



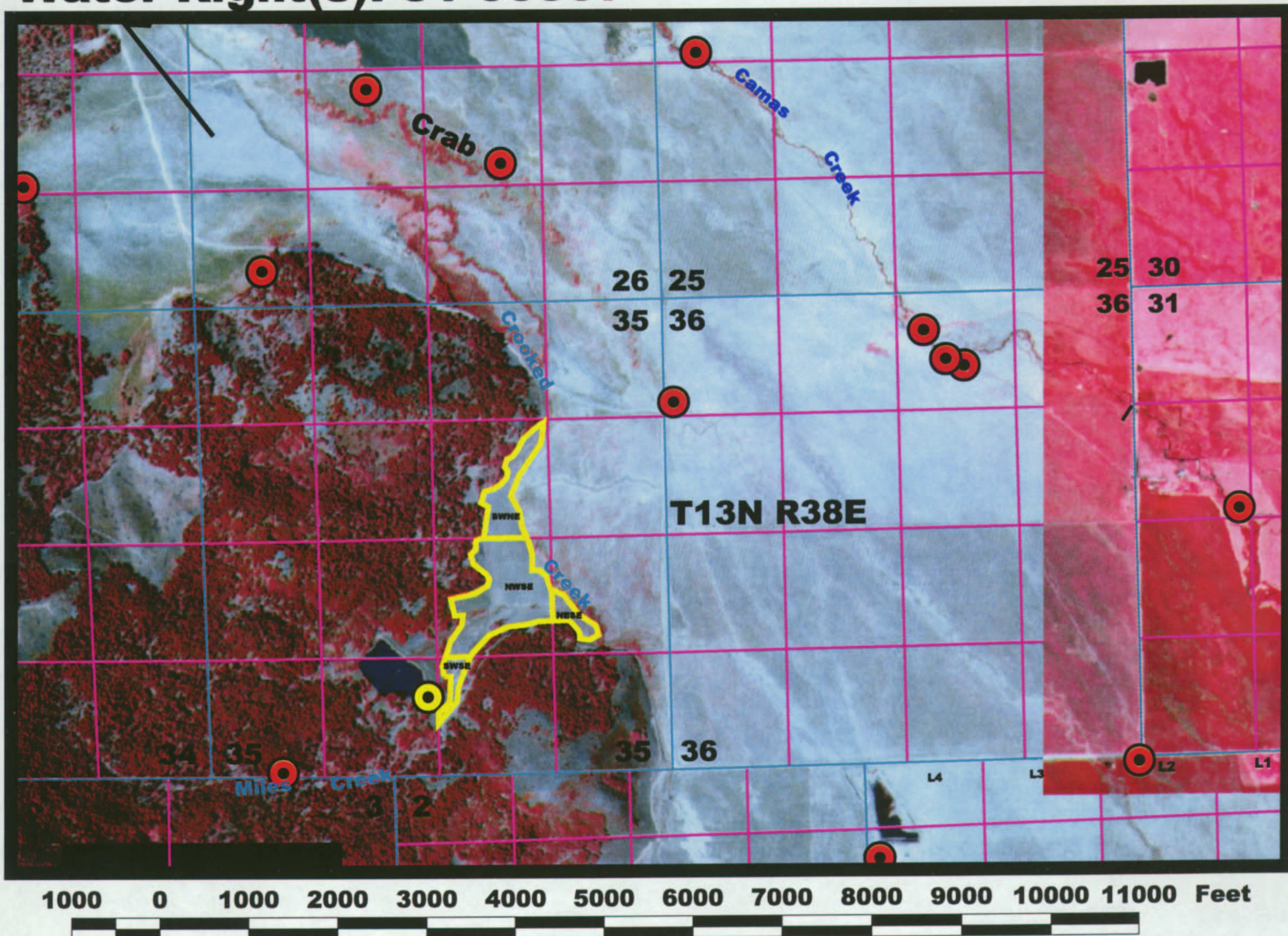
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Hagenbarth Lvstk

