

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered to A21-04170

Ident. Number: ~~A31-04129~~

Date Received: 8/09/1988

Receipt No: E001147

Received By: *[Signature]*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARGARET HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725

OR

Name: DAVID J. HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725

OR

Name: JAMES F. HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725

2. Date of Priority: NOV 10, 1893

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	40E	10	NW	NE	SE		CLARK

5. Description of diverting works:
COLLECTION DITCH TO DITCHES FOR SUB/FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		
STOCKWATER	04/01	12/31	0.230		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 212.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE CATTLE

A31-04129

Page 1

Date: 08/07/90

MICROFILMED

APR 14 1994

A2104170



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	40E	10	NE	SE		IRR	14.0
			NE	SE		STOCK	
			SE	SE		IRR	11.0
			Section Acres				25.0
		11	NW	SW		IRR	3.0
			NW	SW		STOCK	
			SW	SW		IRR	35.0
			SW	SW		STOCK	
			SE	SW		IRR	27.0
			SE	SW		STOCK	
			NE	SE		IRR	9.0
			NE	SE		STOCK	
			SW	SE		IRR	30.0
			SW	SE		STOCK	
			SE	SE		IRR	34.0
			SE	SE		STOCK	
			Section Acres				138.0
		12	NE	SW		IRR	3.0
			NW	SW		IRR	33.0
			NW	SW		STOCK	
			SW	SW		IRR	5.0
			Section Acres				41.0
		14	NE	NE		IRR	3.0
			NW	NE		IRR	10.0
			NE	NW		IRR	17.0
			NW	NW		IRR	7.0
			Section Acres				37.0
			Total Acres				241.0

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

21-2054B, 01-0340/2068A, 31-2275/10245/4130/4131/4132/4133

14. Remarks:

SEE AFFIDAVITS ATTACHMENTS "A" & "B"
SEE ATTACHMENT "C" ON SYSTEM OPERATIONS

14. Remarks: Continued

OTHER RIGHTS ALSO INCLUDE 31-4134. A31-10740

CONSUMPTIVE USE = 0.5 CFS X 214 DAYS X 1.9835 = 212.2 AFA

** SEE ATTACHED REMARKS "X" FOR FINAL EXPLANATION OF THIS CLAIM.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): James F. Hagenbach Date: 8/5/90
Date:

State of Idaho

County of Bonneville SS.

Subscribed and sworn (or affirmed) before me this 17 day

of August 19 90

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-04129
Date Received: 8/09/1988
Receipt No: E001147
Received By: KCCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARET HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725
OR
Name: DAVID J. HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725
OR
Name: JAMES F. HAGENBARTH 406-683-2163
Address: P.O. BOX 1128
DILLON, MT 59725

A3104129



2. Date of Priority: OCT 01, 1943

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	40E	10	NW	NE	SE		CLARK

5. Description of diverting works:
COLLECTION DITCH TO DITCHES FOR SUB/FLOOD IRRIGATION

6. Water is used for the following purposes:

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7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 212.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE CATTLE

A31-04129

Page

1

Date: 08/09/88

MICROFILMED

NOV 17 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	40E	10	NE		SE		IRR	14.0
			NE		SE		STOCK	
			SE		SE		IRR	11.0
			Section Acres					25.0
		11	NW		SW		IRR	3.0
			NW		SW		STOCK	
			SW		SW		IRR	35.0
			SW		SW		STOCK	
			SE		SW		IRR	27.0
			SE		SW		STOCK	
			NE		SE		IRR	9.0
			NE		SE		STOCK	
			SW		SE		IRR	30.0
			SW		SE		STOCK	
			SE		SE		IRR	34.0
			SE		SE		STOCK	
			Section Acres					138.0
		12	NE		SW		IRR	3.0
			NW		SW		IRR	33.0
			NW		SW		STOCK	
			SW		SW		IRR	5.0
			Section Acres					41.0
		14	NE		NE		IRR	3.0
			NW		NE		IRR	10.0
			NE		NW		IRR	17.0
			NW		NW		IRR	7.0
			Section Acres					37.0
			Total Acres					241.0

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

21-2054B, 01-0340/2068A, 31-2275/10245/4130/4131/4132/4133

14. Remarks:

SEE AFFIDAVITS ATTACHMENTS "A" & "B"

SEE ATTACHMENT "C" ON SYSTEM OPERATIONS

OTHER RIGHTS ALSO INCLUDE 31-4134

CONSUMPTIVE USE = 0.5 CFS X 214 DAYS X 1.9835 = 212.2 AFA

MICROFILMED

NOV 17 1992

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

James E. Hogenkamp

Date:

8/9/88

Date:

State of Idaho

County of

Bonneville

SS.

Subscribed and sworn (or affirmed) before me this 9th day

of

August

19

88

Deena Green
Notary Public

Seal

Residing at

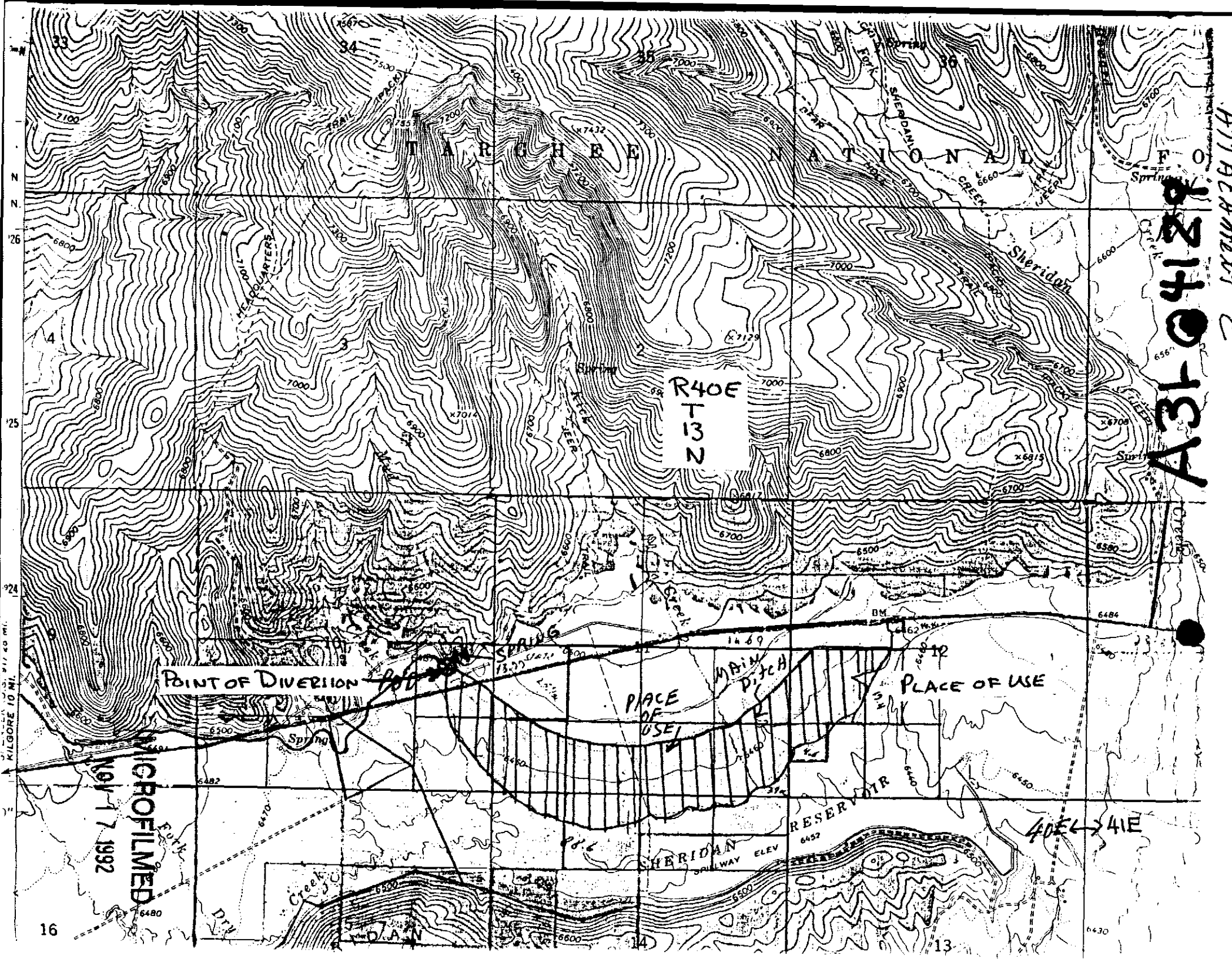
Rigby

My Commission Expires

4-22-1994

ATTACHMENT C

2140134



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-04129

LAST: MAGENDARTH
ADDRESS: P.O. BOX 1120
CITY: DILLON
PHONE NUMBER: 406-683-2163

FIRST: DAVID J.

STATE: MT ZIP: 59725

OWNER CODE: C

LAST: MAGENDARTH
ADDRESS: P.O. BOX 1120
CITY: DILLON
PHONE NUMBER: 406-683-2163

FIRST: JAMES F.

