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DEC - 9 2002

Department of Water Resources

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

In Re SRBA

Case No. 39576

SUBCASE NO: 31-11790
(FORMERLY 31-66A and 31-66B)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

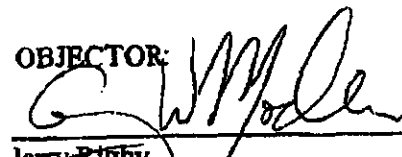
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

Water right no. 31-66A and 31-66B were split, combined and renumbered into water rights nos. 31-11789 and 31-11790. The parties and IDWR agree and stipulate that water right nos. 31-66A and 31-66B should be disallowed pursuant to the SP5s filed concurrently herewith. The parties and IDWR further agree that this SP5 will resolve the objections filed by the claimants/objectors and objector, Mud Lake Water Users, Inc., in subcase nos. 31-66A and 31-66B and have indicated their concurrence by signing below and initialing the attached pages.

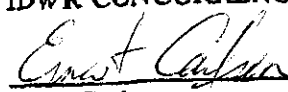
CLAIMANT/ OBJECTOR:


John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth
12-4-02
Date

OBJECTOR:


Jerry Rigby
Mud Lake Water Users, Inc.
12-4-02
Date

IDWR CONCURRENCE:


Ernie Carlsen
Adjudication Supervisor, IDWR
12/5/02
Date


Candice M. McHugh (As to Form)
Attorney for IDWR
12/5/02
Date

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-11790
NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.

QUANTITY: 12.320 CFS
THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED ABOVE FOR IRRIGATION AT THE POINTS OF REDIVERSION IN T13N, R38E, S36, SWNW AND T13N, R38E, S26, SENWSE.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.32 CFS. COMBINED RIGHT NOS.: 31-67A, 31-67B, 31-324 AND 31-11790.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/23/1900
PURSUANT TO A CALL, THIS RIGHT IS JUNIOR TO ALL WATER RIGHTS ON WEST CAMAS CREEK WITH A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POINT OF DIVERSION:
T12N R38E S2 SWNWNE Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENENE Rediversion Within CLARK County
T13N R38E S22 SENWNW Within CLARK County
T13N R38E S22 SENWNW Injection Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWWNW Rediversion Within CLARK County

BWN
SM
8m
gpc

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	12.320 CFS
STOCKWATER	05/01 10/31	0.230 CFS

SF5 31-11790

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE:		IRRIGATION Within CLARK County			
T12N R38E S02 Lot 1	NENE	11.0	T12N R38E S02 Lot 2	NWNE	13.0
T12N R38E S02	SWNE	34.0	T12N R38E S02	SENE	21.0
T12N R38E S02	NESE	21.0	T12N R38E S02	NWSE	20.0
T12N R38E S02	SESE	18.0	T12N R38E S11	NENE	38.0
T12N R38E S11	SENE	12.0	T12N R38E S12	NENW	39.0
T12N R38E S12	NWNW	40.0	T12N R38E S12	SWNW	38.0
T12N R38E S12	SENW	40.0	T12N R38E S12	NESW	37.0
T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S35	SWNE	7.0	T13N R38E S35	SENE	38.0
T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.9
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

GM
SM
SM^c
EMC

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-11789, 31-11790, 31-67A, AND 31-67B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMEINATION OF SPLITS FROM FORMER RIGHTS 31-66A AND 31-66B.

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

SUBCASE NO: 31-11789
(FORMERLY 31-66A and 31-66B)

STANDARD FORM 5

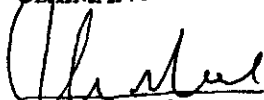
STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

Water right nos. 31-66A and 31-66B were split, combined and renumbered into water right nos. 31-11789 and 31-11790. The parties and IDWR agree and stipulate that water right nos. 31-66A and 31-66B should be disallowed pursuant to the SF5s filed concurrently herewith. The parties and IDWR further agree that this SF5 will resolve the objections filed by the claimants/objectors and objector, Mud Lake Water Users, Inc., in subcase nos. 31-66A and 31-66B and have indicated their concurrence by their signatures below and by initialing the attached pages.

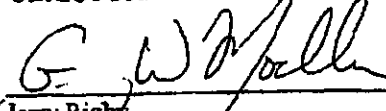
CLAIMANT/ OBJECTOR:



John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth

12-4-02
Date

OBJECTOR:



Jerry Rigby
Mud Lake Water Users, Inc.

12-4-2002
Date

IDWR CONCURRENCE:



Ernie Carlsen
Adjudication Supervisor, IDWR

12-5-02
Date



Candice M. McHugh (As to Form)
Attorney for IDWR

12/5/02
Date

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 32-11789
NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.

