

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 A21-04175

Ident. Number: ~~A31-04134~~

Date Received: 8/09/1988

Receipt No: E001147

Received By: TD

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: SPRING Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:
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	1.000		
STOCKWATER	04/01	12/31	0.230		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

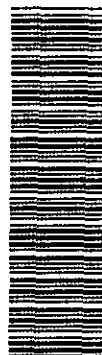
9. Non-irrigation uses:
S/1000 RANGE CATTLE

A31-04134

Page 1

Date: 08/07/90

A2104175



MICROFILMED

APR 14 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres		
13N	40E	10	SE	SW		IRR	5.0		
			SE	SW		STOCK			
			SW	SE		IRR	23.0		
			SW	SE		STOCK			
			SE	SE		IRR	24.0		
					SE	SE		STOCK	
					Section Acres			52.0	
		11	SW	SW		IRR	14.0		
			SW	SW		STOCK			
			SE	SW		IRR	1.0		
			SE	SW		STOCK			
					Section Acres			15.0	
		14	NW	NE		IRR	6.0		
			NW	NE		STOCK			
			NE	NW		IRR	17.0		
			NE	NW		STOCK			
			NW	NW		IRR	8.0		
					Section Acres			31.0	
		15	NE	NE		IRR	38.0		
			NE	NE		STOCK			
NW	NE			IRR	40.0				
NW	NE			STOCK					
			Section Acres			78.0			
			Total Acres			176.0			

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, 31-4129/4130/4131/4132/4133/10245, 01-0340

14. Remarks:

SEE AFFIDAVITS ATTACHMENTS "A" & "B"
 SEE ATTACHMENT "C" ON SYSTEM OPERATIONS
 SEE ATTACHMENT "X" FOR FINAL REMARKS
 ADDITIONAL RIGHT A31-10740

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. Hagenbuck Date: 8/7/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of August 19 90

[Signature]
Notary Public

Seal

Residing at Chale Falls, R.
My Commission Expires Aug 22, 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: A31-04134
Date Received: 8/09/1988
Receipt No: E001147
Received By: KCW

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

A3104134

2. Date of Priority: OCT 01, 1943

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
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9. Non-irrigation uses:
S/1000 RANGE CATTLE

A31-04134

Page 1

Date: 08/09/88

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NOV 17 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	40E	10	SE		SW		IRR	5.0
			SE		SW		STOCK	
			SW		SE		IRR	23.0
			SW		SE		STOCK	
			SE		SE		IRR	24.0
			SE		SE		STOCK	
					Section Acres			52.0
		11	SW		SW		IRR	14.0
			SW		SW		STOCK	
			SE		SW		IRR	1.0
			SE		SW		STOCK	
					Section Acres			15.0
		14	NW		NE		IRR	6.0
			NW		NE		STOCK	
			NE		NW		IRR	17.0
			NE		NW		STOCK	
			NW		NW		IRR	8.0
					Section Acres			31.0
		15	NE		NE		IRR	38.0
			NE		NE		STOCK	
			NW		NE		IRR	40.0
			NW		NE		STOCK	
					Section Acres			78.0
					Total Acres			176.0

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, 31-4129/4130/4131/4132/4133/10245, 01-0340

14. Remarks:

SEE AFFIDAVITS ATTACHMENTS "A" & "B"

SEE ATTACHMENT "C" ON SYSTEM OPERATIONS

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 F. Hagenbort Date: 8/9/88
Date:

State of Idaho)
County of Bonnerille) SS.