STATE: MT ZIP: 59725

OWNER CODE: C

LAST: MAGENDARTH
ADDRESS: P.O. BOX 1120
CITY: DILLON
PHONE NUMBER: 406-683-2163

FIRST: MARGARET

STATE: MT ZIP: 59725

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SEE AFFIDAVITS ATTACHMENTS "A" & "B"
SEE ATTACHMENT "C" ON SYSTEM OPERATIONS
OTHER RIGHTS ALSO INCLUDE 31-4134, A31-10740
CONSUMPTIVE USE = 0.5 CFS X 214 DAYS X 1.9835 = 212.2 AFD
** SEE ATTACHED REMARKS "X" FOR FINAL EXPLANATION OF THIS CLAIM.

CONTACT PERSON: _____

PHONE NUMBER: () ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: 8 A81-04129 PRIORITY DATE: 11-10-1993

STAGE: 5

B. WR RECORD: 8 A1-04129 PRIORITY DATE: 10-01-1943

STAGE: 5

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN:

NOTES: Original 243 claim shows priority date of October 1, 1943

RECOMMENDED PRIORITY DATE:

10/1/43

REVIEWED BY

DATE

3/16/24

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-04129	13N	40E	10	NW	NE	SE		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: UNNAMED SPRING

TRIBE: SINKS

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-04129	13N	40E	10		NE	SE		CLARK

OTHER MR RECORDS WITH SAME MR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: SPRING

TRIBE: SINKS

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	---
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	---

NOTES:

No changes to POD only 10 ac Tract.

SOURCE CLAIMED AS UNNAMED SPRING - CHANGE TO SPRING.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: Spring TRIP: Sinks

