This is now a approved transfer, transfer number = 69624
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This water right record was updated by decree record from old RightID 83365 to new RightID 577656
- 4 amerritt 11/22/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78831

Dates and Other Information:

Decreed Date: 11/30/2010
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
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
16.830	5,312.7	2,711.3	37-2627A ,37-11911 ,37-11914

SubCase:

SubCaseNumber: 37-2627A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 11/14/2007
Objection Status: Active

Water Supply Bank:

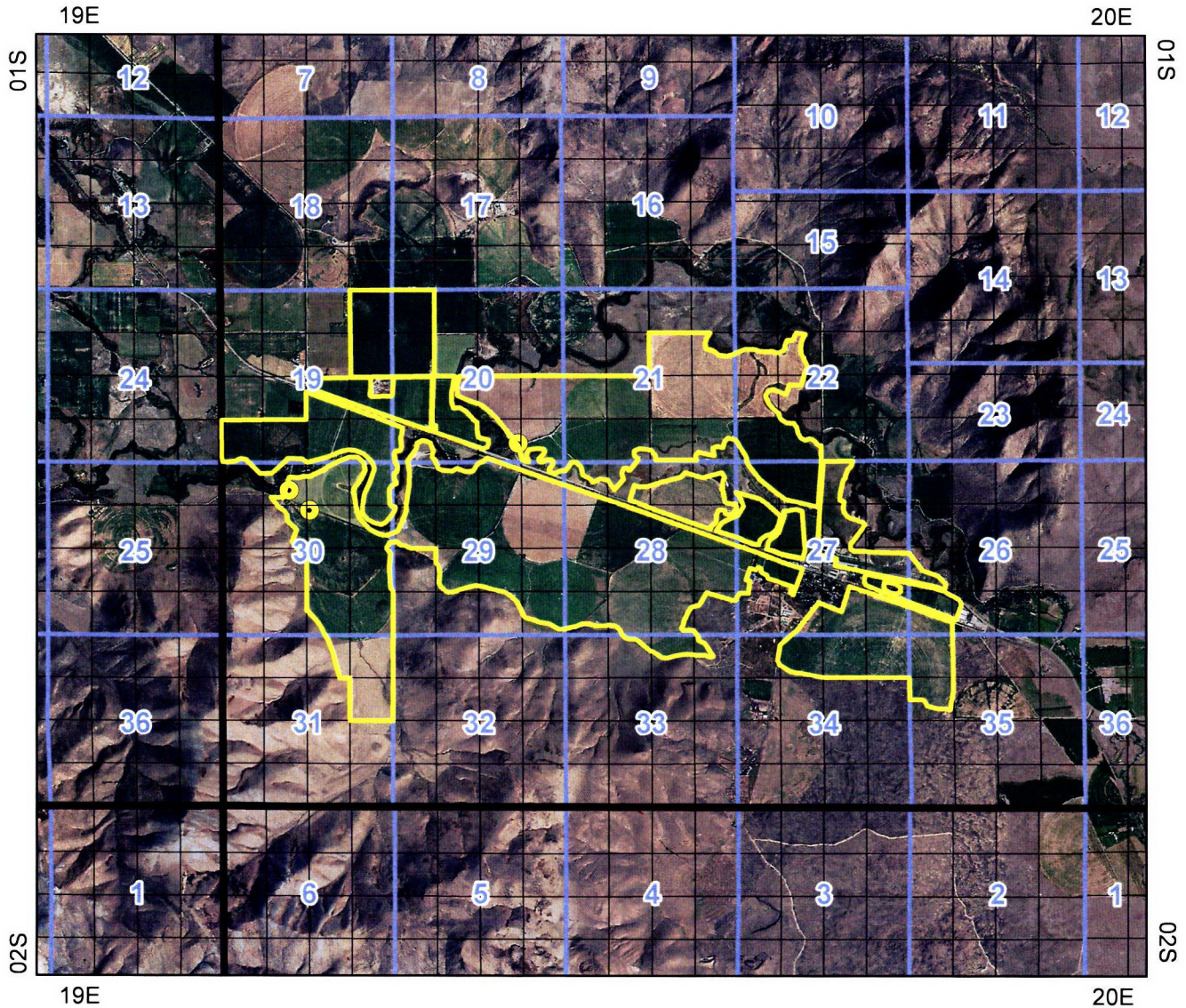
N/A

State of Idaho
Department of Water Resources

Water Right

37-2627A

Before Split



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

SCANNED
JAN 31 2023



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

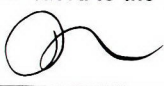
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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