

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: A21-10109
Date Received: 8/16/1988
Receipt No: E001335
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

A210109



2. Date of Priority: AUG 12, 1889

3. Source: STREAM Trib. to: TAYLOR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	41E	7	NE	NE	NW		CLARK
			SE	NE	NW		CLARK

Beginning Point of Minimum Instream Flow						
13N	41E	6	SW	SW	SE	CLARK

Ending Point of Minimum Instream Flow						
13N	41E	7	NE	SE	NW	CLARK

5. Description of diverting works:
INSTREAM FLOW FOR STOCKWATER

6. Water is used for the following purposes:

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

A21-10109

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Date: 08/16/88

MICROFILMED

OCT 21 1992

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	41E	6	SW	SE		STOCK	
		7	NE	NW		STOCK	
			SE	NW		STOCK	

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:
NONE

14. Remarks:

ON 08/12/1889 SPENCER HARWOOD PUT WATER OF THIS UNNAMED STREAM TO BENEFICIAL USE ON LAND CONTIGUOUS AND JUST SOUTH OF THE CLAIMANTS P/U. THIS BEING THE CASE IT IS OBVIOUS THAT LIVESTOCK WERE IN THE AREA AT THIS TIME AND WATERED OUT OF THIS UNNAMED STREAM AS EARLY AS THE CLAIMED PRIORITY. THIS RIGHT IS BEING CLAIMED UNDER THE DOCTRINE OF BENEFICIAL USE. RIGHT #21-0108 DESCRIBES HARWOODS ORIGINAL APPROPRIATION.

15. Basis of Claim: BENEFICIAL USE

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 D. Hagerbub* Date: 8/16/88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16 day

of August 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls, ID.