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A51-04129

B. POB LISTING

TWP	RNG	SEC	1/4	1/6	LOT	NAME	AM ACRES	MR ACRES	LANDSAT DATA	FIELD EXAM.	RECONV. ACRES
13N	40E	10	NE	SE		HAGENBARTH, DAVID J.	A51-04129 /14.0	51-04129 /			30.0
			NE	SE		HAGENBARTH, MARGARET	A51-04130 /25.0	51-04130 /25.0			
			NE	SE		HAGENBARTH, MARGARET	A51-10740 /25.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A51-04132 /	51-04132 / 2.0			
			NE	SE		HAGENBARTH, MARGARET	A51-04133 /	51-04133 /25.0			
			NE	SE		HAGENBARTH, JAMES F.	A51-10245 /25.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A51-02274 /25.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A51-02275 /25.0	51-02275 /			
			NE	SE		HAGENBARTH, MARGARET	A51-04131 /25.0	51-04131 /25.0			
13N	40E	10	NE	SE		HAGENBARTH, DAVID J.	A51-04129 /	51-04129 /			30.0
			NE	SE		HAGENBARTH, MARGARET	A51-04130 /25.0	51-04130 /25.0			
			NE	SE		HAGENBARTH, MARGARET	A51-10740 /25.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A51-04132 /	51-04132 / 2.0			
			NE	SE		HAGENBARTH, MARGARET	A51-04133 /	51-04133 /25.0			
			NE	SE		HAGENBARTH, JAMES F.	A51-10245 /25.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A51-02274 /25.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A51-02275 /25.0	51-02275 /			
			NE	SE		HAGENBARTH, MARGARET	A51-04131 /25.0	51-04131 /25.0			
13N	40E	10	SE	SE		HAGENBARTH, DAVID J.	A51-04129 /11.0	51-04129 /11.0			41.0
			SE	SE		HAGENBARTH, MARGARET	A51-04130 /40.0	51-04130 /40.0			
			SE	SE		HAGENBARTH, MARGARET	A51-10740 /40.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A51-04133 /40.0	51-04133 /40.0			
			SE	SE		HAGENBARTH, JAMES F.	A51-10245 /40.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A51-02274 /40.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A51-02275 /40.0	51-02275 /			
			SE	SE		HAGENBARTH, MARGARET	A51-04131 /40.0	51-04131 /40.0			
			SE	SE		HAGENBARTH, MARGARET	A51-04134 /24.0	51-04134 /24.0			
13N	40E	11	NW	SW		HAGENBARTH, DAVID J.	A51-04129 / 3.0	51-04129 /			34.0
			NW	SW		HAGENBARTH, MARGARET	001-00340 /14.0	- /			
			NW	SW		HAGENBARTH, MARGARET	A51-04130 / 3.0	51-04130 / 3.0			
			NW	SW		HAGENBARTH, MARGARET	A51-04131 / 3.0	51-04131 / 3.0			
			NW	SW		HAGENBARTH, MARGARET	A51-10740 / 3.0	- /			
			NW	SW		HAGENBARTH, MARGARET	A51-04132 /25.0	51-04132 /25.0			
			NW	SW		HAGENBARTH, MARGARET	A51-04133 / 3.0	51-04133 / 3.0			
			NW	SW		HAGENBARTH, JAMES F.	A51-10245 / 3.0	- /			
			NW	SW		HAGENBARTH, JAMES F.	A51-02274 / 3.0	- /			
			NW	SW		HAGENBARTH, JAMES F.	A51-02275 / 3.0	- /			
13N	40E	11	NW	SW		HAGENBARTH, DAVID J.	A51-04129 /	51-04129 /			34.0
			NW	SW		HAGENBARTH, MARGARET	001-00340 /14.0	- /			
			NW	SW		HAGENBARTH, MARGARET	A51-04130 / 3.0	51-04130 / 3.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	NR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
			NH	SW		HAGENBARTH, MARGARET	A31-04131 / 1.0	31-04131 / 1.0			
			NH	SW		HAGENBARTH, MARGARET	A31-10740 / 1.0	- /			
			NH	SW		HAGENBARTH, MARGARET	A31-04132 / 25.0	31-04132 / 25.0			
			NH	SW		HAGENBARTH, MARGARET	A31-04133 / 1.0	31-04133 / 1.0			
			NH	SW		HAGENBARTH, JAMES F.	A31-10245 / 1.0	- /			
			NH	SW		HAGENBARTH, JAMES F.	A31-02274 / 1.0	- /			
			NH	SW		HAGENBARTH, JAMES F.	A31-02275 / 1.0	- /			
13N	40E	11	SW	SW		HAGENBARTH, DAVID J.	A31-04129 / 36.0	31-04129 /		36.0	
			SW	SW		HAGENBARTH, MARGARET	A01-00340 / 40.0	01-00340 /			
			SW	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-04130 / 36.0	31-04130 / 36.0			
			SW	SW		HAGENBARTH, MARGARET	A31-10740 / 36.0	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-04132 / 40.0	31-04132 / 40.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04133 / 36.0	31-04133 / 36.0			
			SW	SW		HAGENBARTH, JAMES F.	A31-10245 / 36.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02274 / 36.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02275 / 36.0	31-02275 /			
			SW	SW		HAGENBARTH, MARGARET	A31-04131 / 36.0	31-04131 / 36.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04134 / 14.0	31-04134 / 14.0			
13N	40E	11	SW	SW		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /		36.0	
			SW	SW		HAGENBARTH, MARGARET	A01-00340 / 40.0	01-00340 /			
			SW	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-04130 / 36.0	31-04130 / 36.0			
			SW	SW		HAGENBARTH, MARGARET	A31-10740 / 36.0	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-04132 / 40.0	31-04132 / 40.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04133 / 36.0	31-04133 / 36.0			
			SW	SW		HAGENBARTH, JAMES F.	A31-10245 / 36.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02274 / 36.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02275 / 36.0	31-02275 /			
			SW	SW		HAGENBARTH, MARGARET	A31-04131 / 36.0	31-04131 / 36.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04134 / 14.0	31-04134 / 14.0			
13N	40E	11	SE	SW		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /		40.0	
			SE	SW		HAGENBARTH, MARGARET	A01-00340 / 40.0	01-00340 /			
			SE	SW		HAGENBARTH, MARGARET	A01-020340 / 14.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A21-020340 / 40.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-10740 / 27.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-04132 / 40.0	31-04132 / 40.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04133 / 27.0	31-04133 / 27.0			
			SE	SW		HAGENBARTH, JAMES F.	A31-10245 / 27.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02274 / 27.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02275 / 27.0	31-02275 /			
			SE	SW		HAGENBARTH, MARGARET	A31-04130 / 27.0	31-04130 / 27.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04131 / 27.0	31-04131 / 27.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04134 / 1.0	31-04134 / 1.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ 0/ACRES	NR 0/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
13N	40E	11	SE	SW		HAGENBARTH, DAVID J.	A31-04129 /27.0	31-04129 /	46.0		
			SE	SW		HAGENBARTH, MARGARET	A01-00840 /40.0	01-00840 /			
			SE	SW		HAGENBARTH, MARGARET	A01-020608 /14.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A21-020548 /40.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-10740 /27.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-04132 /40.0	31-04132 /40.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04133 /27.0	31-04133 /27.0			
			SE	SW		HAGENBARTH, JAMES F.	A31-10245 /27.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02274 /27.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02275 /27.0	31-02275 /			
			SE	SW		HAGENBARTH, MARGARET	A31-04130 /27.0	31-04130 /27.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04131 /27.0	31-04131 /27.0			
			SE	SW		HAGENBARTH, MARGARET	A31-04134 / 1.0	31-04134 / 1.0			
13N	40E	11	NE	SE		HAGENBARTH, DAVID J.	A31-04129 / 9.0	31-04129 /	42.0		
			NE	SE		HAGENBARTH, MARGARET	A01-00840 /29.0	01-00840 /			
			NE	SE		HAGENBARTH, MARGARET	A01-020608 /29.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A21-020548 /29.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-10740 / 9.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-04132 /40.0	31-04132 /40.0			
			NE	SE		HAGENBARTH, MARGARET	A31-04133 / 9.0	31-04133 / 9.0			
			NE	SE		HAGENBARTH, JAMES F.	A31-10245 / 9.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A31-02274 / 9.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A31-02275 / 9.0	31-02275 /			
			NE	SE		HAGENBARTH, MARGARET	A31-04130 / 9.0	31-04130 / 9.0			
			NE	SE		HAGENBARTH, MARGARET	A31-04131 / 9.0	31-04131 / 9.0			
			NE	SE		HAGENBARTH, F. J.	A31-04134 / 1.0	31-04134 / 1.0			
13N	40E	11	NE	SE		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /	42.0		
			NE	SE		HAGENBARTH, MARGARET	A01-00840 /29.0	01-00840 /			
			NE	SE		HAGENBARTH, MARGARET	A01-020608 /29.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A21-020548 /29.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-10740 / 9.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-04132 /40.0	31-04132 /40.0			
			NE	SE		HAGENBARTH, MARGARET	A31-04133 / 9.0	31-04133 / 9.0			
			NE	SE		HAGENBARTH, JAMES F.	A31-10245 / 9.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A31-02274 / 9.0	- /			
			NE	SE		HAGENBARTH, JAMES F.	A31-02275 / 9.0	31-02275 /			
			NE	SE		HAGENBARTH, MARGARET	A31-04130 / 9.0	31-04130 / 9.0			
			NE	SE		HAGENBARTH, MARGARET	A31-04131 / 9.0	31-04131 / 9.0			
			NE	SE		HAGENBARTH, F. J.	A31-04134 / 1.0	31-04134 / 1.0			
13N	40E	11	SW	SE		HAGENBARTH, DAVID J.	A31-04129 /30.0	31-04129 /	30.0		
			SW	SE		HAGENBARTH, MARGARET	A01-00840 /40.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A01-020608 /40.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A21-020548 /40.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A31-10740 /30.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A31-04132 /	31-04132 /40.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ 0/ACRES	MR 0/ACRES	LANDSAT DATA	FIELD EXPL.	RECONV. ACRES
			S4	SE		HAGENBARTH, MARGARET	A31-04133 /30.0	31-04133 /30.0			
			S4	SE		HAGENBARTH, JAMES F.	A31-10245 /30.0	- /			
			S4	SE		HAGENBARTH, JAMES F.	A31-02274 /30.0	- /			
			S4	SE		HAGENBARTH, JAMES F.	A31-02275 /30.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A31-04130 /30.0	31-04130 /30.0			
			S4	SE		HAGENBARTH, MARGARET	A31-04131 /30.0	31-04131 /30.0			
			S4	SE		HAGENBARTH, F. J.		21-02054 /40.0			
13N	40E	11	S4	SE		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /		30.0	
			S4	SE		HAGENBARTH, MARGARET	A01-00340 /40.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A01-02000 /40.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A21-020540 /40.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A31-10740 /30.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A31-04132 /	31-04132 /40.0			
			S4	SE		HAGENBARTH, MARGARET	A31-04133 /30.0	31-04133 /30.0			
			S4	SE		HAGENBARTH, JAMES F.	A31-10245 /30.0	- /			
			S4	SE		HAGENBARTH, JAMES F.	A31-02274 /30.0	- /			
			S4	SE		HAGENBARTH, JAMES F.	A31-02275 /30.0	- /			
			S4	SE		HAGENBARTH, MARGARET	A31-04130 /30.0	31-04130 /30.0			
			S4	SE		HAGENBARTH, MARGARET	A31-04131 /30.0	31-04131 /30.0			
			S4	SE		HAGENBARTH, F. J.		21-02054 /40.0			
13N	40E	11	SE	SE		HAGENBARTH, DAVID J.	A31-04129 /34.0	31-04129 /		27.0	
			SE	SE		HAGENBARTH, MARGARET	A01-00340 /34.0	01-00340 /			
			SE	SE		HAGENBARTH, MARGARET	A01-02000 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A21-020540 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A21-10111 /	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-10740 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-04132 /34.0	31-04132 /34.0			
			SE	SE		HAGENBARTH, MARGARET	A31-04133 /34.0	31-04133 /34.0			
			SE	SE		HAGENBARTH, JAMES F.	A31-10245 /34.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02274 /34.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02275 /34.0	31-02275 /			
			SE	SE		HAGENBARTH, MARGARET	A31-04130 /34.0	31-04130 /34.0			
			SE	SE		HAGENBARTH, MARGARET	A31-04131 /34.0	31-04131 /34.0			
			SE	SE		HAGENBARTH, F. J.		21-02054 /40.0			
13N	40E	11	SE	SE		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /		27.0	
			SE	SE		HAGENBARTH, MARGARET	A01-00340 /34.0	01-00340 /			
			SE	SE		HAGENBARTH, MARGARET	A01-02000 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A21-020540 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A21-10111 /	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-10740 /34.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-04132 /34.0	31-04132 /34.0			
			SE	SE		HAGENBARTH, MARGARET	A31-04133 /34.0	31-04133 /34.0			
			SE	SE		HAGENBARTH, JAMES F.	A31-10245 /34.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02274 /34.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02275 /34.0	31-02275 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	A3 ACRES	B3 ACRES	LANDSAT DATA	FIELD EXAM.	RECONV. ACRES
			SE	SE		HAGENBARTH, MARGARET	A31-04130 / 34.0	31-04130 / 34.0			
			SE	SE		HAGENBARTH, MARGARET	A31-04131 / 34.0	31-04131 / 34.0			
			SE	SE		HAGENBARTH, F. J.		21-02054 / 40.0			
13N	40E	12	NE	SW		HAGENBARTH, DAVID J.	A31-04129 / 3.0	31-04129 / 3.0			32.0
			NE	SW		HAGENBARTH, MARGARET	A01-00340 / 3.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A01-020608 / 3.0	- /			
			NE	SW		SHERIDAN GOLDEN EAGLE	A21-00190 / 33.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-10740 / 3.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-04132 / 3.0	31-04132 / 3.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04133 / 3.0	31-04133 / 3.0			
			NE	SW		HAGENBARTH, JAMES F.	A31-10245 / 3.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02274 / 3.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02275 / 3.0	31-02275 /			
			NE	SW		HAGENBARTH, MARGARET	A31-04130 / 3.0	31-04130 / 3.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04131 / 3.0	31-04131 / 3.0			
			NE	SW		HAGENBARTH, F. J.		21-02054 / 40.0			
13N	40E	12	NE	SW		HAGENBARTH, DAVID J.	A31-04129 / 33.0	31-04129 /			18.0
			NE	SW		HAGENBARTH, MARGARET	A01-00340 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A01-020608 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A21-020548 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-10740 / 33.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-04132 / 36.0	31-04132 / 36.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04133 / 33.0	31-04133 / 33.0			
			NE	SW		HAGENBARTH, JAMES F.	A31-10245 / 33.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02274 / 33.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02275 / 33.0	31-02275 /			
			NE	SW		HAGENBARTH, MARGARET	A31-04130 / 33.0	31-04130 / 33.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04131 / 33.0	31-04131 / 33.0			
			NE	SW		HAGENBARTH, F. J.		21-02054 / 40.0			
13N	40E	12	NE	SW		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /			18.0
			NE	SW		HAGENBARTH, MARGARET	A01-00340 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A01-020608 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A21-020548 / 36.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-10740 / 33.0	- /			
			NE	SW		HAGENBARTH, MARGARET	A31-04132 / 36.0	31-04132 / 36.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04133 / 33.0	31-04133 / 33.0			
			NE	SW		HAGENBARTH, JAMES F.	A31-10245 / 33.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02274 / 33.0	- /			
			NE	SW		HAGENBARTH, JAMES F.	A31-02275 / 33.0	31-02275 /			
			NE	SW		HAGENBARTH, MARGARET	A31-04130 / 33.0	31-04130 / 33.0			
			NE	SW		HAGENBARTH, MARGARET	A31-04131 / 33.0	31-04131 / 33.0			
			NE	SW		HAGENBARTH, F. J.		21-02054 / 40.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AS S/ACRES	MR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECONC. ACRES
13N	40E	12	SW	SW		HAGENBARTH, DAVID J.	A51-04129 / 5.0	31-04129 / 5.0			
			SW	SW		HAGENBARTH, MARGARET	A01-00840 / 5.0	- /			
			SW	SW		HAGENBARTH, MARGARET	A01-02060A / 5.0	- /			
			SW	SW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-10740 / 5.0	- /			
			SW	SW		HAGENBARTH, MARGARET	A31-04132 / 5.0	31-04132 / 5.0			
			SW	SW		HAGENBARTH, JAMES F.	A31-10245 / 5.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02274 / 5.0	- /			
			SW	SW		HAGENBARTH, JAMES F.	A31-02275 / 5.0	31-02275 /			
			SW	SW		HAGENBARTH, MARGARET	A31-04130 / 5.0	31-04130 / 5.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04131 / 5.0	31-04131 / 5.0			
			SW	SW		HAGENBARTH, MARGARET	A31-04133 / 5.0	31-04133 / 5.0			
			SW	SW		HAGENBARTH, F. A.		21-02054 / 40.0			
13N	40E	14	NE	NE		HAGENBARTH, DAVID J.	A51-04129 / 3.0	31-04129 / 3.0	2.0		
			NE	NE		HAGENBARTH, MARGARET	A01-00840 / 3.0	- /			
			NE	NE		HAGENBARTH, MARGARET	A01-02060A / 3.0	- /			
			NE	NE		HAGENBARTH, MARGARET	A21-02054B / 3.0	- /			
			NE	NE		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NE	NE		HAGENBARTH, MARGARET	A31-10740 / 3.0	- /			
			NE	NE		HAGENBARTH, MARGARET	A31-04132 / 3.0	31-04132 / 3.0			
			NE	NE		HAGENBARTH, JAMES F.	A31-10245 / 3.0	- /			
			NE	NE		HAGENBARTH, JAMES F.	A31-02274 / 3.0	- /			
			NE	NE		HAGENBARTH, JAMES F.	A31-02275 / 3.0	31-02275 /			
			NE	NE		HAGENBARTH, MARGARET	A31-04130 / 3.0	31-04130 / 3.0			
			NE	NE		HAGENBARTH, MARGARET	A31-04131 / 3.0	31-04131 / 3.0			
			NE	NE		HAGENBARTH, MARGARET	A31-04133 / 3.0	31-04133 / 3.0			
			NE	NE		HAMMOO, SPENCER		21-00039 /			
13N	40E	14	NW	NE		HAGENBARTH, DAVID J.	A51-04129 / 10.0	31-04129 / 10.0	15.0		
			NW	NE		HAGENBARTH, MARGARET	A01-00840 / 10.0	- /			
			NW	NE		HAGENBARTH, MARGARET	A21-02054B / 1.0	- /			
			NW	NE		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NW	NE		HAGENBARTH, MARGARET	A31-10740 / 10.0	- /			
			NW	NE		HAGENBARTH, MARGARET	A31-04132 / 10.0	31-04132 / 10.0			
			NW	NE		HAGENBARTH, JAMES F.	A31-10245 / 10.0	- /			
			NW	NE		HAGENBARTH, JAMES F.	A31-02274 / 10.0	- /			
			NW	NE		HAGENBARTH, JAMES F.	A31-02275 / 10.0	31-02275 /			
			NW	NE		HAGENBARTH, MARGARET	A31-04130 / 10.0	31-04130 / 10.0			
			NW	NE		HAGENBARTH, MARGARET	A31-04131 / 10.0	31-04131 / 10.0			
			NW	NE		HAGENBARTH, MARGARET	A31-04133 / 10.0	31-04133 / 10.0			
			NW	NE		HAGENBARTH, MARGARET	A31-04134 / 6.0	31-04134 / 6.0			
			NW	NE		HAMMOO, SPENCER		21-00039 /			
13N	40E	14	NE	NW		HAGENBARTH, DAVID J.	A51-04129 / 17.0	31-04129 / 17.0	20.0		
			NE	NW		HAGENBARTH, MARGARET	A01-00840 / 17.0	- /			
			NE	NW		HAGENBARTH, MARGARET	A21-10111 /	- /			
			NE	NW		HAGENBARTH, MARGARET	A31-04130 / 17.0	31-04130 / 17.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AS S/ACRES	SR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECONV. ACRES
						HOGENWARTH, MARGARET	AS1-10740 / 17.0	- /			
						HOGENWARTH, MARGARET	AS1-04132 / 17.0	31-04132 / 17.0			
						HOGENWARTH, JAMES F.	AS1-10245 / 17.0	- /			
						HOGENWARTH, JAMES F.	AS1-02274 / 17.0	- /			
						HOGENWARTH, JAMES F.	AS1-02275 / 17.0	31-02275 /			
						HOGENWARTH, MARGARET	AS1-04131 / 17.0	31-04131 / 17.0			
						HOGENWARTH, MARGARET	AS1-04133 / 17.0	31-04133 / 17.0			
						HOGENWARTH, MARGARET	AS1-04134 / 17.0	31-04134 / 17.0			
						HOGENWARTH, F. J.		21-02054 / 40.0			
134	40E	14				HOGENWARTH, DAVID J.	AS1-04129 / 7.0	31-04129 / 7.0	37.0		
						HOGENWARTH, MARGARET	AS1-00540 / 0.0	- /			
						HOGENWARTH, MARGARET	AS1-10211 /	- /			
						HOGENWARTH, MARGARET	AS1-10740 / 0.0	- /			
						HOGENWARTH, MARGARET	AS1-04132 / 0.0	31-04132 / 0.0			
						HOGENWARTH, JAMES F.	AS1-10245 / 0.0	- /			
						HOGENWARTH, JAMES F.	AS1-02274 / 0.0	- /			
						HOGENWARTH, JAMES F.	AS1-02275 / 0.0	31-02275 /			
						HOGENWARTH, MARGARET	AS1-04130 / 0.0	31-04130 / 0.0			
						HOGENWARTH, MARGARET	AS1-04131 / 0.0	31-04131 / 0.0			
						HOGENWARTH, MARGARET	AS1-04133 / 0.0	31-04133 / 0.0			
						HOGENWARTH, MARGARET	AS1-04134 / 0.0	31-04134 / 0.0			
						HOGENWARTH, F. J.		21-02054 / 40.0			
TOTAL ACRES							AS1-04129	241.00	56.00	694.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POB COUNTY: CLARK