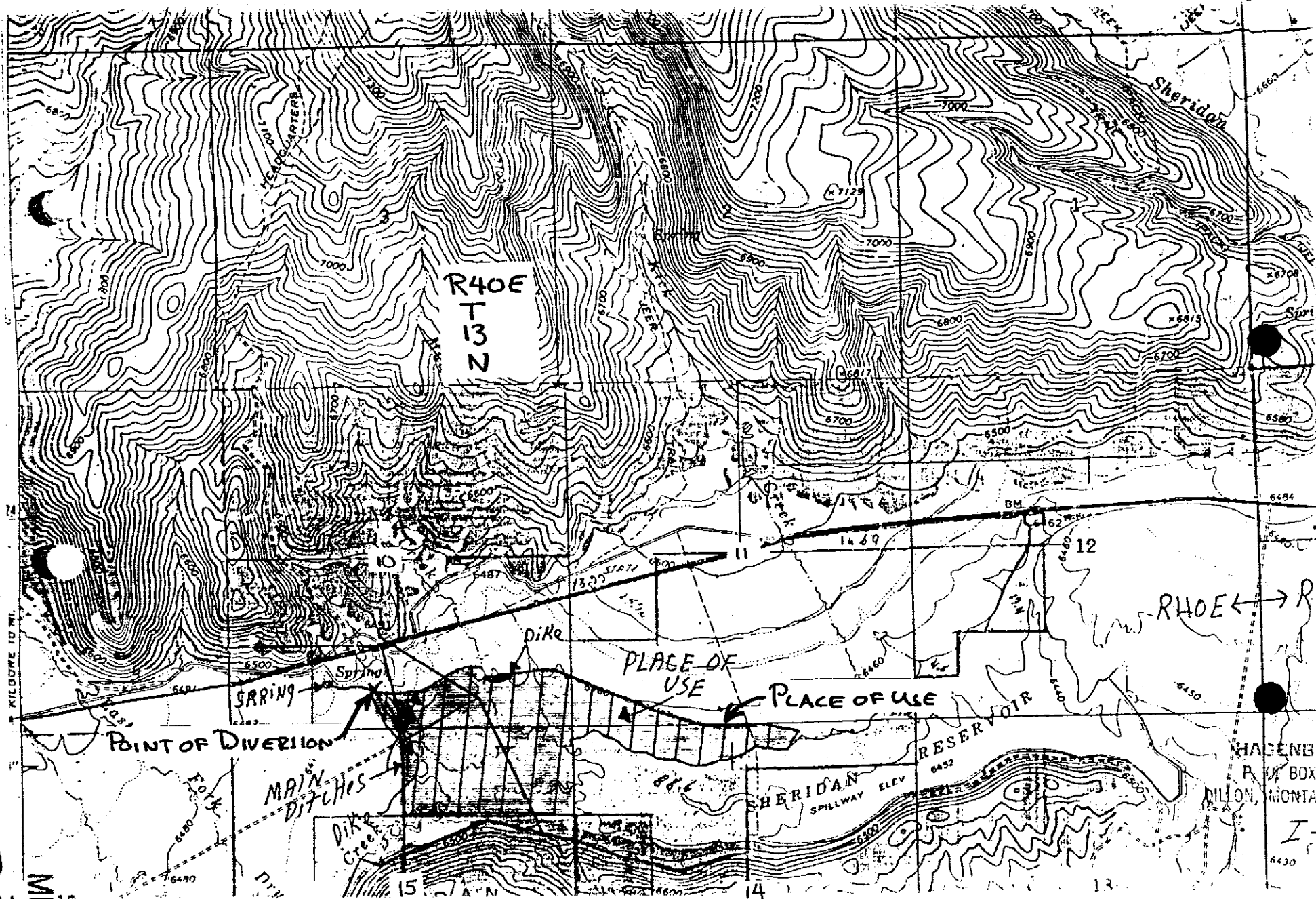
Subscribed and sworn (or affirmed) before me this 9th day
of August 19 88 Deena Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994

APR 17 1992

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
01/11/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-74134

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1120
CITY: BILLOM
PHONE NUMBER: 496-683-2163

FIRST: MARGARET

STATE: MT ZIP: 59725

OWNER CODE: C

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1120
CITY: BILLOM
PHONE NUMBER: 496-683-2163

FIRST: DAVID J.

STATE: MT ZIP: 59725

OWNER CODE: C

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1120
CITY: BILLOM
PHONE NUMBER: 496-683-2163

FIRST: JAMES F.

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
SEE ATTACHMENT "X" FOR FINAL REMARKS
ADDITIONAL RIGHT A31-10740

CONTACT PERSON: _____

PHONE NUMBER: () _____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: V() E()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLARK 8 AXI-04134

PRIORITY DATE: 11-10-1973

STAGE 5

2. THE RECORD # 21-04134

PRIORITY DATE: 10-01-1968

STAGE 5

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATA BASE

FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
AX1-04134	13N	40E	10	SE	SE	SW		CLARK

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

MR RECORDS IN SAME 40 ACRE TRACT
31-04130

SOURCE: SPRING

TRIG: SINKS

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-04134	13N	40E	10		SE	SW		CLARK

