



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

January 8, 2009

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

DEAN SNARR & SONS  
201 N 2600 E  
ROBERTS ID 83444

RE: Change of Ownership for Water Right Nos. 31-296, 31-297, 31-299A, 31-300A, 31-301, 31-10153, and 31-10156

Dear Mr. Snarr:

Thank you for the copy of the water rights division agreement. Per the agreement, it appears that water right nos. 31-297 and 31-10153 are to be divided and the other 5 rights are completely conveyed to you. The total fee due to complete the ownership change process would be \$100 per split plus \$25 per ownership change for a total of \$325. The total paid for this ownership change is \$175, leaving a balance due of \$150.

Regarding water right nos. 31-296, 31-299A, 31-300A, and 31-301, I would also like to note that even though the entire water rights were conveyed to you, part of the place of use currently authorized under the rights (32 acres in SESW, T12N, R37E, Sec. 19) is on property not owned by you. It would appear that a transfer would be needed to change the place of use for those rights. A transfer can accomplish the change in the place of use as well as the ownership change. Rather than pay the fee for the ownership change and then pay the fee for the transfer, you could just pay for the transfer and theoretically accomplish everything in one transaction.

If you are not going to change the place of use for water right nos. 31-297 and 31-10153, I can go ahead and split the water right per the agreement. I can also change the ownership of water right 31-10156 as the entire right was conveyed and the place of use is on property you own. The fee due to complete the ownership change for just these 3 rights would be \$225, leaving a balance due of \$50.

I have enclosed a copy of the water right reports for each of the rights listed on your notice. Also enclosed is an application for transfer for your convenience should you decide to file a transfer. Please let me know within 30 days which direction you'd like to go. If you have further questions, please call me at 208-287-4952 or if you have questions regarding the transfer process, please call the Eastern office at 208-525-7161.

Sincerely,

Emalee Rushing  
Office Services Supervisor

Enclosures

**SUPPORT DATA**

**IN FILE #** 31-296

\$25

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-296

WATER RIGHT NUMBER: 31-296

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Original Owner    | WOOD LIVE STOCK CO LTD                                                                                  |
|                   | SPENCER, ID                                                                                             |
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Previous Owner    | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                            |
| Attorney          | JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Attorney          | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418   |

Total WR  
conveyed  
32 acres of POW  
not on deed

Priority Date: 04/01/1892

Basis: Decreed

Status: Active

| <u>Source</u>        | <u>Tributary</u> |
|----------------------|------------------|
| THREEMILE CREEK      | BEAVER CREEK     |
| WEST THREEMILE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 05/01 to 10/31          | 3.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 3.200 CFS             |                      |

Location of Point(s) of Diversion

|                                      |                 |                                 |
|--------------------------------------|-----------------|---------------------------------|
| THREEMILE CREEK<br>CLARK County      | SE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| WEST THREEMILE CREEK<br>CLARK County | NE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NW1/4SW1/4SE1/4 | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-296

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |      |    |      | NW  |      |      |      | SW   |      |    |      | SE   |    |      |      | Totals |
|-----|-----|-----|------|------|----|------|-----|------|------|------|------|------|----|------|------|----|------|------|--------|
|     |     |     | NE   | NW   | SW | SE   | NE  | NW   | SW   | SE   | NE   | NW   | SW | SE   | NE   | NW | SW   | SE   |        |
| 12N | 37E | 19  |      |      |    |      |     |      |      |      |      |      |    | 32.0 |      |    | 35.0 | 30.0 | 97.0   |
| 12N | 37E | 20  |      |      |    |      |     |      |      |      |      | 4.0  |    |      |      |    |      |      | 4.0    |
| 12N | 37E | 29  |      |      |    |      | 8.0 | 32.0 | 40.0 | 29.0 | 13.0 | 15.0 |    |      |      |    |      |      | 137.0  |
| 12N | 37E | 30  | 40.0 | 33.0 |    | 39.0 |     |      |      |      |      |      |    |      | 13.0 |    |      |      | 125.0  |

Total Acres: 363

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. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 363 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
3. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.0 CFS. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information:

Decreed Date: 2/22/2002

Combined Use Limits:

| Rate | Volume | Acres |
|------|--------|-------|
| 12   |        | 363   |

Combined Water Rights: 31-296 , 31-301 , 31-300A , 31-299A , 31-297

Split  
\$100

01/08/2009

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-297

WATER RIGHT NUMBER: 31-297

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Original Owner    | WOOD LIVE STOCK CO LTD<br><br>SPENCER, ID                                                               |
| Previous Owner    | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                            |
| Attorney          | JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Attorney          | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418   |