*Permissible Uses as per
with other rights. And
Limitations.*

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AS CLAIMED USES:

PURPOSES
A31-04129 IRRIGATION
A31-04129 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 04-01 TO 12-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
-500 CFS
-230 CFS
-500 CFS

→ 243 claim shows 0.05 cfs
Total 0.55 cfs

B. WR RECORDED USES:

PURPOSES
31-04129 IRRIGATION
31-04129 STOCKWATER

MONTH/DAY
FROM 05-01 TO 10-31
FROM 06-01 TO 11-30

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
-500 CFS
-850 CFS
-350 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

Original 243 claim shows 5/1 to 10/31 for irrig.; 6/1 to 11/30 for stock.
P&R DEPT. STD. irrig season is 5/1 to 10/31, stock as 6/1 to 11/30 is OK. per claim (243)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(✓)

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
HR ROOT RIGHT TOTAL DIVERSION RATE: 0.550 CFS

AAA IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. AAA
AA IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS AA
AA CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. AA

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(✓) N() IF YES COMPLETE OVERLAP REVIEW

OTHER RIGHTS LISTED IN CLAIM: 21-20540, 21-0340/2000A, 21-2275/10245/4130/4131/4132/4133

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-04129	UNKNOWN SPRING	HAGENBARTH, DAVID J.	0.500	0.002		
A51-00540	UNKNOWN SPRING	HAGENBARTH, MARGARET	6.000	0.019		
A51-02060A	UNKNOWN SPRING	HAGENBARTH, MARGARET			190.00	1.00
A21-00190	SHERIDAN CREEK	SHERIDAN GOLDEN EAGLE	25.560	0.017		
A21-020540	UNKNOWN SPRING	HAGENBARTH, MARGARET	3.000	0.020		
A51-02274	DRY CREEK	HAGENBARTH, JAMES F.	5.700	0.005		
A51-02275	DRY CREEK	HAGENBARTH, JAMES F.	12.000	0.011		
A51-04150	UNKNOWN SPRING	HAGENBARTH, MARGARET	0.250			
A51-04151	MUD CREEK	HAGENBARTH, MARGARET	3.000	0.009		
A51-04152	KICK CREEK	HAGENBARTH, MARGARET	3.500	0.009		
A51-04153	UNKNOWN SPRING	HAGENBARTH, MARGARET	1.000	0.002		
A51-04154	SPRING	HAGENBARTH, MARGARET	1.000	0.005		
A51-10245	DRY CREEK	HAGENBARTH, JAMES F.	8.000	0.007		
A51-10760	DRY CREEK	HAGENBARTH, MARGARET	8.500	0.007		

LIST ALL RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-04129	STOCKWATER	HAGENBARTH, DAVID J.	FROM 04-01 TO 12-31	.230 CFS	
A31-04130	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04130	DOMESTIC	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	.020 CFS	
A31-10740	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 11-01	.230 CFS	
A31-04132	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04133	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-10245	STOCKWATER	HAGENBARTH, JAMES F.	FROM 04-01 TO 12-31	.400 CFS	
A31-10245	WILDLIFE	HAGENBARTH, JAMES F.	FROM 01-01 TO 12-31	.230 CFS	
A31-02274	STOCKWATER	HAGENBARTH, JAMES F.	FROM 04-01 TO 12-31	.240 CFS	
A31-02275	STOCKWATER	HAGENBARTH, JAMES F.	FROM 04-01 TO 12-31	.520 CFS	
A31-04131	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04134	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A21-10111	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.440 CFS	
A21-020340	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.240 CFS	

B.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

1B. CALCULATIONS

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

AAA IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() BAA

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 212.2 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
S/1000 YEARLINGS OR PAIRS CATTLE

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION STOCKMETER	5/1 10/31 ~~04-01 11-01~~ ~~04-02 12-01~~	DATABASE EXAMINER 0.500 0.200 <u>0.03</u>	DATABASE EXAMINER _____ _____	DATABASE EXAMINER 212-2 _____
TOTAL FOR THIS RIGHT	6/1 11/30	0.500	55.4 Acre-ft.	