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
1 PREFIX R PREFIX

31-04130

AX1-04130 NONE

SOURCE: SPRING

TRIG: SINKS

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----

SOURCE: SPRING

TRIB: SINKS

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-04134

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #ACRES	NR #ACRES	LANDSAT DATA	FIELD EXAL.	RECONVL. ACRES
13N	40E	10	SE	SW		HAGENBARTH, MARGARET	A31-04134 / 5.0	31-04134 / 5.0	40.0		
			SE	SW		HAGENBARTH, MARGARET	A31-10740 / 22.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-04133 /	31-04133 / 22.0			
			SE	SW		HAGENBARTH, JAMES F.	A31-10245 / 22.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02274 / 22.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02275 / 22.0	31-02275 /			
			SE	SW		HAGENBARTH, MARGARET	A31-04130 /	31-04130 /			
13N	40E	10	SE	SW		HAGENBARTH, MARGARET	A31-04134 /	31-04134 / 5.0	40.0		
			SE	SW		HAGENBARTH, MARGARET	A31-10740 / 22.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A31-04133 /	31-04133 / 22.0			
			SE	SW		HAGENBARTH, JAMES F.	A31-10245 / 22.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02274 / 22.0	- /			
			SE	SW		HAGENBARTH, JAMES F.	A31-02275 / 22.0	31-02275 /			
			SE	SW		HAGENBARTH, MARGARET	A31-04130 /	31-04130 /			
13N	40E	10	SW	SE		HAGENBARTH, MARGARET	A31-04134 / 23.0	31-04134 / 23.0	40.0		
			SW	SE		HAGENBARTH, MARGARET	A31-04130 / 24.0	31-04130 / 24.0			
			SW	SE		HAGENBARTH, MARGARET	A31-10740 / 37.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A31-04133 /	31-04133 / 37.0			
			SW	SE		HAGENBARTH, JAMES F.	A31-10245 / 37.0	- /			
			SW	SE		HAGENBARTH, JAMES F.	A31-02274 / 37.0	- /			
			SW	SE		HAGENBARTH, JAMES F.	A31-02275 / 37.0	31-02275 /			
			SW	SE		HAGENBARTH, MARGARET	A31-04131 / 10.0	31-04131 / 10.0			
13N	40E	10	SW	SE		HAGENBARTH, MARGARET	A31-04134 /	31-04134 / 23.0	40.0		
			SW	SE		HAGENBARTH, MARGARET	A31-04130 / 24.0	31-04130 / 24.0			
			SW	SE		HAGENBARTH, MARGARET	A31-10740 / 37.0	- /			
			SW	SE		HAGENBARTH, MARGARET	A31-04133 /	31-04133 / 37.0			
			SW	SE		HAGENBARTH, JAMES F.	A31-10245 / 37.0	- /			
			SW	SE		HAGENBARTH, JAMES F.	A31-02274 / 37.0	- /			
			SW	SE		HAGENBARTH, JAMES F.	A31-02275 / 37.0	31-02275 /			
			SW	SE		HAGENBARTH, MARGARET	A31-04131 / 10.0	31-04131 / 10.0			
13N	40E	10	SE	SE		HAGENBARTH, MARGARET	A31-04134 / 24.0	31-04134 / 24.0	43.0		
			SE	SE		HAGENBARTH, MARGARET	A31-04130 / 40.0	31-04130 / 40.0			
			SE	SE		HAGENBARTH, MARGARET	A31-10740 / 40.0	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-04133 / 40.0	31-04133 / 40.0			
			SE	SE		HAGENBARTH, JAMES F.	A31-10245 / 40.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02274 / 40.0	- /			
			SE	SE		HAGENBARTH, JAMES F.	A31-02275 / 40.0	31-02275 /			
			SE	SE		HAGENBARTH, DAVID J.	A31-04129 / 11.0	31-04129 / 11.0			
			SE	SE		HAGENBARTH, MARGARET	A31-04131 / 40.0	31-04131 / 40.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	NR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECOGN. ACRES
13N	40E	10	SE	SE		HAGENBARTH, MARGARET	A21-94134	1	31-94134	24.0	41.0
			SE	SE		HAGENBARTH, MARGARET	A21-94130	140.0	31-94130	140.0	
			SE	SE		HAGENBARTH, MARGARET	A21-10740	140.0	-	/	
			SE	SE		HAGENBARTH, MARGARET	A21-94133	140.0	31-94133	140.0	
			SE	SE		HAGENBARTH, JAMES F.	A21-10245	140.0	-	/	
			SE	SE		HAGENBARTH, JAMES F.	A21-92274	140.0	-	/	
			SE	SE		HAGENBARTH, JAMES F.	A21-92275	140.0	31-92275	/	
			SE	SE		HAGENBARTH, DAVID J.	A21-94129	111.0	31-94129	111.0	
			SE	SE		HAGENBARTH, MARGARET	A21-94131	140.0	31-94131	140.0	
13N	40E	11	S4	S4		HAGENBARTH, MARGARET	A21-94134	114.0	31-94134	114.0	39.0
			S4	S4		HAGENBARTH, MARGARET	A01-90840	140.0	01-90840	/	
			S4	S4		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			S4	S4		HAGENBARTH, MARGARET	A21-94130	136.0	31-94130	136.0	
			S4	S4		HAGENBARTH, MARGARET	A21-10740	136.0	-	/	