My Commission Expires 14 June 1994

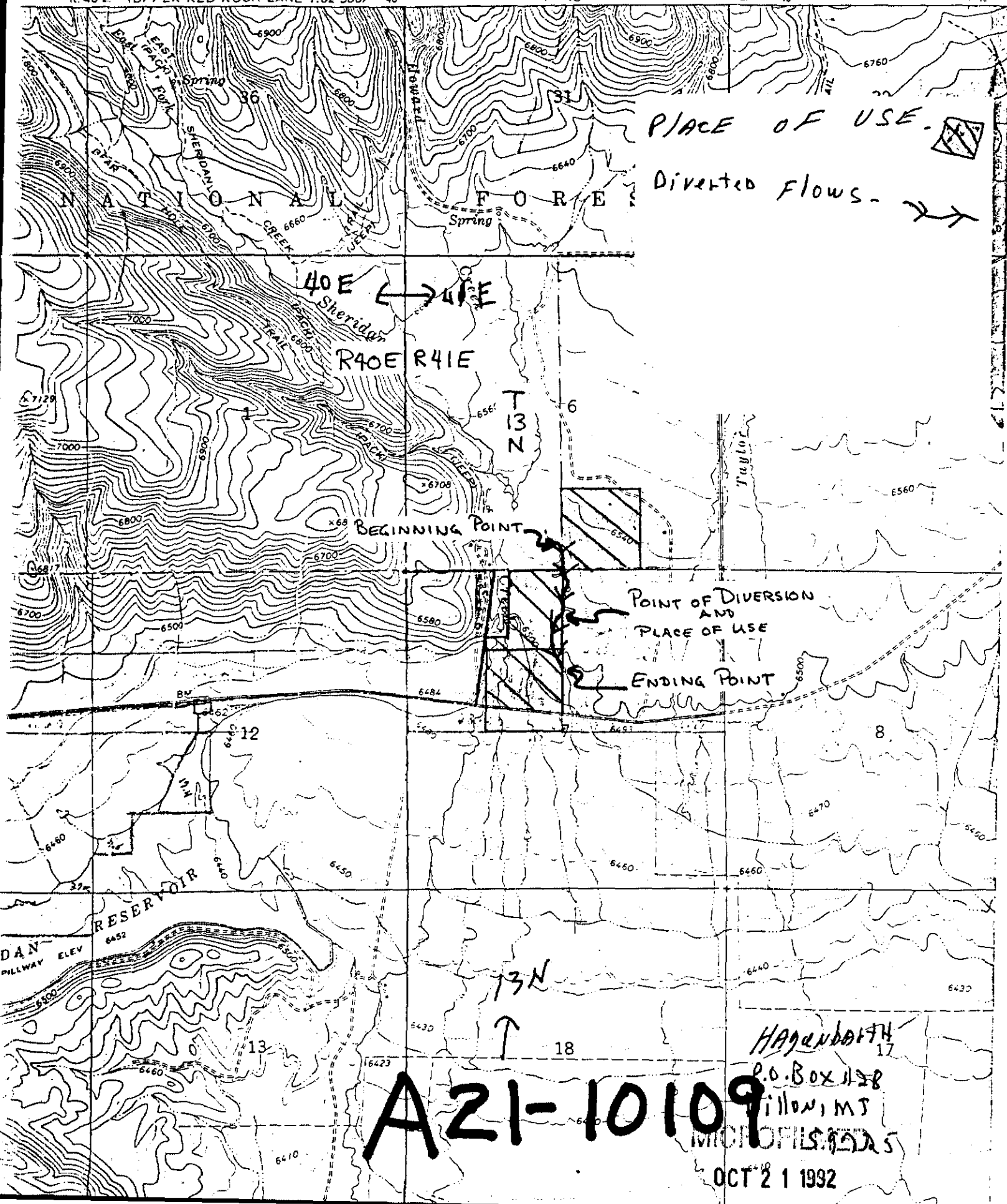
3673 II

R. 40 E (UPPER RED ROCK LAKE 1:62 500) 445

I 40'

R. 41 E. 448

449





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

WATER RIGHT NUMBER - A21-10109

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
HAGENBARTH

MARGARET

1 - P.O. BOX 1128

2 -

3 -

CITY- DILLON

STATE- MT ZIP- 59725

PHONE - 406-683-2163

HAGENBARTH

DAVID J.

1 - P.O. BOX 1128

2 -

3 -

CITY- DILLON

STATE- MT ZIP- 59725

PHONE - 406-683-2163

HAGENBARTH

JAMES F.

1 - P.O. BOX 1128

2 -

3 -

CITY- DILLON

STATE- MT ZIP- 59725

PHONE - 406-683-2163

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
08/12/1889 ERROR IN REGION J - BENEFICIAL USE+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
STREAM TAYLOR CREEK+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

13N	41E	7	NE NE NW		(33)	CLARK
			SE NE NW		(33)	CLARK
		6	SW SW SE	6	(33)	CLARK
		7	NE SE NW	E	(33)	CLARK

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
04 - STOCKWATER		04/01	12/31	0.230	

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.230 0.0

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
13N	41E	6	SW SE			04	STOCKWATER	(33) CLARK
13N	41E	7	NE NW			04	STOCKWATER	(33) CLARK
13N	41E	7	SE NW			04	STOCKWATER	(33) CLARK

+ - - DIVERSION MEANS - INSTREAM FLOW FOR STOCKWATER

+ - - NON-IRRIGATION USE - 5/1000 RANGE CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

MICROFILMED
NOV 05 1996

WATER RIGHT NUMBER - A21-10109

PREFIX TRANSLATION: ADJUDICATION CLAIM

----- REMARKS -----
ON 08/12/1889 SPENCER HARWOOD PUT WATER OF THIS UNNAMED STREAM TO
BENEFICIAL USE ON LAND CONTIGUOUS AND JUST SOUTH OF THE CLAIMANTS
P/U. THIS BEING THE CASE IT IS OBVIOUS THAT LIVESTOCK WERE IN
THE AREA AT THIS TIME AND WATERED OUT OF THIS UNNAMED STREAM AS
EARLY AS THE CLAIMED PRIORITY. THIS RIGHT IS BEING CLAIMED UNDER
THE DOCTRINE OF BENEFICIAL USE. RIGHT #21-0108 DESCRIBES
HARWOODS ORIGINAL APPROPRIATION.

----- OLD WATER RIGHT NUMBERS -----
NO OLD WATER RIGHT NUMBERS FOUND.

----- CONDITIONS OF APPROVAL -----
NO CONDITIONS OF APPROVAL FOUND.

----- DECREE PLAINTIFF ----- + ----- DECREE DEFENDANT ----- + ----- DECREE DATE ----- +
00/00/0000

+ - - AUDIT FIELDS - 08/16/88 WILSON 09/26/89 REFUNDML

----- COMMENTS -----
NO COMMENTS FOUND

----- ADJUDICATION RIGHTS DATES AND FLAGS AREA -----

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 08/16/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- E001335	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

13N 41E06 0010

13N 41E07 2411

ENTERED BY

CHECKED

7-11-94

Verified By
Topo Map/Ortho
ASCS Map
Watermaster File
NAPP File
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Record
IDWR Records

VERIFIED

JAN 09 1994

CERTIFIED

JAN 11 1994

WATER EXAMINER