REVIEWED BY: _____

DATE: _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
{ }	{ }
{ }	{ }

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-04129

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.550

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	31-04129	0.500	-		31-04129	3.550
TOTAL CFS		0.500				3.550

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

Original 243 claim is 0.55 (which includes 0.05 for stock) Mustang Fed'd.

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 3/16/21

NAME OF FIELD EXAMINER: ALEX B. RICHARDSON

TITLE: SR. AG

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 29
QUICKLOOK INFORMATION

CLAIM NUMBER: 031-14129

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY MONTH/DATE	FIELD EXAM BY MONTH/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW MONTH/DATE	COMPLETED DATA ENTRY MONTH/DATE	VERIFIED DATE MONTH/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
QTY. ABOVE CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASES OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPD MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

05:37:52
03/15/93

PAGE: 21
PROFILE REPORT

CLAIM NUMBER: A51-04129

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID J. HAGENBARTH	11/10/1893	IRRIGATION	04-01 11-01	0.50 CFS	
C	JAMES F. HAGENBARTH		STOCKWATER	04-01 12-31	0.23 CFS	
C	MARGARET HAGENBARTH					
	P.O. BOX 1120					
	DELLON MT 59725					
	(496) 683-2163					
			TOTAL DIVERSION:		0.50 CFS	
			CONSUMPTIVE USE:			212.2 AFI

WATER SOURCE: UNMANNED SPRING

TRIBUTARY TO: SIMS

STAGE: STATUTORY CLAIM

POINT(S) OF DIVERSION:

T12N R40E S10

NINESE

CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	SUM
13N	40E	10	:																	28.0
13N	40E	10	:																	
																			TOTAL ACRES	241.0

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	
			:																	
			:																	

POW COUNTY: CLARK

NON-IRRIGATION USES: S/1000 RANGE CATTLE

OTHER RIGHTS: 21-20548, 01-0340/2060A, 31-2275/10245/6130/6131/6132/6133

REMARKS: SEE AFFIDAVITS ATTACHMENTS "A" & "B"
SEE ATTACHMENT "C" ON SYSTEM OPERATIONS
OTHER RIGHTS ALSO INCLUDE 31-4134, A51-10740
CONSUMPTIVE USE = 0.5 CFS X 214 DAYS X 1.9835 = 212.2 AFI
AA SEE ATTACHED REMARKS "X" FOR FINAL EXPLANATION OF THIS CLAIM.

DATES: EXAM MADE DATE: VERIFIED DATE:

WISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 2001

HAGENBARTH LIVESTOCK
PO BOX 1128
DILLON MT 59725

RE: ADDITION OF ATTORNEYS TO CLAIMS

Dear Claimants:

Attorneys John Bloomquist and Patti Rowland have been added to your claims per your request.

If you have any questions feel free to contact this office at (208) 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 27, 2000

JAMES F HAGENBARTH
MARGARET HAGENBARTH
DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725

RE: Notice of Claim

Dear Sir or Madam:

The Department has changed the identification numbers for the following Notice of Claims as follows:

A31-04129 to A21-04170
A31-04130 to A21-04171
A31-04131 to A21-04172
A31-04132 to A21-04173
A31-04133 to A21-04174
A31-04134 to A21-04175

We have also modified receipt #E001147 to reflect the new number.

A copy of the receipt and a profile report detailing each claim are enclosed for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Profile report for A21-04170, A21-04171, A21-04172, A21-04173,
A21-04174 and A21-04175
Receipt E001147

Keen, Shelley

From: Keen, Shelley
Sent: Wednesday, March 22, 2000 8:32 AM
To: Carlsen, Ernie
Subject: RE: Renumbering Basin 31 claims

Ernie,

We'll renumber on our side. I'll send you the new numbers as soon as we're done.

Shelley

-----Original Message-----

From: Carlsen, Ernie
Sent: Tuesday, March 21, 2000 9:44 AM
To: Keen, Shelley
Cc: Ruberry, Allen; Carlsen, Ernie
Subject: Renumbering Basin 31 claims

Hello Shelley,

Allen Ruberry has identified several 4000 series SRBA claims that are in the wrong basin. They were initially given Basin 31 numbers and are actually in Basin 21. The numbers are:

A31-04129	Pod Is	13N 40E 10 NWNESE	21-04170
A31-04130		13N 40E 10 SESW	21-04171
A31-04131		13N 40E 10 NWSE	21-04172
A31-04132		13N 40E 11 SWNE	21-04173
A31-04133		13N 40E 09 SESE	21-04174
A31-04134		13N 40E 10 SESW	21-04175

Renumbered to Basin (21)
 03-23-2000
OK

We can assign these claims 10,000 numbers unless you prefer to have your section assign them new 4000 series numbers.

Ernie

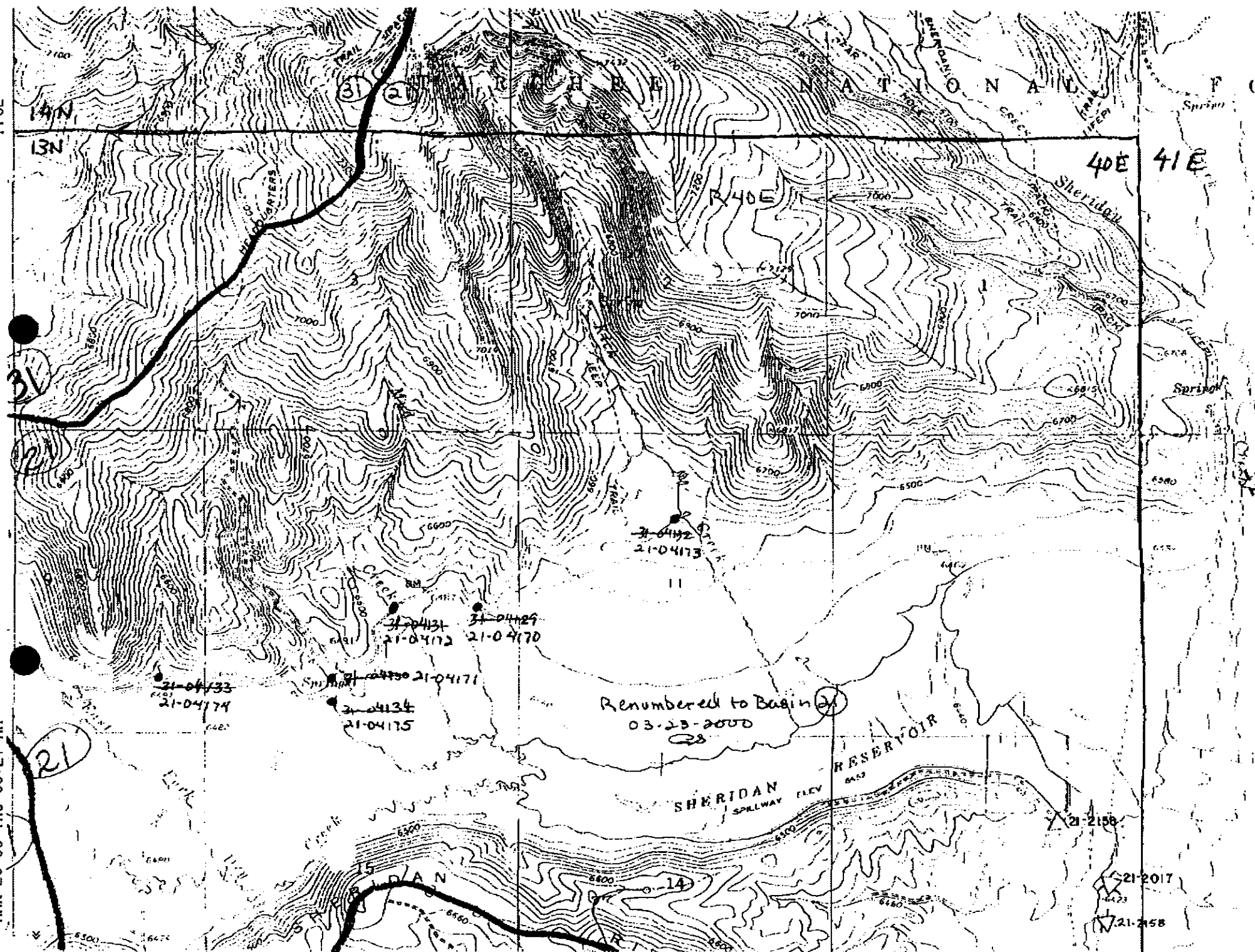
Richard,

Please pull 1
 claim forms or

Post-It® Fax Note	7671	Date	3-23-00	# of pages	2
To	ERNIE CARLSEN		From	SHELLEY KEEN	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

ion from the
 any. Thanks.