			S4	S4		HAGENBARTH, MARGARET	A21-94132	140.0	31-94132	140.0	
			S4	S4		HAGENBARTH, MARGARET	A21-94133	136.0	31-94133	136.0	
			S4	S4		HAGENBARTH, JAMES F.	A21-10245	136.0	-	/	
			S4	S4		HAGENBARTH, JAMES F.	A21-92274	136.0	-	/	
			S4	S4		HAGENBARTH, JAMES F.	A21-92275	136.0	31-92275	/	
			S4	S4		HAGENBARTH, DAVID J.	A21-94129	135.0	31-94129	135.0	
			S4	S4		HAGENBARTH, MARGARET	A21-94131	136.0	31-94131	136.0	
13N	40E	11	S4	S4		HAGENBARTH, MARGARET	A21-94134	1	31-94134	114.0	39.0
			S4	S4		HAGENBARTH, MARGARET	A01-90840	140.0	01-90840	/	
			S4	S4		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			S4	S4		HAGENBARTH, MARGARET	A21-94130	136.0	31-94130	136.0	
			S4	S4		HAGENBARTH, MARGARET	A21-10740	136.0	-	/	
			S4	S4		HAGENBARTH, MARGARET	A21-94132	140.0	31-94132	140.0	
			S4	S4		HAGENBARTH, MARGARET	A21-94133	136.0	31-94133	136.0	
			S4	S4		HAGENBARTH, JAMES F.	A21-10245	136.0	-	/	
			S4	S4		HAGENBARTH, JAMES F.	A21-92274	136.0	-	/	
			S4	S4		HAGENBARTH, JAMES F.	A21-92275	136.0	31-92275	/	
			S4	S4		HAGENBARTH, DAVID J.	A21-94129	135.0	31-94129	135.0	
			S4	S4		HAGENBARTH, MARGARET	A21-94131	136.0	31-94131	136.0	
13N	40E	11	SE	S4		HAGENBARTH, MARGARET	A21-94134	1	31-94134	1	40.0
			SE	S4		HAGENBARTH, MARGARET	A01-90840	140.0	01-90840	/	
			SE	S4		HAGENBARTH, MARGARET	A01-920604	114.0	-	/	
			SE	S4		HAGENBARTH, MARGARET	A21-920348	140.0	-	/	
			SE	S4		HAGENBARTH, DAVID J.	A21-94129	/	31-94129	127.0	
			SE	S4		HAGENBARTH, MARGARET	A21-10740	127.0	-	/	
			SE	S4		HAGENBARTH, MARGARET	A21-94132	140.0	31-94132	140.0	
			SE	S4		HAGENBARTH, MARGARET	A21-94133	127.0	31-94133	127.0	
			SE	S4		HAGENBARTH, JAMES F.	A21-10245	127.0	-	/	
			SE	S4		HAGENBARTH, JAMES F.	A21-92274	127.0	-	/	
			SE	S4		HAGENBARTH, JAMES F.	A21-92275	127.0	31-92275	/	
			SE	S4		HAGENBARTH, MARGARET	A21-94130	127.0	31-94130	127.0	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD STAT.	RECONV. ACRES
			SE	SW		HAGENBARTH, MARGARET	A31-04131 /27.0	31-04131 /27.0			
13N	40E	11	SE	SW		HAGENBARTH, MARGARET	A31-04134 /	31-04134 / 1.0	46.0		
			SE	SW		HAGENBARTH, MARGARET	A01-00840 /40.0	01-00840 /			
			SE	SW		HAGENBARTH, MARGARET	A01-02060 /16.0	- /			
			SE	SW		HAGENBARTH, MARGARET	A21-020540 /40.0	- /			
			SE	SW		HAGENBARTH, DAVID J.	A31-04129 /	31-04129 /27.0			
			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			
13N	40E	14	NW	NE		HAGENBARTH, MARGARET	A31-04134 / 6.0	31-04134 / 6.0	15.0		
			NW	NE		HAGENBARTH, MARGARET	A01-00840 /10.0	- /			
			NW	NE		HAGENBARTH, MARGARET	A21-020540 / 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, DAVID J.	A31-04129 /10.0	31-04129 /10.0			
			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		HARRISON, SPENCER		21-00059 /			
13N	40E	14	NW	NE		HAGENBARTH, MARGARET	A31-04134 /	31-04134 / 6.0	15.0		
			NW	NE		HAGENBARTH, MARGARET	A01-00840 /10.0	- /			
			NW	NE		HAGENBARTH, MARGARET	A21-020540 / 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, DAVID J.	A31-04129 /10.0	31-04129 /10.0			
			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		HARRISON, SPENCER		21-00059 /			
13N	40E	14	NE	NW		HAGENBARTH, MARGARET	A31-04134 /17.0	31-04134 /17.0	26.0		
			NE	NW		HAGENBARTH, MARGARET	A01-00840 /17.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	NR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECONC. ACRES
			NE	NN		HAGENBARTH, MARGARET	A31-10111	/	-	/	
			NE	NN		HAGENBARTH, MARGARET	A31-04130	/17.0	31-04130	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-10740	/17.0	-	/	
			NE	NN		HAGENBARTH, MARGARET	A31-04132	/17.0	31-04132	/17.0	
			NE	NN		HAGENBARTH, JAMES F.	A31-10245	/17.0	-	/	
			NE	NN		HAGENBARTH, JAMES F.	A31-02274	/17.0	-	/	
			NE	NN		HAGENBARTH, JAMES F.	A31-02275	/17.0	31-02275	/	
			NE	NN		HAGENBARTH, DAVID J.	A31-04129	/17.0	31-04129	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-04131	/17.0	31-04131	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-04133	/17.0	31-04133	/17.0	