Water Right(s): 31-00307



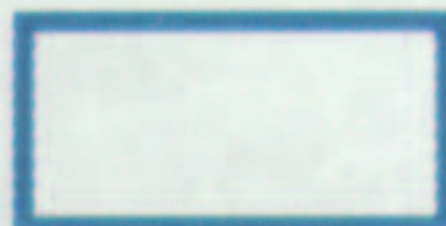
LEGEND



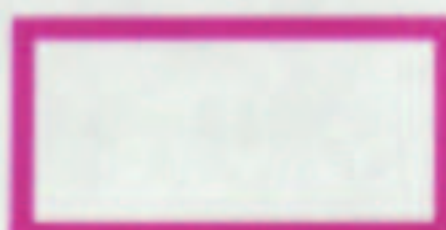
Point of Diversion

SESE

Place of Use



Section Line



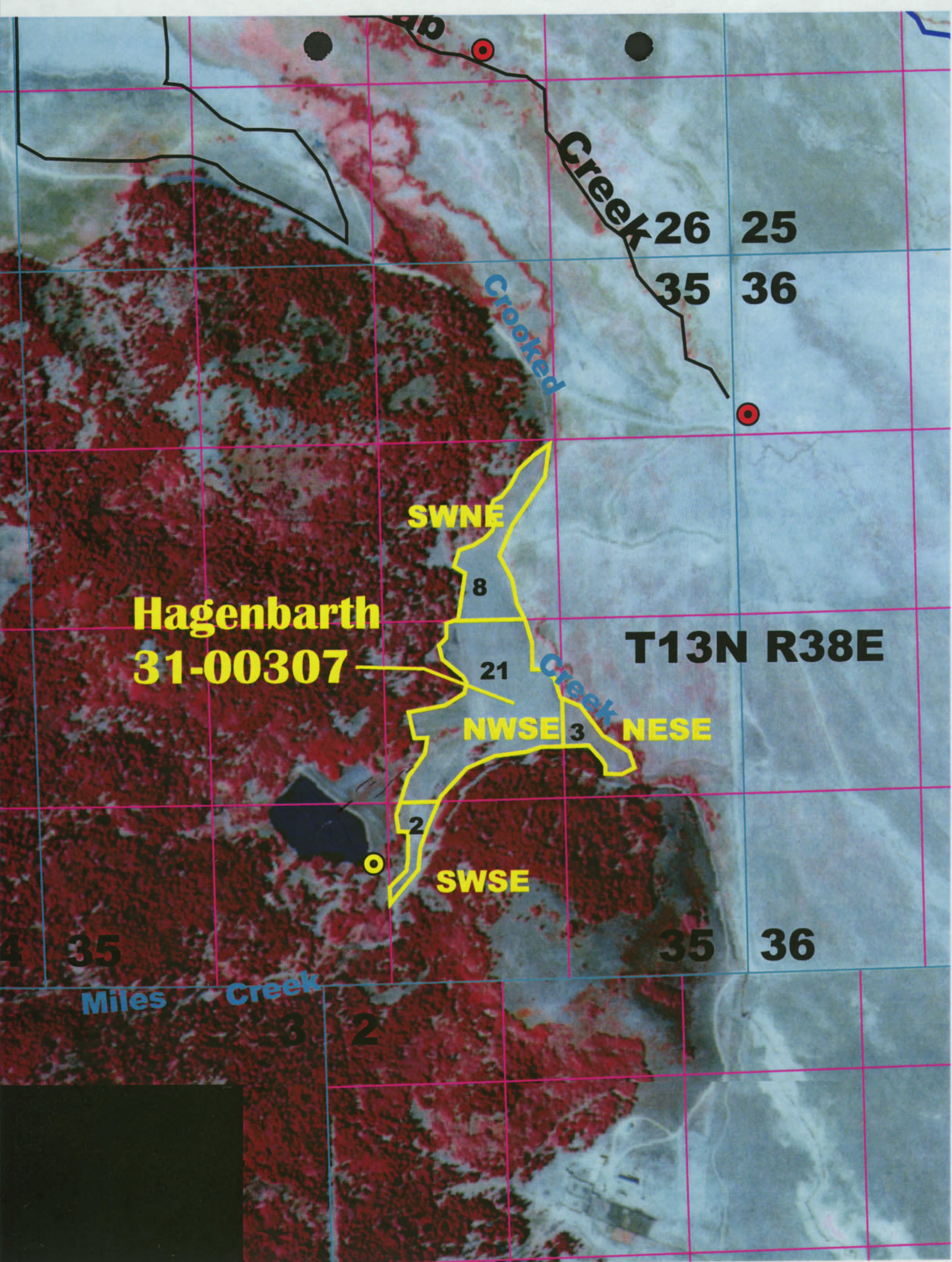
Quarter-section line

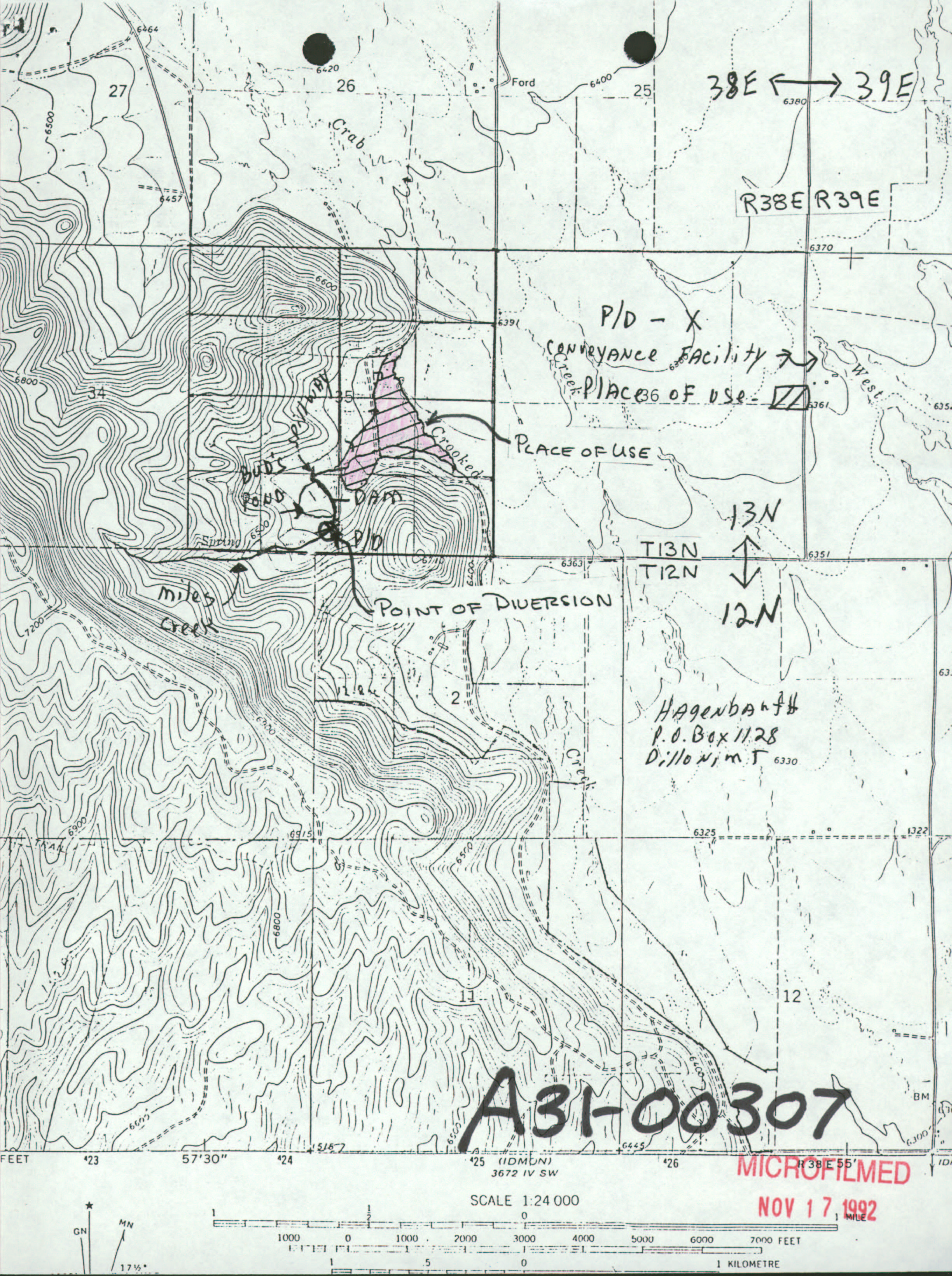
Legal Description: T13N, R38E
Sec. 35 (parts of) W2SE, NESE, SWNE