Ernie



Carlsen, Ernie

From: Carlsen, Ernie
Sent: Tuesday, March 21, 2000 9:44 AM
To: Keen, Shelley
Cc: Ruberry, Allen; Carlsen, Ernie
Subject: Renumbering Basin 31 claims

Hello Shelley,

Allen Ruberry has identified several 4000 series SRBA claims that are in the wrong basin. They were initially given Basin 31 numbers and are actually in Basin 21. The numbers are:

A31-04129	Pod is	13N 40E 10 NWNESE
A31-04130		13N 40E 10 SESW
A31-04131		13N 40E 10 NWSE
A31-04132		13N 40E 11 SWNE
A31-04133		13N 40E 09 SESE
A31-04134		13N 40E 10 SESW

We can assign these claims 10,000 numbers unless you prefer to have your section assign them new 4000 series numbers.

Ernie

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Margaret Hagenbarth, David J. Hagenbarth, James F.

(Name of Claimant)

Hagenbarth

P. O. Box 1128 Dillon, MT 59725

(Mailing Address)

(Zip Code)

Telephone No. 406 683-2163

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) October 1, 1943

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Spring tributary to sinks

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity	<u>.50 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5/1</u>	To <u>10/31</u>	
Quantity	<u>.05 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>6/1</u>	To <u>11/30</u>	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	

- (4) .55 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SE ¼, Sec. 10 Twp. 13N Rge. 40E B.M., County of Clark

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Water is diverted by main ditch. Said ditches course runs easterly for 1 1/2 miles. Ditches dimensions are 5 feet high and 4 feet wide.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
13N	40E	10													14			11	25
		11										3	35	27	9		30	34	138
		12									3	33	5						41
		14	3	10			17	7											37
13N	40E	10													X				
		11									X	X	X	X			X	X	
		12									X								

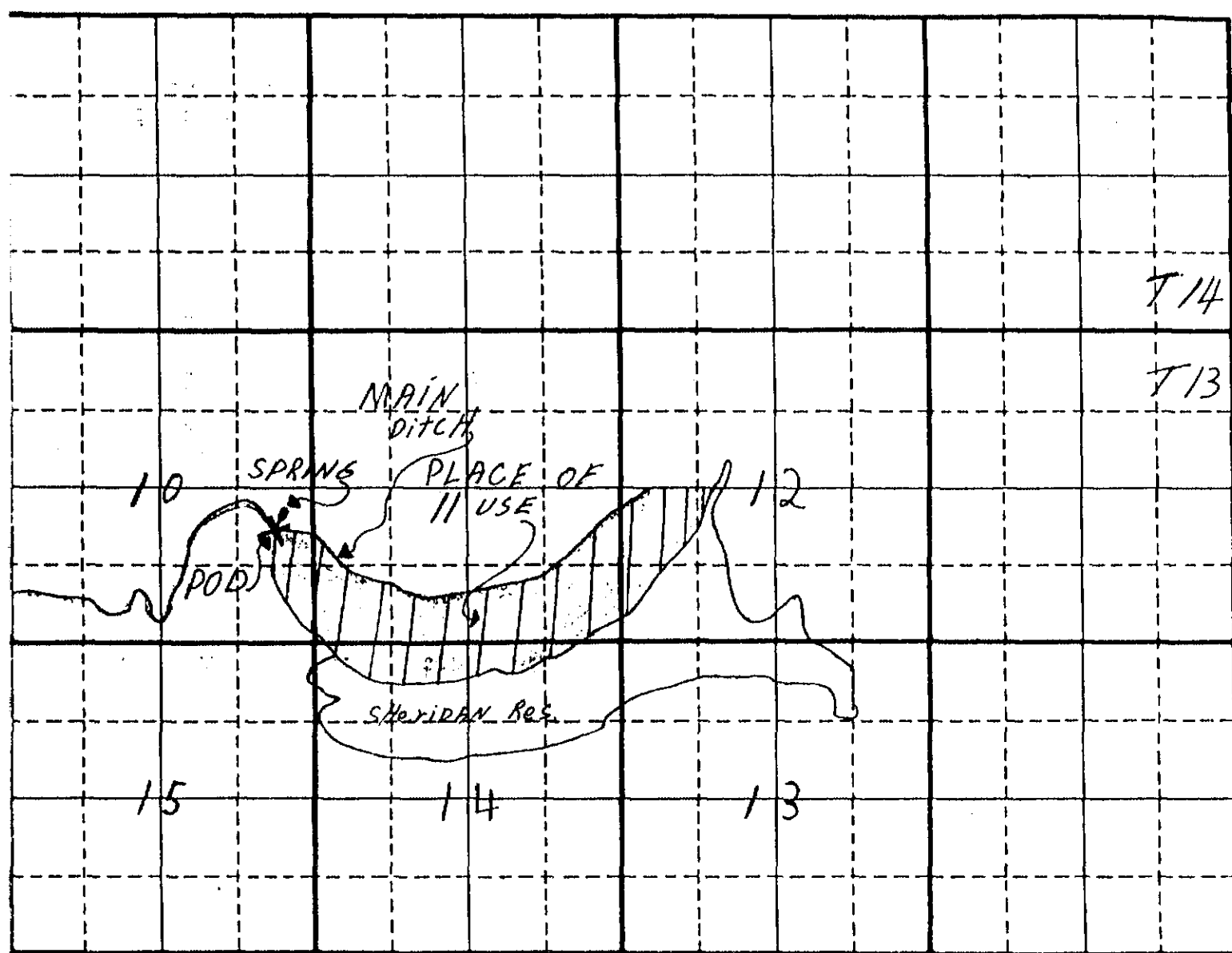
No. of acres 241

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The flows from this spring supplement stockwater along the main ditch in the 40's marked above with a X.

NOTE: Include here the type and number of stock watered: 1000 yearlings or pairs-cattle

- (7) If you are claiming water as a member of an organization, list name of organization:

(B) - Remarks See attachments A, B, and C.



Scale: 2 inches equal 1 mile.

R40E ↔ R41E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Montana
State of ~~Tdano~~)
County of Beaverhead) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2nd day of March, 1984.

Margaret Hagenbarts
Shirley Hagenbarts
James F. Hagenbarts
(Claimant)
Candy Garbano
Notary Public
Residing at Dillon, Montana

My commission expires May 20, 1986

FOR DEPARTMENT USE ONLY

Received by SK Date 4-19-84 Exception filed by: _____ Date _____
Prelim. check by SK Date _____
\$20.00 fee received by SK Date 4-19-84 # 33619
Published in Montana Journal
Dates 5/13 & 5/14/84



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyway Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

POOR ORIGINAL

EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994

Attachment A

A F F I D A V I T

STATE OF MONTANA)
County Of Beaverhead) ss.

James F. Hagenbarth, being first duly sworn upon oath,
deposes and says:

That I am of legal age and a landowner in Clark County, Idaho. Under Idaho Law (Idaho Code 42-243) I am required to record any surface water put to a beneficial use by me or my predecessors before May 20, 1971, if said use is unrecorded. It is my intention in the affidavit to claim a water right which was established by my predecessor, D. V. Hagenbarth. As a claimant of this water right and also the person completing the required form, I will attest to and explain the proof presented.

A brief history of the water and the land on which it is beneficially used is vital to understanding the evidence presented to substantiate this claim. In the late 1930's, my Father, D. V. Hagenbarth, began acquiring land throughout Clark County. He put together a livestock operation that was based in Clark County, Idaho in the summer and Beaverhead County, Montana in the winter. In the early 1940's Mr. Hagenbarth began to improve

MICROFILMED

NOV 17 1992

undeveloped rangelands in the Sheridan Creek and Antelope Flat Areas of Clark County (T13N,R39E & T13N,R40E). This improvement consisted of eradicating sagebrush and wyethia and developing an irrigation system which would put the available water to beneficial use irrigating these reseeded rangelands.

In the above described area of Clark County, the snow pack is quite heavy as is the spring run-off. During the spring run-off, every draw carries a flow of water, some flows larger than others. This early water lasts only for a few days. In this area there are only two creeks that maintain a yearlong flow to downstream users, Sheridan Creek on the east and Ching Creek on the west. The distance between these two creeks is 9.5 miles. Between the Sheridan Creek and Ching Creek drainages, the only creek of record which delivers water to the downstream users is Dry Creek. Dry Creek supplies high water to the Camas Creek drainage in District #31. Said right ceases when Dry Creek no longer flows into Spring Creek. Dry Creek usually ceases to flow into Spring Creek by mid June. Other than Dry Creek, several small streams lie between Sheridan Creek and Ching Creek. These streams are Scalp Creek, Moose Creek, Mud Creek, and Kick Creek. Scalp and Moose Creek are in the Camas Creek drainage and have filings on their flows belonging to me. Mud Creek and Kick Creek are in the Sheridan drainage and there are no filings of record on their flows. Except for a few days in the spring during peak run-off, the flows of these named streams never are tributaries to either Sheridan or Camas Creek on a regular basis. Several small springs lie between Sheridan Creek and Dry Creek and these spring's flows are never tributaries to Sheridan Creek. The fact that the flows from these small streams and springs never reach a live stream on a regular basis is very common in this area because of the porous soils and the vast lava fields. Consequently, with the exception of Dry Creek, all the sources of water between Sheridan Creek and Ching Creek are tributaries to sinks. I own two recorded rights on Dry

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NOV 1 / 1992

Creek, #31-2274 and #31-2275. The water used under License #31-2275 supplements water claimed in this filing.