			NE	NN		HAGENBARTH, F. J.			21-02034	/40.0	
13N	40E	14	NE	NN		HAGENBARTH, MARGARET	A31-04134	/	31-04134	/17.0	20.0
			NE	NN		HAGENBARTH, MARGARET	A01-00340	/17.0	-	/	
			NE	NN		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			NE	NN		HAGENBARTH, MARGARET	A31-04130	/17.0	31-04130	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-10740	/17.0	-	/	
			NE	NN		HAGENBARTH, MARGARET	A31-04132	/17.0	31-04132	/17.0	
			NE	NN		HAGENBARTH, JAMES F.	A31-10245	/17.0	-	/	
			NE	NN		HAGENBARTH, JAMES F.	A31-02274	/17.0	-	/	
			NE	NN		HAGENBARTH, JAMES F.	A31-02275	/17.0	31-02275	/	
			NE	NN		HAGENBARTH, DAVID J.	A31-04129	/17.0	31-04129	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-04131	/17.0	31-04131	/17.0	
			NE	NN		HAGENBARTH, MARGARET	A31-04133	/17.0	31-04133	/17.0	
			NE	NN		HAGENBARTH, F. J.			21-02034	/40.0	
13N	40E	14	NN	NN		HAGENBARTH, MARGARET	A31-04134	/ 8.0	31-04134	/ 8.0	37.0
			NN	NN		HAGENBARTH, MARGARET	A01-00340	/ 8.0	-	/	
			NN	NN		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			NN	NN		HAGENBARTH, MARGARET	A31-10740	/ 8.0	-	/	
			NN	NN		HAGENBARTH, MARGARET	A31-04132	/ 8.0	31-04132	/ 8.0	
			NN	NN		HAGENBARTH, JAMES F.	A31-10245	/ 8.0	-	/	
			NN	NN		HAGENBARTH, JAMES F.	A31-02274	/ 8.0	-	/	
			NN	NN		HAGENBARTH, JAMES F.	A31-02275	/ 8.0	31-02275	/	
			NN	NN		HAGENBARTH, DAVID J.	A31-04129	/ 7.0	31-04129	/ 7.0	
			NN	NN		HAGENBARTH, MARGARET	A31-04130	/ 8.0	31-04130	/ 8.0	
			NN	NN		HAGENBARTH, MARGARET	A31-04131	/ 8.0	31-04131	/ 8.0	
			NN	NN		HAGENBARTH, MARGARET	A31-04133	/ 8.0	31-04133	/ 8.0	
			NN	NN		HAGENBARTH, F. J.			21-02034	/40.0	
13N	40E	15	NE	NE		HAGENBARTH, MARGARET	A31-04134	/38.0	31-04134	/38.0	62.0
			NE	NE		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			NE	NE		HAGENBARTH, MARGARET	A31-04130	/ 5.0	31-04130	/ 5.0	
			NE	NE		HAGENBARTH, MARGARET	A31-10740	/38.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-10245	/38.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-02274	/38.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-02275	/38.0	31-02275	/	
			NE	NE		HAGENBARTH, MARGARET	A31-04131	/ 5.0	31-04131	/ 5.0	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AD ACRES	NR ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
			NE	NE		HAGENBARTH, MARGARET	A31-04133	738.0	31-04133	738.0	
			NE	NE		HAGENBARTH, F. J.			21-02054	740.0	
13N	40E	15	NE	NE		HAGENBARTH, MARGARET	A31-04134	/	31-04134	738.0	42.0
			NE	NE		HAGENBARTH, MARGARET	A21-10111	/	-	/	
			NE	NE		HAGENBARTH, MARGARET	A31-04130	/ 5.0	31-04130	/ 5.0	
			NE	NE		HAGENBARTH, MARGARET	A31-10740	738.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-10245	738.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-02274	738.0	-	/	
			NE	NE		HAGENBARTH, JAMES F.	A31-02275	738.0	31-02275	/	
			NE	NE		HAGENBARTH, MARGARET	A31-04131	/ 5.0	31-04131	/ 5.0	
			NE	NE		HAGENBARTH, MARGARET	A31-04133	738.0	31-04133	738.0	
			NE	NE		HAGENBARTH, F. J.			21-02054	740.0	
13N	40E	15	NW	NE		HAGENBARTH, MARGARET	A31-04134	740.0	31-04134	740.0	39.0
			NW	NE		HAGENBARTH, MARGARET	A31-10740	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-10245	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-02274	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-02275	740.0	31-02275	/	
			NW	NE		HAGENBARTH, MARGARET	A31-04133	740.0	31-04133	740.0	
			NW	NE		HAGENBARTH, F. J.			21-02054	740.0	
13N	40E	15	NW	NE		HAGENBARTH, MARGARET	A31-04134	/	31-04134	740.0	39.0
			NW	NE		HAGENBARTH, MARGARET	A31-10740	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-10245	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-02274	740.0	-	/	
			NW	NE		HAGENBARTH, JAMES F.	A31-02275	740.0	31-02275	/	
			NW	NE		HAGENBARTH, MARGARET	A31-04133	740.0	31-04133	740.0	
			NW	NE		HAGENBARTH, F. J.			21-02054	740.0	
TOTAL ACRES							A31-04134	176.00	344.00	673.00	