QUANTITY: 2.440 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 11/22/1909

POINT OF DIVERSION:

T12N R38E S2 SWNW Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENESE Rediversion Within CLARK County
T13N R38E S22 SENWNW Within CLARK County
T13N R38E S22 SENWNW Injection Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWNNW Rediversion Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	2.440 CFS
STOCKWATER	05/01 10/31	0.230 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T12N R38E S02 Lot 1 NENE	11.0	T12N R38E S02 Lot 2 NWNE	13.0
T12N R38E S02 SWNE	34.0	T12N R38E S02 SESE	21.0
T12N R38E S02 NESE	21.0	T12N R38E S02 NWSE	20.0
T12N R38E S02 SESE	18.0	T12N R38E S11 NENE	38.0
T12N R38E S11 SESE	13.0	T12N R38E S12 SENW	39.0
T12N R38E S12 NWNW	40.0	T12N R38E S12 SWNW	38.0
T12N R38E S12 SENW	40.0	T12N R38E S12 NESW	37.0

SF5 31-11789

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S36	SWNE	7.0	T13N R38E S36	SENE	36.0
T13N R38E S36	NESE	27.0	T13N R38E S36	NWSE	0.5
T13N R38E S36	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-11789, 31-11790, 31-67A, AND 31-67B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF SPLITS FROM FORMER RIGHTS 31-66A AND 31-66B.

SF5 31-11789

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

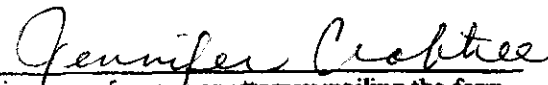
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form

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

In Re SRBA

SUBCASE NO: 31-324

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

John Marshall 12-4-02
Date
John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth

OBJECTOR:

Jimmy Elchert
Date
for JIMMY ELCHERT
ATTORNEY FOR MID LAKE WATER USERS, INC.

IDWR CONCURRENCE:

Ernie Carlson 12-5-02
Date
Ernie Carlson
Adjudication Supervisor, IDWR

Candice M. McHugh 5/4/02
Date
Candice M. McHugh (As to Form)
Attorney for IDWR

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-324
NAME AND ADDRESS: MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: CRAB CREEK
WEST CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.

TRIBUTARY: CAMAS CREEK
TRIBUTARY: CAMAS CREEK

QUANTITY: 12.320 CFS
THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED ABOVE, FROM EITHER SOURCE, AT THE POINTS OF DIVERSION IN T13N, R38E, S36, SWNWNW AND T13N, R38E, S26, SENWSE.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.32 CFS. COMBINED RIGHT NOS.: 31-67A, 31-67B, 31-324 AND 31-11790.

PRIORITY DATE: 09/01/1909
PURSUANT TO A CALL, THIS RIGHT IS JUNIOR TO ALL WATER RIGHTS ON WEST CAMAS CREEK WITH A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POINT OF DIVERSION:

T12N R38E S2 SWNWNW Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSSE Rediversion Within CLARK County
T12N R38E S11 NENENE Rediversion Within CLARK County
T13N R38E S22 SENWNW Within CLARK County
T13N R38E S22 SENWNW Injection Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Within CLARK County
T13N R38E S26 SENWSE Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWNWNW Rediversion Within CLARK County
T13N R38E S36 SWNWNW Within CLARK County

GM
JM
SM
EMC

SP5 31-324

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	12.320 CFS
STOCKWATER	05/01 10/31	0.230 CFS

PLACE OF USE:

IRRIGATION within CLARK County

T12N R38E S02 Lot 1 NENE	11.0	T12N R38E S02 Lot 2 NWNE	13.0		
T12N R38E S02	SWNE	34.0	T12N R38E S02	SENE	21.0
T12N R38E S02	NESE	21.0	T12N R38E S02	NWSE	20.0
T12N R38E S02	SESE	18.0	T12N R38E S11	NENE	38.0
T12N R38E S11	SENE	12.0	T12N R38E S12	NENW	39.0
T12N R38E S12	NWNW	40.0	T12N R38E S12	SWNW	38.0
T12N R38E S12	SENE	40.0	T12N R38E S12	NESW	37.0
T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S35	SWNE	7.0	T13N R38E S35	SENE	38.0
T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENE	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-67A, 31-67B, 31-11789
AND 31-11790.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-2412(6), Idaho
Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

SP5 31-324

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701

Jerry Rigby
Attorney for Mud Lake Water I
P.O. Box 250
Rexburg, ID 83440-0250


Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

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)
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)
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)