The water being claimed in this filing is put to beneficial use by a sub-flood irrigation system installed by my Father in the early 1940's. This system is centered around a large heavily diked low gradient ditch which begins at a diversion on Dry Creek in Section 9, T13N,R40E and meanders easterly through Sections 9, 10, 11, and 12 in Township 13 North, Range 40 East. Several secondary low gradient dikes and ditches were constructed to further disperse the water throughout the lands serviced by this system. The slow moving water in these ditches, along with several permanent and temporary dams or dikes, forces the system's water out onto the surrounding lands in a sub-flood combination. This system was designed to handle both large and small flows of water efficiently and with little labor or maintenance. When the spring run-off ceases, this system combines small flows from several sources and uses then more efficiently than if each source was used by itself.

In Attachment B of this filing (Paul Gneiting Affidavit), Mr Gneiting attests to the fact that he helped Mr. Hagenbarth construct this system in 1942 and 1943, and that the system was completed in September of 1943. It becomes obvious that the unrecorded sources of water diverted and used by this system were diverted no later than October 1, 1943. Therefore October 1, 1943 is the date of first use or priority date in this filing.

In Attachment B, Mr. Gneiting also explains the system and how it works. He mentions further that the sources of water used by the system decrease in flow radically after spring run-off and barely reach the system. This would substantiate that these flows of water are absorbed by the surrounding lands and are therefore tributaries to sinks.

The water which flows into this irrigation system is not only put to beneficial use for irrigation, but also stockwater. The main ditch crosses several pastures and the livestock use this water.

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NOV 17 1992

The use right claimed in this filing is for water which flows from an unnamed spring which lies in the NWNESE of Section 10, T13N, R40E. The main supply ditch for the irrigation system diverts this spring's flow just below said spring. The point of diversion also lies in the NWNESE of Section 10. The flow from this spring supplements the other sources of water for the entire system and is used to irrigate and supply stockwater to lands below the main ditch. Land lying south and east of this unnamed spring. The place of use is clearly identified on the claim form and on Attachment C (map). The place of use is owned by the claimants. Attachment C was included to give a better understanding of how the system is geographically laid out and works. This map enables me to more accurately describe the entity of the system. The flows claimed for irrigation are the maximum early spring flows used by the system. These flows decrease considerably as previously indicated.

After a careful analysis of the above mentioned attachments and an understanding of the history and uses described, it becomes obvious that this unnamed spring's flow was put to a beneficial use by D. V. Hagenbarth via the sub-flood irrigation system described above. The use of this unnamed spring's flow began on October 1, 1943 and has continued on into the present. As successors in interest to D. V. Hagenbarth, the claimants, Margaret Hagenbarth, David J1 Hagenbarth, and James F. Hagenbarth, have the right to claim and use this water for irrigation and stockwater as provided for under Idaho State Law.

James F. Hagenbarth
James F. Hagenbarth

Subscribed and sworn to before me this 2nd day of March, 1984.

Cathy Hartmann
Notary Public for State of Montana

Residing at Dulon, Montana

My Commission expires

May 20, 1986
MICROFILMED
NOV 17 1992



178856

INDEXED

BOOK 236 0550

STATE OF MONTANA-COUNTY OF BEAVERHEAD ss
Recorded on the 2 day of Mar
A. D. 1984 at 10:40
o'clock am Book 236 Page 550-2
Maureen P. H. [Signature]
County Recorder
Maureen Scalise
Deputy Recorder 750

Attachment B

A F F I D A V I T

STATE OF MONTANA)
County of Beaverhead) ss.

Paul Gneiting, being first duly sworn upon oath, deposes and says:

That I am sixty-nine (69) years of age and now a resident of Silver Bow County, Montana, and make this affidavit at the request of the Hagenbarth Family relative to the history and use of irrigations waters in the Sheridan Area, Clark County, Idaho. On September 26, 1983 I made an inspection trip to the Sheridan Area to ensure that the facts addressed in this affidavit are accurate in relation to the irrigation system I helped install in the early 1940's.

In the spring of 1938 I came to Glen, Montana and was employed by D. V. Hagenbarth, who at that time was managing Consolidated Farms in the Glen Area and also owned lands in Clark County, Idaho. The first years of my employment were spent in the general operation and development of Mr. Hagenbarth's ranches in Montana and in Idaho. During the 1950's and until 1959, I assumed management of Mr. Hagenbarth's ranches in Montana. I was employed by Mr. Hagenbarth until the spring of 1959 when I purchased a ranch north of Melrose in Silver Bow County, Montana. I still own and operate this ranch.

During the spring, summer, and fall of 1942 and 1943, I assisted Mr. Hagenbarth in developing an irrigated pasture system in the Sheridan Area. This development work included reseeding and installing a sub-flood irrigation system in Sections 10, 11, 12, 14, and 15 in Township 13 North, Range 40 East, B.M. The

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irrigation system was designed to handle the heavy spring run-off and also the waters which flow from Dry Creek, Mud Creek, Kick Creek, and several springs which lie in Sections 10 and 11 in Township 13 North, Range 40 East. The construction of this system was completed in September of 1943 and the sources of water were turned into the system.

A heavily diked slow moving ditch was used to carry the majority of the water from its sources. This main ditch began in Section 9 at a diversion on Dry Creek and had a course which ran easterly across Sections 9, 10, 11, and 12 in Township 13 North, Range 40 East. Below this main ditch several dikes and secondary slow moving ditches were constructed to spread these waters throughout the pasture system. On Kick Creek I constructed a dike and diverted Kick Creek's flow into ditches which irrigated lands lying above the main ditch in Section 11, T13N, R40E. The waste water then flowed into the main ditch and throughout the remainder of the system.

This irrigation system was designed to spread the available water in slow moving ditches throughout the pasture system. The water in these ditches would sub-irrigate the surrounding lands, especially when dams were installed at various locations to slow the flow and make the ditches bank full. This sub-flood system was designed to handle large or small amounts of water with a minimum of labor or maintenance. After the spring run-off, the amount of water available from the various sources sharply declined, and the system picked up those small amounts and pooled them so they could be used effectively.

It was my observation while working in the Sheridan Area in the 1940's, that the sources of water used by this irrigation system, especially Mud Creek and Kick Creek, radically decreased in flow shortly after the spring run-off. The flows of Kick Creek and Mud Creek barely made it to the main ditch by summer's end.

After my trip to the Sheridan Area in the fall of 1983, it was evident to me that the system is still being used as

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I constructed it in the early 1940's. There are a few minor changes because of the construction of a new road through the area, but these changes are insignificant.

Paul Gneiting

Subscribed and sworn to before me this 1st day of March, 1984.

Candy Harlaux
Notary Public for State Of Montana

Residing at Dulon, Montana

My Commission expires May 20, 1986

STATE OF MONTANA }
County of Beaverhead } ss.

I, the undersigned County Clerk and Recorder of said county, hereby certify the annexed and foregoing to be a full, true and correct copy of the original instrument as the same appears on record in my office - Bk. 236, pg 550-2 of the records of said county. WITNESS my hand and the seal of said county affixed this 2 day of Mar, 1984

Margaret L. Thompson
County Clerk and Recorder

By Diane Scalise
Deputy

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6/27/88

RE: Hagenbarth Dry Creek-Sheridan Creek
Water Delivery System

I am representing the claimants in the filing of their water rights in the Snake River Basin Water System. The claimants are Margaret Hagenbarth, David J. Hagenbarth and James F. Hagenbarth.

The claimants' predecessor, Father-in-law and Grandfather respectively, F. J. Hagenbarth, diverted waters of Sheridan Creek and Dry Creek on September 24, 1912. Part of this water was licensed for use on lands now owned by the claimants. As testimony to the above facts, see Warranty Deed filed on July 17, 1944 in Book 12 of Deeds at page 319 in the Clark County Clerk and Recorder's office and also water license # 8990/21-2054 on file with the Department of Water Resources. The deed clearly proves the claimants' control and ownership of 590 acres which were claimed as place of use by F. J. Hagenbarth in License # 21-2054. Since the claimants' predecessor, D.V. Hagenbarth, passed ownership of the above described land to the claimants via an estate, it follows that 590 miner's inches (11.8 c.f.s.) from 21-2054 belong to the claimants. Also note on Sheet #2 of the diagram on the water license that the original points of diversion are identical to those the claimants use at present. Please note on Sheet #2 that the Dry Creek source includes both the east and west forks and note the three canals leaving the point of diversion, one with a southerly course and the other two with easterly courses, but one lying more northerly. Note on sheet #2 the pond which lies in Lot 7(SWSW) of Section 6, T13NR41E. This pond is identical to Morrain Springs which is a tributary to Sheridan Creek and is the Sheridan Creek source diverted by the claimants. The point of diversion used by the claimants for Morrain Springs is identical to Sheet #2 and lies in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T13NR41E. There is no question that the sources and PD's identified in this filing are identical to the sources being used by the claimants presently.