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

C. FIELD EXAM REQUIRED?

DUE TO PGM DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AS CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-04134 IRRIGATION	FROM 04-01 TO 11-01	1.000 CFS
A31-04134 STOCKWATER	FROM 04-01 TO 12-31	.230 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-04134 IRRIGATION	FROM 05-01 TO 10-31	1.000 CFS
31-04134 STOCKWATER	FROM 06-01 TO 11-30	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.050 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

EXPLAIN IN NOTES, BELOW

NOTES:

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

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
NR ROOT RIGHT TOTAL DIVERSION RATE: 1.050 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, 11-4129/4130/4131/4132/4133/10245, 01-0840

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A21-04134	SPRING	HAGENBARTH, MARGARET	1.000	0.005		
A01-00860	UNNAMED SPRING	HAGENBARTH, MARGARET	6.000	0.019		
A01-02050A	UNNAMED SPRING	HAGENBARTH, MARGARET			170.00	1.00
A21-02054B	UNNAMED SPRING	HAGENBARTH, MARGARET	3.000	0.020		
A21-02274	DRY CREEK	HAGENBARTH, JAMES F.	5.700	0.005		
A21-02275	DRY CREEK	HAGENBARTH, JAMES F.	12.000	0.011		
A21-04129	UNNAMED SPRING	HAGENBARTH, DAVID J.	0.500	0.002		
A21-04130	UNNAMED SPRING	HAGENBARTH, MARGARET	0.250			
A21-04131	WED CREEK	HAGENBARTH, MARGARET	3.000	0.009		
A21-04132	KICK CREEK	HAGENBARTH, MARGARET	3.500	0.009		
A21-04133	UNNAMED SPRING	HAGENBARTH, MARGARET	1.000	0.002		
A21-10245	DRY CREEK	HAGENBARTH, JAMES F.	8.000	0.007		
A21-10740	DRY CREEK	HAGENBARTH, MARGARET	8.500	0.007		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-04134	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-10740	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04133	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-10245	STOCKWATER	HA GENDARTH , JAMES F.	FROM 04-01 TO 12-31	.400 CFS	
A31-10245	WELDLIFE	HA GENDARTH , JAMES F.	FROM 01-01 TO 12-31	.250 CFS	
A31-02274	STOCKWATER	HA GENDARTH , JAMES F.	FROM 04-01 TO 12-31	.240 CFS	
A31-02275	STOCKWATER	HA GENDARTH , JAMES F.	FROM 04-01 TO 12-31	.520 CFS	
A31-04130	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04130	DOMESTIC	HA GENDARTH , MARGARET	FROM 01-01 TO 12-31	.020 CFS	
A31-04131	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-10811	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.440 CFS	
A31-04132	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.230 CFS	
A31-04129	STOCKWATER	HA GENDARTH , DAVID J.	FROM 04-01 TO 12-31	.230 CFS	
A31-020340	STOCKWATER	HA GENDARTH , MARGARET	FROM 04-01 TO 12-31	.240 CFS	

D.

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()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 264.0 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()
5/1000 HEAD 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
			DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01	11-01	1.000		264.0
STOCKMETER	04-01	12-31	0.250		
TOTAL FOR THIS RIGHT			1.000		

REVIEWED BY: _____ DATE: _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DEV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-04134

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.050

EXAMINER

CFS

SPLITS: -

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-04134	1.000	-		31-04134	1.050
TOTAL CFS		1.000				1.050

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:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

2224551
03/15/93

PAGE: 18
QUICKLOOK INFORMATION

CLAIM NUMBER: A21-34154

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								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
RSCS MAP = 2
MASTER 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

05:58:10
03/15/93

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A31-04134

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET HAGENBARTH	11/10/1893	IRRIGATION	04-01 11-01	1.00 CFS	
C	DAVID J. HAGENBARTH		STOCKWATER	04-01 12-31	0.23 CFS	
C	JAMES F. HAGENBARTH					
	P.O. BOX 1120				1.00 CFS	
	DELLON MT 59723			TOTAL DIVERSION:		264.0 AFI
	(406) 681-2163			CONSUMPTIVE USE:		

WATER SOURCE: SPRING

TRIBUTARY TO: SINKS

STAGE: STATUTORY CLAIM

POINT(S) OF DIVERSION:

T13N R40E S10

SESESH

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	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
																TOTAL ACRES	176.0					

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	:		
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU COUNTY:

NON-IRRIGATION USES: S/1000 RANGE CATTLE

OTHER RIGHTS: 21-20548, 31-4129/4130/4131/4132/4133/10245, 01-0340

REMARKS: SEE AFFIDAVITS ATTACHMENTS "A" & "B"
SEE ATTACHMENT "C" ON SYSTEM OPERATIONS
SEE ATTACHMENT "X" FOR FINAL REMARKS
ADDITIONAL RIGHT A31-10740

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: 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

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)

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.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.00 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) 1.05 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE ¼ SW 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. Spring's flow is diverted by two ditches. One's course run easterly for 1 1/8 miles and the other's course runs south for 3/8 mile and then heads east for 1/2 mile. Ditches are 3 feet wide and 2 feet deep.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	40E	10											5			23	24		52
		11										14	1						15
		14		6			17	8											31
		15	38	40															78
13N	40E	10											X			X	X		
		11										X	X						
		14		X			X												
		15	X	X															

