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April 6, 2017

RECEIVED

JUN 27 2017

IDWR / NORTH

Idaho Department of Water Resources
Northern Regional Office
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

Re: Use of Basin 94 water rights by Fat Bastard Cattle Co., LLC

To Whom It May Concern,

I write on behalf of my client, Fat Bastard Cattle Co., LLC ("Fat Bastard"). This letter is in regard to the objections Fat Bastard filed July 27, 2016 for Water Right Nos. 94-7100, 94-7840, 94-7841, 94-7842, 94-7844, 94-7845, and 94-7847 in the Coeur d'Alene-Spokane River Basin Adjudication. These objections all relate to the water used on the Fat Bastard ranch property at 9422 N. Brewster Road, Harrison, ID 83833 (Kootenai County Parcel No. 48N03W251200).

Enclosed is a letter dated March 29, 2017 from Karen Brewster, the President of Fat Bastard; John Brewster, Jr., the Vice President of Fat Bastard; and Doug Hille, who has worked as a ranch hand on the property for the past nine (9) years. The enclosed letter describes the use of water on said property, and why Mrs. Brewster, Mr. Brewster, and Mr. Hille believe certain IDWR preliminary recommendations for the above-referenced water rights should be modified to reflect how water is actually used on the property.

The enclosed letter is intended to be received by IDWR as evidence regarding Fat Bastard's objections to IDWR's preliminary recommendations on the above water rights. Upon review and filing of this letter, please let me know if you have any questions. Thank you for your assistance.

Sincerely,

Gregory M. George, Attorney
Macomber Law, PLLC

Enc.: March 29, 2017 Letter from Karen Brewster, John Brewster, and Doug Hille to IDWR

Cc: File

March 27, 2017

Idaho Department of Water Resources
Northern Regional Office
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

Re: Use of Basin 94 water rights by Fat Bastard Cattle Co., LLC

To Whom It May Concern,

This letter regards water rights on the ranch property at 9422 N. Brewster Road, Harrison, ID 83833 (Kootenai County Parcel No. 48N03W251200). This property is owned by Fat Bastard Cattle Co., LLC. We, the undersigned, are: (1) Karen Brewster, President of Fat Bastard Cattle Co., LLC, who currently lives on the ranch property and has lived there for approximately the last 13 years; (2) John Brewster, Jr., Vice President of Fat Bastard Cattle Co., LLC; and (3) Doug Hille, who has worked as the ranch hand on this property for the past 9 years.

This letter follows up on the objections filed July 27, 2016 in the Coeur d'Alene-Spokane River Basin Adjudication for Water Right Nos. 94-7100, 94-7840, 94-7841, 94-7842, 94-7844, 94-7845, and 94-7847.

We write to provide additional facts for the record on how these water rights are used. In this letter we will discuss different locations on the ranch property and how we use the water at these locations. Based on that, we will state what changes we believe should be made to the water rights listed above.

The first location is the original water source for the house on the ranch property. This is located in the Northwest quarter of the Southeast quarter of Section 25, Township 48 North, Range 3 West, Boise Meridian, Kootenai County, Idaho.¹ This water source has been used for fire protection and wildlife. Deer, elk, and occasionally bears and turkeys use this water. Cattle also use the water. And we have just begun using this water source for irrigating trees around the property. The well we have always used for irrigation has begun to run dry. Also, the well water is of lower quality than it used to be.

IDWR has recommended this quarter-quarter section as a place of use in Water Right Nos. 94-7100, 94-7841, 94-7845, and 94-7847. The original water source for the house is the only location on the property in this quarter-quarter section where water is diverted to a beneficial use. Therefore, we believe Irrigation should be added as a Purpose of Use for each of these four water

¹ Unless otherwise stated in the rest of this letter, all locations discussed are in Township 48 North, Range 3 West, Boise Meridian, Kootenai County, Idaho.

rights. Further, we believe Wildlife should be added as a Purpose of Use for Water Right Nos. 94-7841, 94-7845, and 94-7847. Stockwater should be added as a Purpose of Use for Water Right No. 94-7100. Making these changes would match IDWR's records with how we use this water source.

The second location on the property where we are using water is the spring-fed hill in the Southwest quarter of the Northwest quarter of Section 30, Township 48 North, Range 2 West, Boise Meridian, Kootenai County, Idaho. This quarter-quarter section is the Place of Use for Water Right No. 94-7844. This location is used for cattle, and IDWR has already recommended Stockwater as a Purpose of Use under Water Right No. 94-7844. However, this location is also used for wildlife. Therefore, we believe IDWR should include Wildlife as a Purpose of Use for Water Right No. 94-7844.

The third location is the spring that goes down to the house on the property. This spring runs year-round and is used for wildlife (i.e., deer, elk, turkeys) and cattle. It is located in the Northeast quarter of the Northeast quarter of Section 25. This location is listed as a Place of Use for Water Right No. 94-7845. The only Purpose of Use listed for this water right is Stockwater. Because wildlife also use this water, we believe Wildlife should be added as a Purpose of Use for this water right.

The fourth location is the East 1/16 marker at the common corner of the following: the Southwest quarter of the Southeast quarter of Section 24, the Southeast quarter of the Southeast quarter of Section 24, the Northwest quarter of the Northeast quarter of Section 25, and the Northeast quarter of the Northeast quarter of Section 25.

Both the Northeast quarter of the Northeast quarter of Section 25 and the Northwest quarter of the Northeast quarter of Section 25 are listed as Places of Use for Water Right No. 94-7845. As with the third location discussed above, we believe Wildlife should be added as a Purpose of Use for this water right.

The fifth location is at the two culverts between Blue Lake and Swan Lake. This point is in the Southwest quarter of the Northwest quarter of Section 25. The water at this location is used for cattle and wildlife. IDWR has recommended this quarter-quarter section as a Place of Use for Wildlife Storage for Water Right No. 94-7100. However, because cattle also use the water at this location I believe Stockwater should be added to IDWR's recommendation as a Purpose of Use for Water Right No. 94-7100.

This quarter-quarter section is recommended as a Place of Use for Stockwater in Water Right No. 94-7841. Because wildlife also use the water from this source, we believe Wildlife should be added as a Purpose of Use for Water Right No. 94-7841.

The sixth location is the well that has provided water to the house. As mentioned earlier in this letter, this well is beginning to run dry. And, the quality of the water is in decline. This well is located in the Southwest quarter of the Northeast quarter of Section 25. In Water Right No. 94-7840, IDWR recommends Domestic use (for one home) as a Purpose of Use. This well,

however, is also used for cattle and wildlife. Therefore, we believe IDWR should add Stockwater and Wildlife as Purposes of Use for Water Right No. 94-7840.

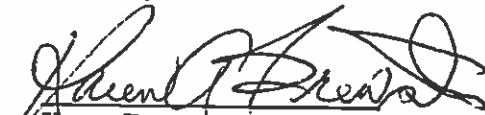
Additionally, we use this well for irrigation. As a result, we believe Irrigation should be added as a Purpose of Use for Water Right No. 94-7840.

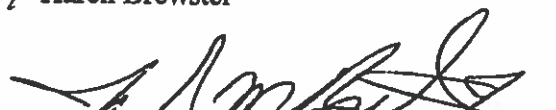
If you have any questions or desire further information, please contact the attorney below:

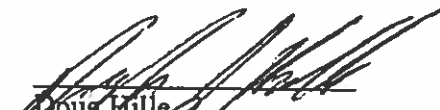
Gregory M. George
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greg@macomberlaw.com

Thank you.

Sincerely,


Karen Brewster


John M. Brewster


Doug Hille