SUBCASE NO: 31-373

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

John Marshall 12-4-02
John Marshall Date
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth

IDWR CONCURRENCE:

Ernie Carlsen 12-5-02
Ernie Carlsen Date
Adjudication Supervisor, IDWR

Candice M. McHugh 12/5/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

11/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-373
NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
QUANTITY: 2.000 CFS
PRIORITY DATE: 05/28/1891
POINT OF DIVERSION:

T12N R38E S2 SWNWNE Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENENE Rediversion Within CLARK County
T13N R38E S22 SENWNW Injection Within CLARK County
T13N R38E S23 SENWNW Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWWNW Rediversion Within CLARK County

gm
sn
gm
gmc

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	2.000 CFS
STOCKWATER	05/01 10/31	0.230 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T12N R38E S02 Lot 1 NENE	11.0	T12N R38E S02 Lot 2 NWNE	13.0	
T12N R38E S02	SWNE	T12N R38E S02	SENE	21.0
T12N R38E S02	NESE	T12N R38E S02	NWSE	20.0
T12N R38E S02	SESE	T12N R38E S11	NENE	36.0
T12N R38E S11	SENE	T12N R38E S12	NENW	39.0
T12N R38E S12	NWNW	T12N R38E S12	SWNW	38.0
T12N R38E S12	SEW	T12N R38E S12	NESW	37.0
T12N R38E S12	NWSW	T12N R38E S12	SESW	20.0
T13N R38E S35	SWNE	T13N R38E S35	SENE	36.0

SF5 31-373

11/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-67A, 31-67B, 31-11789 AND 31-11790.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

STOCKWATER, 1000 CATTLE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SF5 31-373

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701

Jennifer Crabtree
Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

SUBCASE NO: 31-374

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:


John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth

12-4-02

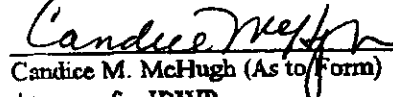
Date

IDWR CONCURRENCE:


Ernie Carlsen
Adjudication Supervisor, IDWR

12-5-02

Date


Candice M. McHugh (As to Form)
Attorney for IDWR

12/5/02
Date

11/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-374
NAME AND ADDRESS: MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: CRAB CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
QUANTITY: 2.440 CFS
PRIORITY DATE: 11/22/1909
POINT OF DIVERSION:

T12N R38E S2 SWNWNE Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENESE Rediversion Within CLARK County
T13N R38E S26 SENWSE Within CLARK County
T13N R38E S26 SENWSE Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWWNW Within CLARK County

ENE
GM
JM
Sm

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	2.440 CFS
STOCKWATER	05/01 10/31	0.230 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

Section	Direction	Quantity	Section	Direction	Quantity
T12N R38E S02 Lot 1	NENE	11.0	T12N R38E S02 Lot 2	NWNE	13.0
T12N R38E S02	SWNE	34.0	T12N R38E S02	SENE	21.0
T12N R38E S02	NESE	21.0	T12N R38E S02	NWSE	20.0
T12N R38E S02	SESE	18.0	T12N R38E S11	NENE	38.0
T12N R38E S11	SENE	12.0	T12N R38E S12	NENW	29.0
T12N R38E S12	NWNW	40.0	T12N R38E S12	SWNW	38.0
T12N R38E S12	SENW	40.0	T12N R38E S12	NESW	37.0
T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S35	SWNE	7.0	T13N R38E S35	SENE	38.0
T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0

SF5 31-374

11/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-67A, 31-67B, 31-11789 AND 31-11790.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

STOCKWATER 1100 CATTLE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SF5 31-374

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

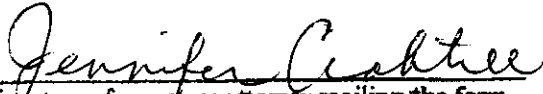
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

) SUBCASE NO: 31-66A
) (SPLIT INTO 31-11789 and 31-11790)
)

) STANDARD FORM 5
)

) STIPULATED ELEMENTS OF A
) WATER RIGHT
)

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

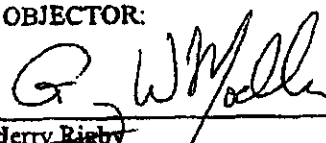
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

Water right no. 31-66A was split into water right nos. 31-11789 and 31-11790. Therefore, IDWR recommends that water right 31-66A be disallowed. The parties and IDWR agree and stipulate that water right no. 31-66A should be disallowed as recommended by IDWR. The parties and IDWR further agree that this SF5 will resolve the objection filed by the claimants/objectors and objector, Mud Lake Water Users, Inc., in this subcase and have indicated their concurrence by their signatures below.