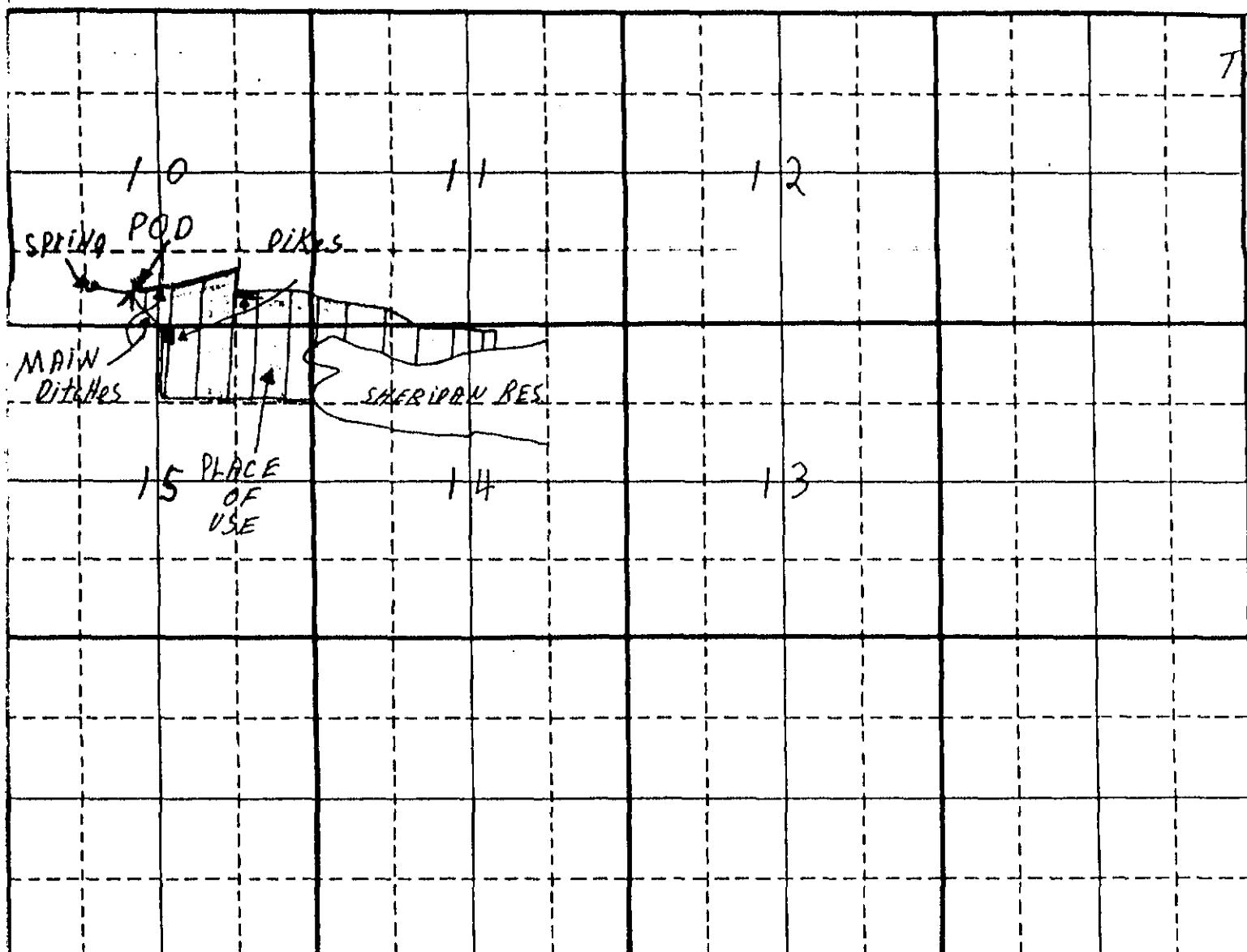
No. of acres 176

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The flows of this spring supplement stockwater along the two main ditches described. Said stockwater use is described above by the 40's marked with an X.

NOTE: Include here the type and number of stock watered: 1000 yearling & pairs-cattle

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

T14	
T13	



Scale: 2 inches equal 1 mile.

$$R_{40E} \longleftrightarrow R_{41E}$$

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 Idaho) ss.
County of Beaverhead)

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.