In 1943 my Father, D.V. Hagenbarth finished construction of a water delivery system which pooled the waters from many sources in the area and put the waters to an even greater beneficial use. The system is a sub-flood irrigation system with slow gradient ditches capable of handling and distributing either large or small flows of water. Mr. Hagenbarth applied for additional water out of Dry Creek as evidenced by licenses #31-2274 and #31-2275. As the years progressed this system has developed so as to put water from 8 different sources to a beneficial use on lands owned by the claimants. This use is a result of utilizing the waters from 12 different water rights on lands lying both north and south of Sheridan Ridge in T13NR40E. Of these 12 water rights, six are licenses and 6 are claims based on use. The sources are Dry Creek, Woody Headquarters Spring, Headquarters Spring, two unnamed springs, Mud Creek, Kick Creek, and Morrain Springs. Each source contributes to the water delivery system,

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(continued-Hagenbarth water delivery system)

but will have an independent land list depending upon where the source enters the system. The total system includes 1274 acres. 1092 acres will be attached to the Dry Creek sources, an additional 163 acres will be attached to the Kick Creek filing and the remaining 19 acres will be included with Morrain Springs.

Water right #21-2054 will be separated into two rights so that those waters diverted by said right from Dry Creek will be separate from those waters diverted from Morrain Springs. By doing this it will return each right to its respective district so the user can be billed properly and the rights can be regulated correctly according to priority dates. Morrain Spring is in District 21 and Dry Creek is in District 31. 8.00 c.f.s. will be claimed for Dry Creek and 3.8 c.f.s. for Morrain Spring via 21-2054.

All the sources except Morrain Springs have the same characteristics as most creeks in this area in that the spring flow is tremendous and the summer flow is very minimal, consequently the total c.f.s.'s appropriated seem rather large for the place of use in regard to one miner's inch per acre. This maximum use is short lived. In early spring the maximum flow of water claimed has been used on the lands designated, but only for a short period of time. Later on in the summer it is not unusual for only stockwater to be available.

These comments will be included in each of the filings on all the sources of water that are put to beneficial use by the water delivery system constructed by D.V. Hagenbarth. Included with many of the filings are separate comments dealing with each individual source.

Sincerely,

James F. Hagenbarth
James F. Hagenbarth

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ATTACHMENT X

RE: Hagenbarth Dry Creek Use Right
Dry Creek-Sheridan Creek Irrigation System

7/26/1990

I, James F. Hagenbarth, am responsible for filing the water rights for Margaret Hagenbarth, David J. Hagenbarth, and myself, James F. Hagenbarth, under the Snake River Adjudication. As I researched each right I learned more about how all the rights are interrelated and how each right developed to the way it is used beneficially today. As I researched the Suave Decree and the water records in Clark and Fremont Counties, it became evident that many of the water rights on Dry Creek and the drainages east to Sheridan Creek are more numerous and were used by my predecessors much earlier than I realized and originally filed on. Consequently I am required to amend the appropriate filings to reflect the findings of fact revealed by my research and also make one new filing on Dry Creek to reflect a use right which was developed in 1893 and used ever since. The problem with Dry Creek is that it lies on a flood plain which flows both to the Camas Creek drainage and the Sheridan Creek drainage. Water which was diverted from Dry Creek to the Sheridan drainage has not been covered or addressed by the Suave Decree or the Sheridan Creek Decrees or the respective watermasters, even though there have been documented continuous use and licenses issued and in good standing. It is my intention to file a use right on Dry Creek which reflects the continuous use my predecessors and myself have made on Dry Creek since 1893 to insure that this water right be addressed by the Snake River Adjudication and given the legitimacy it has had since 1893. In 1893 Chris Sorenson and Geo. L. Wall filed on a total of 1000 inches of Dry Creek water and used it on land now irrigated from Dry Creek and owned by the claimants. Both men mentioned that their land included the original Bianches and Rainville Desert entries. Bianches and Rainville filed on water in the area in 1890, but the descriptions were such that I chose to use Sorenson's and Wall's filings because of better accuracy. These Sorenson and Wall filings can be found in the Clark County Water Locations Book at pages 25 and 183 respectively. The Wall and Sorenson notices give an accurate description of land, the same land where the water is used today. I have chosen to combine these two filings and use the later priority which would make just one filing. Geo. Wall filed on Nov. 10, 1890 and this is the priority I am claiming. Sorenson filed in August, 1893.

In 1902 Harry Dunn filed for Dry Creek water on land owned by the claimants and this filing is recorded on page 104 of the Clark County Water Locations Book. In 1908 Harry and Helga Dunn and E.T. and Anna Underwood transferred land and Dry Creek water to Wood Live Stock and F.J. Hagenbarth. This is recorded in Book 2 of Deeds, page 112 and Book 2 of Deeds, page 114 in the Clark County records respectively. Dunn and Underwood were issued patents on the land Sorenson and Wall used Dry Creek water on in 1893 and the claimants are using Dry Creek water on

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today. On September 6, 1928 during the testimony for the Suave Decree, in Volume VIII, pages 1746-1755 Mr. F.J. Hagenbarth testified that Dry Creek water was diverted toward Sheridan in 1889 and has been continuously used to the present (1928). Mr Hagenbarth then describes how Dry Creek flows into two drainages, Camas and Sheridan, and then speaks about the Harry Dunn use right and how Dry Creek water was used to irrigate land lying east of Dry Creek. In the 1930's the Wood Live Stock Company went broke and John Stringer purchased the land now owned by the claimants. In the 40's Stringer sold to my Father, D.V. Hagenbarth, the land claimed in this use filing. As mentioned in earlier affidavits and information, in the early 40's D.V. Hagenbarth extensively developed a sub-flood system to more beneficially use those Dry Creek waters diverted away from the Camas Drainage. This sub-flood system has continuously been used to the present.

In summary there is no question that Dry Creek water has been diverted and used beneficially by the claimants and their predecessors continuously since Nov. 10, 1893. The fact that Dry Creek is tributary to two drainages explains the reason why water from Dry Creek used on land in the Sheridan drainage was not covered either by the Suave or Sheridan Decrees. The same holds true for a portion of water right #21-02054 which is being filed by the claimants via A31-10245. Since the claimants are irrigating a total of 434 acres in Sections 10, 11, 12, 14 and 15 in T13N40E using Dry Creek water, the same land and water claimed by Sorenson and Wall, we claim a use right of 434 miners inches or 8.68 cfs with a priority of Nov. 10 1893. Said right is diverted from Dry Creek in the NENWSW os Section 9, in T13N, R40E. Water from this right is pooled with all the other rights claimed from Dry Creek and used on all the 1092 acres listed as place of use. This use and irrigation system is explained in an earlier document. Total use of Dry Creek water should not exceed 1 miners inch/acre or 1092 total inches with said amount being filled starting with the earliest priority and proceeding to the latest until the rights are filled.

In the Snake River Adjudication the claimants have previously made use filings on several small water sources which flowed into an irrigation system constructed by D. V. Hagenbarth in 1943. A 10/01/43 priority was claimed. After completing the above research, it became evident that the claimants' predecessors Sorenson and Wall had an irrigation system which intercepted these small sources and put them to beneficial use much earlier than the claimants originally filed for. Consequently the claimants will amend six use claims (A31-04129 to A31-04134) and change the priority date from 10/01/43 to Nov. 10, 1893.

Sincerely,

James F. Hagenbarth
James F. Hagenbarth

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Accountability of receipt #E001147 made on 08/09/88

Accountability of amended filings plus the nine originals

With the amending of the above three water rights, the applicant should be credited \$42.00.

[illegible]

POOR ORIGINAL

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-02275	474	50 + 40 + 25 +	400
-02274	360	50 +	
-10245	475		

(46)

		Total Fee	Pd.
A31 - 10245	50 + 400 + 25 + 40 =	515	475
A31 - 02275	50 + 640 + 52 =	742	474
A31 - 02274	50 + 285 + 24 + 25 =	384	360
		<u>1641</u>	<u>1309</u>

Does not appear to have been charged for the Stockwater

~~(1332⁰⁰ still due)~~

$\$11/\text{ac} = 1092 \text{ ac.}$
 $\$50/\text{ac} = \$150^{\text{00}}$
 $\$100/\text{ac} = \$141^{\text{00}}$ stock
 $\$1383^{\text{00}}$ Due Has Pd. 1309⁰⁰ = $\$74^{\text{00}}$ due.

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Hagen Warth

E001147

A31-02274

	Acres	Stock	Wildlife	
Fee as claimed	50 + 285	+ 24	+ 25	= 384
Fee paid	=	360		
Fee as amended	50 +	+ 24		

A31-02275

Fee as claimed	50 + 640	+ 52	+ 25	= 767
Fee paid	=	474		
Fee as amended	50 +	+ 52		

A31-10245

Fee as claimed	50 + 400	+ 40	+ 25	= 515
Fee paid	=	475		
Fee as amended	50 +	+ 40	+ 25	

3 claimed originally	1325	acres
amended to	1092	acres
	233	acres overlap

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