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

| <u>Source</u>        | <u>Tributary</u> |
|----------------------|------------------|
| THREEMILE CREEK      | BEAVER CREEK     |
| WEST THREEMILE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 04/01 to 12/31          | 0.240 CFS             |                      |
| IRRIGATION            | 05/01 to 10/31          | 3.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 3.200 CFS             |                      |

Location of Point(s) of Diversion

|                      |                 |                                 |
|----------------------|-----------------|---------------------------------|
| THREEMILE CREEK      | NW1/4SW1/4SE1/4 | Sec. 19, Twp 12N, Rge 37E, B.M. |
| CLARK County         |                 |                                 |
| WEST THREEMILE CREEK | NE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| CLARK County         |                 |                                 |
| THREEMILE CREEK      | SE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| CLARK County         |                 |                                 |
| THREEMILE CREEK      | NE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| CLARK County         |                 |                                 |

Per agreement:

Hagenbath  
1.0  
1.0  
.07  
32

Snarr  
2.2  
2.2  
.17  
331

Right  
3.2  
3.2  
.24  
363

cfs  
irrig  
stock  
acres

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-297

Place of Use

IRRIGATION

| Twp Rge Sec | NE   |      |    |      | NW  |      |      |      | SW   |      |    |      | SE   |    |      |      | Totals |
|-------------|------|------|----|------|-----|------|------|------|------|------|----|------|------|----|------|------|--------|
| 12N 37E 19  | NE   | NW   | SW | SE   | NE  | NW   | SW   | SE   | NE   | NW   | SW | SE   | NE   | NW | SW   | SE   | 97.0   |
|             |      |      |    |      |     |      |      |      |      |      |    | 32.0 |      |    | 35.0 | 30.0 |        |
| 12N 37E 20  |      |      |    |      |     |      |      |      | 4.0  |      |    |      |      |    |      |      | 4.0    |
| 12N 37E 29  |      |      |    |      | 8.0 | 32.0 | 40.0 | 29.0 | 13.0 | 15.0 |    |      |      |    |      |      | 137.0  |
| 12N 37E 30  | 40.0 | 33.0 |    | 39.0 |     |      |      |      |      |      |    |      | 13.0 |    |      |      | 125.0  |

*-Retained by Hagenbarth*

Total Acres: 363

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. STOCKWATER, 1100 CATTLE
5. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 363 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
6. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.0 CFS. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
7. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
8. 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.

Dates and Other Information:

Decreed Date: 2/22/2002

Combined Use Limits:

| Rate | Volume | Acres |
|------|--------|-------|
| 12   |        | 363   |

Combined Water Rights: 31-296 , 31-301 , 31-300A , 31-299A , 31-297

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-299A

WATER RIGHT NUMBER: 31-299A

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Original Owner    | WOOD LIVE STOCK CO LTD                                                                                  |
| Previous Owner    | SPENCER, ID<br>MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163             |
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Attorney          | JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Attorney          | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418   |

Priority Date: 08/22/1910

Basis: Decreed

Status: Active

| <u>Source</u>        | <u>Tributary</u> |
|----------------------|------------------|
| THREEMILE CREEK      | BEAVER CREEK     |
| WEST THREEMILE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From To</u>          | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 05/01 to 10/31          | 0.800 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.800 CFS             |                      |

Location of Point(s) of Diversion

|                                      |                 |                                 |
|--------------------------------------|-----------------|---------------------------------|
| THREEMILE CREEK<br>CLARK County      | SE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NW1/4SW1/4SE1/4 | Sec. 19, Twp 12N, Rge 37E, B.M. |
| WEST THREEMILE CREEK<br>CLARK County | NE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |

ALL

but  
32 ac  
in SESW  
not  
conveyed  
  
needs  
xfer?

\$25

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-299A

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |      |    |      | NW  |      |      |      | SW   |      |     |      | SE   |    |      |      | Totals |
|-----|-----|-----|------|------|----|------|-----|------|------|------|------|------|-----|------|------|----|------|------|--------|
|     |     |     | NE   | NW   | SW | SE   | NE  | NW   | SW   | SE   | NE   | NW   | SW  | SE   | NE   | NW | SW   | SE   |        |
| 12N | 37E | 19  |      |      |    |      |     |      |      |      |      |      |     | 32.0 |      |    | 35.0 | 30.0 | 97.0   |
| 12N | 37E | 20  |      |      |    |      |     |      |      |      |      |      | 4.0 |      |      |    |      |      | 4.0    |
| 12N | 37E | 29  |      |      |    |      | 8.0 | 32.0 | 40.0 | 29.0 | 13.0 | 15.0 |     |      |      |    |      |      | 137.0  |
| 12N | 37E | 30  | 40.0 | 33.0 |    | 39.0 |     |      |      |      |      |      |     |      | 13.0 |    |      |      | 125.0  |