CLAIMANT/ OBJECTOR:


John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth
12-4-02
Date

OBJECTOR:


for Jerry Rigby
Mud Lake Water Users, Inc.
12-4-02
Date

IDWR CONCURRENCE:


Ernie Carlsen
Adjudication Supervisor, IDWR
12-5-02
Date


Candice M. McHugh (As to Form)
Attorney for IDWR
12/5/02
Date

12/3/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
31-66A	JAMES F HAGENBARTH PO BOX 1128 DILLON MT 59725-1128 MARGARET HAGENBARTH PO BOX 1128 DILLON MT 59725-1128 DAVID J HAGENBARTH PO BOX 1128 DILLON MT 59725-1128	Disallowed	SPLIT RIGHT: SEE RIGHT NOS. 31-11789 AND 31-11790.

*SM^c
gmc*

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

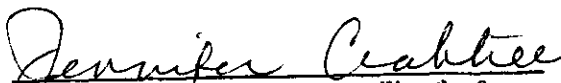
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

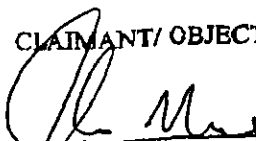
) SUBCASE NO: 31-66B
) (SPLIT INTO 31-11789 AND 31-11790)
)
) STANDARD FORM 5
)
) STIPULATED ELEMENTS OF A
) WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

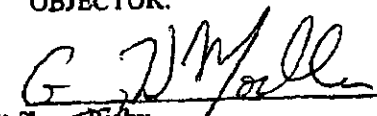
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

Water right nos. 31-66B was split and renumbered into water right nos. 31-11789 and 31-11790. Therefore, IDWR recommends that water right 31-66B be disallowed. The parties and IDWR agree and stipulate that water right no. 31-66B should be disallowed as recommended by IDWR. The parties and IDWR further agree that this SF5 will resolve the objection filed by the claimants/objectors and objector, Mud Lake Water Users, Inc., in this subcase and have indicated their concurrence by their signatures below.

CLAIMANT/ OBJECTOR:

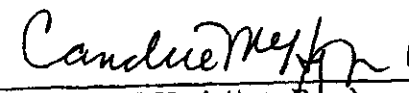

John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth
Date _____

OBJECTOR:


Jerry Kigby
Mud Lake Water Users, Inc.
Date 12-4-02

IDWR CONCURRENCE:


Eric Carlson
Adjudication Supervisor, IDWR
Date 12-5-02


Candice M. McHugh (As to Form)
Attorney for IDWR
Date 12/5/02

12/3/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
31-66B	MARGARET HAGENBARTH PO BOX 1128 DILLON MT 59725-1128	Disallowed	SPLIT RIGHT: SEE RIGHT NOS. 31-11789 AND 31-11790.
	JAMES F HAGENBARTH PO BOX 1128 DILLON MT 59725-1128		
	DAVID J HAGENBARTH PO BOX 1128 DILLON MT 59725-1128		

SM^E
EMC

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

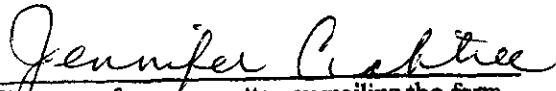
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form

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

In Re SRBA

SUBCASE NO: 31-67A

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

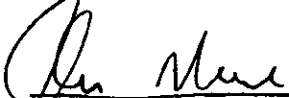
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

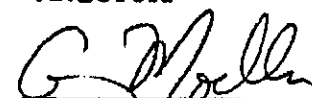
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

OBJECTOR:


John Marshall
Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth
12/4/02
Date


For Jerry Rigby
Mud Lake Water Users, Inc.
12-4-02
Date

IDWR CONCURRENCE:


Emie Carlson
Adjudication Supervisor, IDWR
12-5-02
Date


Candice M. McHugh (As to Form)
Attorney for IDWR
12/5/02
Date

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-67A
NAME AND ADDRESS: MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.

QUANTITY: 8.460 CFS
THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED ABOVE AT THE POINTS OF REDIVERSION IN T13N, R38E, S36, SWNW1/4 AND T13N, R38E, S26, SEW1/4.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.32 CFS. COMBINED RIGHT NOS.: 31-67A, 31-67B, 31-324 AND 31-11790.