Margaret M. G. Hall

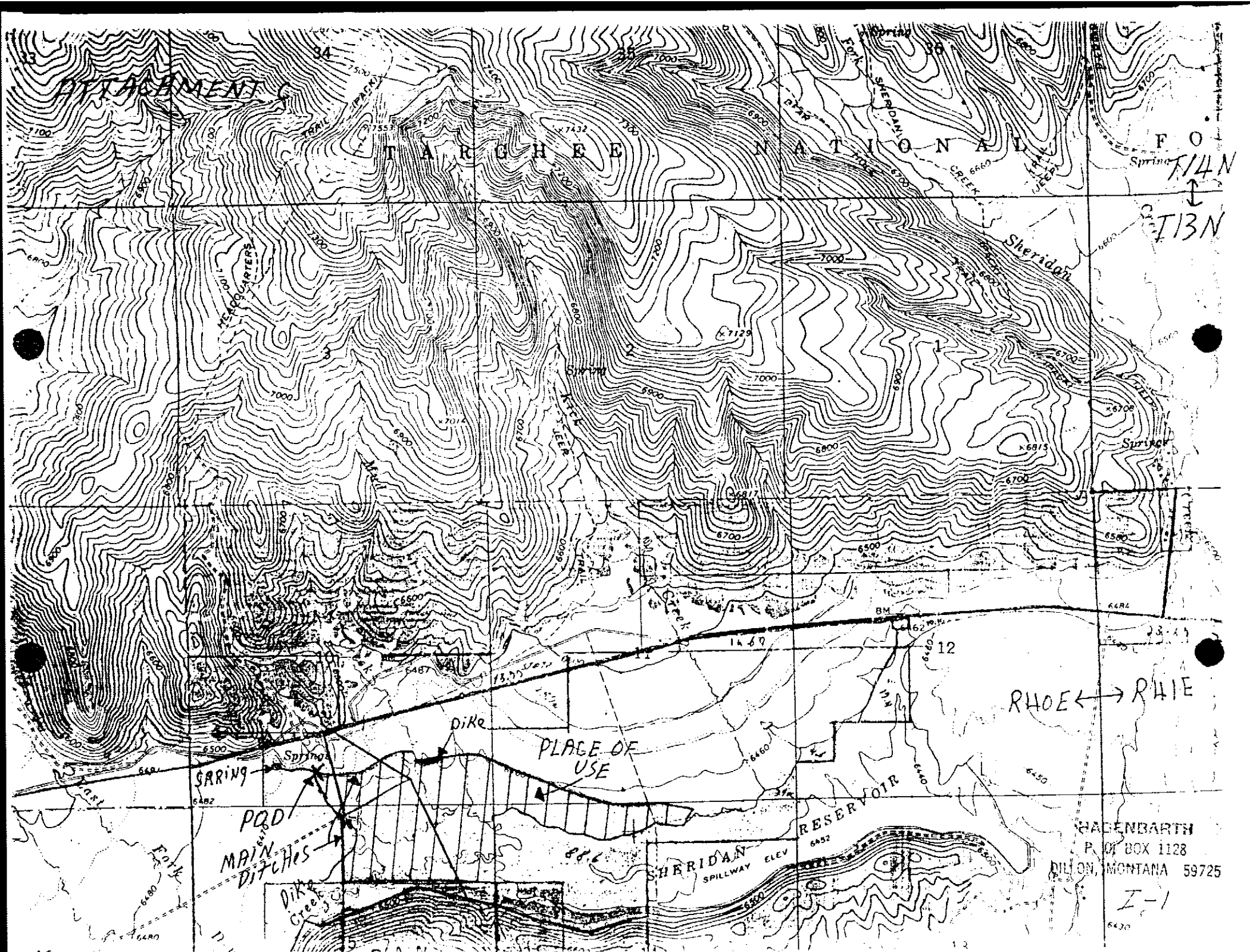
Margaret M. G. Barth
Dated July 24, 1904
James M. G. Barth
(Claimant)

Sworn to before me this 2nd day of March, 1984 (Claimant's Signature)

Notary Public
Residing at

My commission expires May 20, 1986

Received by JK. Date 4-19-84 Exception filed by: _____
Prelim. check by _____ Date _____ Forwarded to
\$20.00 fee received by JK. Date 4-19-84 claimant by: _____
Published in Standard Journal _____
Dates May 17 + 28, 1984 _____





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline 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

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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

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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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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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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.

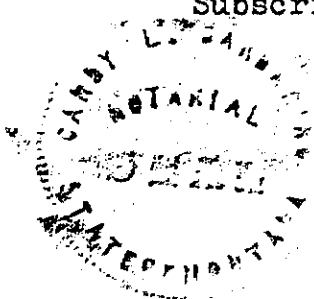
James F. Hagenbarth
James F. Hagenbarth

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

Candy Hagenbarth
Notary Public for State Of Montana

Residing at Dillon, Montana

My Commission expires May 20, 1988
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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 2 Book 236 Page 550-2
Margaret J. H. [unclear]
County Recorder
Alma Scalise
Deputy Recorder 750

Attachment B

A F F I D A V I T

STATE OF MONTANA)
ss.
County of Beaverhead)

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 reseeded and installing a sub-flood irrigation system in Sections 10, 11, 12, 14, and 15 in Township 13 North, Range 40 East, B.

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NOV 17 1992

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 Gneiting
Notary Public for State Of Montana

Residing at Dulon, Montana

My Commission expires May 20, 1986

STATE OF MONTANA } ss.
County of Beaverhead

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 A. 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

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NOV 17 1992

POOR ORIGINAL

POOR

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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APR 14 1994