Total Acres: 363

Conditions of Approval:

1. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.0 CFS. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
2. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 363 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
5. 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.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information:

Licensed Date:  
Decreed Date: 2/22/2002

Combined Use Limits:

| Rate | Volume | Acres |
|------|--------|-------|
| 12   |        | 363   |

Combined Water Rights: 31-296 , 31-301 , 31-300A , 31-299A , 31-297

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-300A

WATER RIGHT NUMBER: 31-300A

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                |
|-------------------|------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                                            |
| Previous Owner    | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                                           |
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                                            |
| Original Owner    | WOOD LIVE STOCK CO LTD                                                                                                 |
| Attorney          | SPENCER, ID<br>JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Attorney          | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418                  |

Priority Date: 04/01/1913

Basis: Decreed

Status: Active

| <u>Source</u>        | <u>Tributary</u> |
|----------------------|------------------|
| THREEMILE CREEK      | BEAVER CREEK     |
| WEST THREEMILE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 05/01 to 10/31          | 1.600 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.600 CFS             |                      |

Location of Point(s) of Diversion

|                                      |                 |                                 |
|--------------------------------------|-----------------|---------------------------------|
| WEST THREEMILE CREEK<br>CLARK County | NE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NW1/4SW1/4SE1/4 | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | SE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |

All but 32 ac not conveyed  
12/16/2008

925

Needs xfer?

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-300A

Place of Use

## IRRIGATION

| Twp | Rge | Sec | NE   |      |    |      | NW  |      |      |      | SW   |      |    |      | SE   |    |      |      | Totals |
|-----|-----|-----|------|------|----|------|-----|------|------|------|------|------|----|------|------|----|------|------|--------|
|     |     |     | NE   | NW   | SW | SE   | NE  | NW   | SW   | SE   | NE   | NW   | SW | SE   | NE   | NW | SW   | SE   |        |
| 12N | 37E | 19  |      |      |    |      |     |      |      |      |      |      |    | 32.0 |      |    | 35.0 | 30.0 | 97.0   |
| 12N | 37E | 20  |      |      |    |      |     |      |      |      | 4.0  |      |    |      |      |    |      |      | 4.0    |
| 12N | 37E | 29  |      |      |    |      | 8.0 | 32.0 | 40.0 | 29.0 | 13.0 | 15.0 |    |      |      |    |      |      | 137.0  |
| 12N | 37E | 30  | 40.0 | 33.0 |    | 39.0 |     |      |      |      |      |      |    |      | 13.0 |    |      |      | 125.0  |

Total Acres: 363

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 363 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
2. 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.
3. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.0 CFS. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301

Dates and Other Information:

Licensed Date:

Decreed Date: 2/22/2002

Combined Use Limits:

| Rate | Volume | Acres |
|------|--------|-------|
| 12   |        | 363   |

Combined Water Rights: 31-296 , 31-301 , 31-300A , 31-299A , 31-297

12/16/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-301

WATER RIGHT NUMBER: 31-301

\$25

All but  
32 ac  
not  
covered  
conveys!  
Needs xfer?

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Original Owner    | WOOD LIVE STOCK CO LTD                                                                                  |
|                   | SPENCER, ID                                                                                             |
| Previous Owner    | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                            |
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Attorney          | JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Attorney          | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418   |

Priority Date: 04/01/1913

Basis: Decreed

Status: Active

| <u>Source</u>        | <u>Tributary</u> |
|----------------------|------------------|
| THREEMILE CREEK      | BEAVER CREEK     |
| WEST THREEMILE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 05/01 to 10/31          | 3.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 3.200 CFS             |                      |

Location of Point(s) of Diversion

|                                      |                 |                                 |
|--------------------------------------|-----------------|---------------------------------|
| WEST THREEMILE CREEK<br>CLARK County | NE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NW1/4SW1/4SE1/4 | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | SE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| THREEMILE CREEK<br>CLARK County      | NE1/4NE1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-301