PRIORITY DATE: 06/22/1900
PURSUANT TO A CALL, THIS RIGHT IS JUNIOR TO ALL WATER RIGHTS ON WEST CAMAS CREEK WITH A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POINT OF DIVERSION:
T12N R38E S2 SWNW1/4 Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSE1/4 Rediversion Within CLARK County
T12N R38E S11 NENE1/4 Rediversion Within CLARK County
T13N R38E S22 SENW1/4 Injection Within CLARK County
T13N R38E S22 BENW1/4 Within CLARK County
T13N R38E S26 SEW1/4 Rediversion Within CLARK County
T13N R38E S26 SEW1/4 Rediversion Within CLARK County
T13N R38E S26 NWSW1/4 Injection Within CLARK County
T13N R38E S35 NESW1/4 Rediversion Within CLARK County
T13N R38E S35 SEW1/4 Rediversion Within CLARK County
T13N R38E S36 SWNW1/4 Rediversion Within CLARK County

GM
SM
SM-
EMC

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 07/01	8.460 CFS
STOCKWATER	05/01 07/01	0.230 CFS

SF5 31-67A

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE:

IRRIGATION Within CLARK County

T12N R38E S02 Lot 1 NENE	11.0	T12N R38E S02 Lot 2 NWNE	13.0		
T12N R38E S02	SNWE	34.0	T12N R38E S02	SENE	21.0
T12N R38E S02	NESE	21.0	T12N R38E S02	NWSE	20.0
T12N R38E S02	SESE	18.0	T12N R38E S11	NENE	38.0
T12N R38E S11	SENE	12.0	T12N R38E S12	NENW	39.0
T12N R38E S12	NWNW	40.0	T12N R38E S12	SWNW	38.0
T12N R38E S12	SENW	40.0	T12N R38E S12	NESW	37.0
T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S35	SNWE	7.0	T13N R38E S35	SENE	38.0
T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SNWE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-67A, 31-67B,
31-11789 AND 31-11790.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

SF5 31-67A

CERTIFICATE OF MAILING

I certify that on Dec 5, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

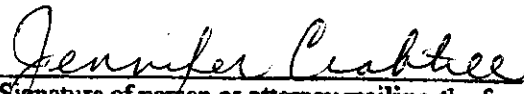
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701

Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250


Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

SUBCASE NO: 31-67B

STANDARD FORM 5

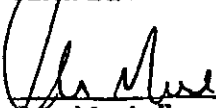
STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:



John Marshall

Attorney for Margaret Hagenbarth, David
Hagenbarth and John Hagenbarth

12-4-02

Date

for

OBJECTOR:



Jerry Rigby
Mud Lake Water Users, Inc.

12-4-2002

Date

IDWR CONCURRENCE:



Ernie Carlsen

Adjudication Supervisor, IDWR

12-05-02

Date



Candice M. McHugh (As to Form)
Attorney for IDWR

Date

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-67B
NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED CREEK.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB CREEK.

QUANTITY: 12.320 CFS
THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
ABOVE AT THE POINTS OF REDIVERSION IN T13N, R38E, S36, SWNWNN AND T13N,
R38E, S26, SENWSE.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 12.32 CFS. COMBINED RIGHT NOS.: 31-67A, 31-67B, 31-324 AND
31-11790.

PRIORITY DATE: 06/22/1900
PURSUANT TO A CALL, THIS RIGHT IS JUNIOR TO ALL WATER RIGHTS ON WEST
CAMAS CREEK WITH A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL
DECREE IS ENTERED FOR THIS RIGHT.

POINT OF DIVERSION:
T12N R38E S2 SWNWNE Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENENE Rediversion Within CLARK County
T13N R38E S22 SENWNN Within CLARK County
T13N R38E S22 SENWNN Injection Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWNWNN Rediversion Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	07/02 10/31	12.320 CFS
STOCKWATER	07/02 10/31	0.230 CFS

SF5 31-67B

12/03/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE:

IRRIGATION Within CLARK County

T12N R38E S02 Lot 1	NENE	11.0	T12N R38E S02 Lot 2	NNNE	13.0
T12N R38E S02	SWNE	34.0	T12N R38E S02	SENE	21.0
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T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENN	40.0	T13N R38E S36	NESW	40.0
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STOCKWATER same as IRRIGATION

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PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Water Right 31-67B

2

SF5 31-67B

CERTIFICATE OF MAILING

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253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

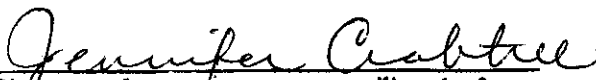
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Jerry Rigby
Attorney for Mud Lake Water Users, Inc.
P.O. Box 250
Rexburg, ID 83440-0250

John M. Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth & John Hagenbarth
P.O. Box 2720
Boise, ID 83701


Signature of person or attorney mailing the form