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Department of Water Resources

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

AMENDED DIRECTOR'S REPORT

Subcase No. 31-10740

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

April 19, 2002

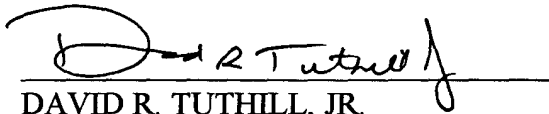
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Special Master Bilyeu's *Order Granting Motion to Amend Claim on Record and Order Setting Subcase Deadlines and Hearing on Record* issued March 26, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 19th day of April, 2002.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

04/10/2002

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

APR 23 AM 11:01
 DISTRICT COURT-SRBA
 TWIN FALLS CO., IDAHO
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RIGHT NUMBER: 31-10740

NAME AND ADDRESS: DAVID J HAGENBARTH
 PO BOX 1128
 DILLON MT 59725

MARGARET HAGENBARTH
 PO BOX 1128
 DILLON MT 59725

JAMES F HAGENBARTH
 PO BOX 1128
 DILLON MT 59725

SOURCE: DRY CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 8.68 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
 COMBINED DIVERSION RATE OF 21.79 CFS. COMBINED RIGHT NOS.: 31-02274,
 31-02275, 31-10245, 31-10740.

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

PRIORITY DATE: 11/10/1893

POINT OF DIVERSION: T13N R40E S9 NWNWSW Within CLARK County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

STOCKWATER

05/01 10/31

0.230 CFS

IRRIGATION

05/01 10/31

8.680 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T13N R40E S10 SESW 25.0
 T13N R40E S10 NWSE 12.0
 T13N R40E S10 SESE 40.0
 T13N R40E S11 SWSW 37.0
 T13N R40E S11 NESE 9.4
 T13N R40E S11 SESE 34.0
 T13N R40E S12 NWSW 35.0
 T13N R40E S14 NENE 2.7
 T13N R40E S14 NENW 14.0
 T13N R40E S15 NENE 40.0
 T13N R40E S21 Lot 4 NWNW 25.0
 T13N R40E S21 SESW 5.0
 T13N R40E S23 SWSW 40.0
 T13N R40E S26 NENW 32.0
 T13N R40E S26 SWNW 29.0
 T13N R40E S27 NWNE 38.0
 T13N R40E S27 NENW 18.0
 T13N R40E S27 SWNW 18.0
 T13N R40E S28 NENE 27.0
 T13N R40E S28 SWNE 40.0
 T13N R40E S28 NENW 32.0
 T13N R40E S28 SWNW 8.1
 T13N R40E S29 Lot 2 NWNE 13.0
 T13N R40E S29 Lot 2 NWNE 13.0
 T13N R40E S29 SENE 11.0

T13N R40E S10 NESE 27.0
 T13N R40E S10 SWSE 37.0
 T13N R40E S11 NWSW 3.5
 T13N R40E S11 SESW 28.0
 T13N R40E S11 SWSE 31.0
 T13N R40E S12 NESW 5.0
 T13N R40E S12 SWSW 6.2
 T13N R40E S14 NWNE 11.0
 T13N R40E S14 NWNW 5.0
 T13N R40E S15 NWNE 40.0
 T13N R40E S21 Lot 5 SWNW 6.6
 T13N R40E S21 SWSE 11.0
 T13N R40E S23 SESW 19.0
 T13N R40E S26 NWNW 40.0
 T13N R40E S27 NENE 40.0
 T13N R40E S27 SENE 40.0
 T13N R40E S27 NWNW 10.0
 T13N R40E S27 SENW 14.0
 T13N R40E S28 NWNE 38.0
 T13N R40E S28 SENE 40.0
 T13N R40E S28 NWNW 4.1
 T13N R40E S28 SENW 27.0
 T13N R40E S29 SWNE 21.0
 T13N R40E S29 SWNE 21.0

STOCKWATER same as IRRIGATION1089.6 ACRES TOTAL

04/10/2002

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1082.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02274, 31-02275, 31-10245, 31-10740.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 434 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

PLACE OF USE IN T13N R40E S11 NWSW DOES NOT INCLUDE ANY STATE PUBLIC SCHOOL ENDOWMENT LAND.

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.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 21 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 21 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 21 RIGHTS.

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

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 1100 RANGE CATTLE.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-02274, 31-02275, 31-10240, 31-10740 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

CERTIFICATE OF MAILING

I certify that on April 22, 2002, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Chief, Natural Resource Division
Office of the Attorney General
Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

David Negri
United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

John M. Marshall
Attorney for Margaret, David J.,
and James F. Hagenbarth
P.O. Box 2720
Boise, ID 83701-2720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Steven J. Schuster
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050

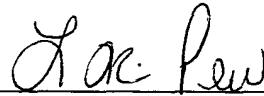
☐ Overnight Mail
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☐ Facsimile

Kent Foster
Attorney for Mud Lake Water Users
P.O. Box 50130
Dubois, ID 83423
Idaho Falls, ID 83405

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Clark County Clerk
320 W. Main
P.O. Box 205
Dubois, ID 83423

☒ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person delivering form