Place of Use

IRRIGATION

| Twp Rge Sec | NE   |      |    |      | NW  |      |      |      | SW   |      |     |    | SE   |    |    |    | Totals |
|-------------|------|------|----|------|-----|------|------|------|------|------|-----|----|------|----|----|----|--------|
| 12N 37E 19  | NE   | NW   | SW | SE   | NE  | NW   | SW   | SE   | NE   | NW   | SW  | SE | NE   | NW | SW | SE | 97.0   |
| 12N 37E 20  |      |      |    |      |     |      |      |      |      |      | 4.0 |    |      |    |    |    | 4.0    |
| 12N 37E 29  |      |      |    |      | 8.0 | 32.0 | 40.0 | 29.0 | 13.0 | 15.0 |     |    |      |    |    |    | 137.0  |
| 12N 37E 30  | 40.0 | 33.0 |    | 39.0 |     |      |      |      |      |      |     |    | 13.0 |    |    |    | 125.0  |

Total Acres: 363

Conditions of Approval:

1. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.0 CFS. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 363 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00296, 31-00297, 31-00299A, 31-00300A, 31-00301
3. 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.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information:

Licensed Date:  
Decreed Date: 2/22/2002

Combined Use Limits:

| Rate | Volume | Acres |
|------|--------|-------|
| 12   |        | 363   |

Combined Water Rights: 31-296 , 31-301 , 31-300A , 31-299A , 31-297

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-10153

WATER RIGHT NUMBER: 31-10153

| <u>Owner Type</u>      | <u>Name and Address</u>                                                                                 |
|------------------------|---------------------------------------------------------------------------------------------------------|
| Attorney               | JOHN BLOOMQUIST<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418 |
| Directors Report Owner | DEAN SNARR<br>201 N 2600 E<br>ROBERTS, ID 83444<br>(208)228-3906                                        |
| Current Owner          | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |
| Previous Owner         | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                            |
| Attorney               | PATTI ROWLAND<br>DONEY CROWLEY BLOOMQUIST<br>108 S WASHINGTON<br>PO BOX 1418<br>DILLON, MT 59725-1418   |
| Current Owner          | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163                             |

Split per agreement

\$ 100 -

Priority Date: 04/02/1884

Basis: Decreed

Status: Active

| <u>Source</u>   | <u>Tributary</u> |
|-----------------|------------------|
| THREEMILE CREEK | BEAVER CREEK     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31           | 0.240 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.240 CFS             |                      |

Location of Point(s) of Diversion

|                 |                      |                                 |
|-----------------|----------------------|---------------------------------|
| THREEMILE CREEK | NE1/4SE1/4SW1/4      | Sec. 19, Twp 12N, Rge 37E, B.M. |
| CLARK County    | (Beginning of Reach) |                                 |
| THREEMILE CREEK | SW1/4SE1/4NW1/4      | Sec. 31, Twp 12N, Rge 37E, B.M. |
| CLARK County    | (Ending of Reach)    |                                 |

HagenbARTH = .07

Snarr = .17

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 31-10153

Place of Use  
STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |               |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|---------------|
| 12N 37E 19  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |               |
|             |    |    |    |    |    |    |    |    |    |    |    | X  |    |    | X  |    |        | Hagenbar<br>↑ |
| 12N 37E 30  |    |    |    |    | X  |    |    | X  | X  |    |    | X  |    |    |    |    |        | ↓<br>Snarr    |
| 12N 37E 31  |    |    |    |    | X  |    |    | X  |    |    |    |    |    |    |    |    |        |               |

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates and Other Information:

Decreed Date: 6/18/1998

01/08/2009

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-10156

WATER RIGHT NUMBER: 31-10156

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Previous Owner    | MARGARET HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163 |
| Current Owner     | DAVID J HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163  |
| Current Owner     | JAMES F HAGENBARTH<br>PO BOX 1128<br>DILLON, MT 59725-1128<br>(406)683-2163  |

all match  
all conveyed  
\$25-

Priority Date: 04/02/1884

Basis: Decreed

Status: Active

| <u>Source</u>     | <u>Tributary</u> |
|-------------------|------------------|
| RATTLESNAKE CREEK | THREEMILE CREEK  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31           | 0.240 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.240 CFS             |                      |

Location of Point(s) of Diversion

|                   |                      |                                 |
|-------------------|----------------------|---------------------------------|
| RATTLESNAKE CREEK | SW1/4SE1/4           | Sec. 29, Twp 12N, Rge 37E, B.M. |
| CLARK County      | (Beginning of Reach) |                                 |
| RATTLESNAKE CREEK | SE1/4NW1/4           | Sec. 31, Twp 12N, Rge 37E, B.M. |
| CLARK County      | (Ending of Reach)    |                                 |

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12N | 37E | 29  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |
| 12N | 37E | 31  | X  | X  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |
| 12N | 37E | 32  |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NOS. RP12N37E292410A, RP12N37E310010T, RP12N37E320010A STOCKWATER, 1100 RANGE CATTLE

Dates and Other Information:

Decreed Date: 6/18/1998