Point(s) of Diversion: T13N, R38E
Sec. 35 NESESW



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Sept. 2000





38E ← → 39E

R38E R39E

P/D - X

CONVEYANCE FACILITY →

PLACE OF USE - [hatched box]

PLACE OF USE

13N

T13N

T12N

12N

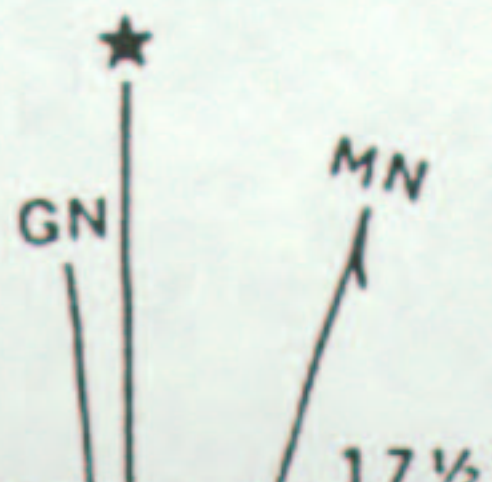
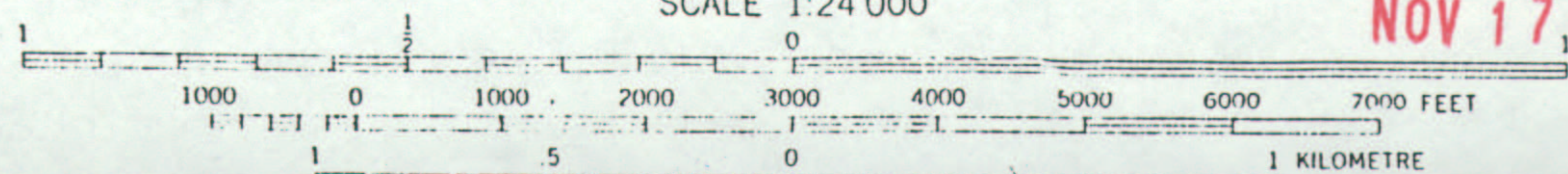
Hagenbach
P.O. Box 1128
Dillon, MT 59703

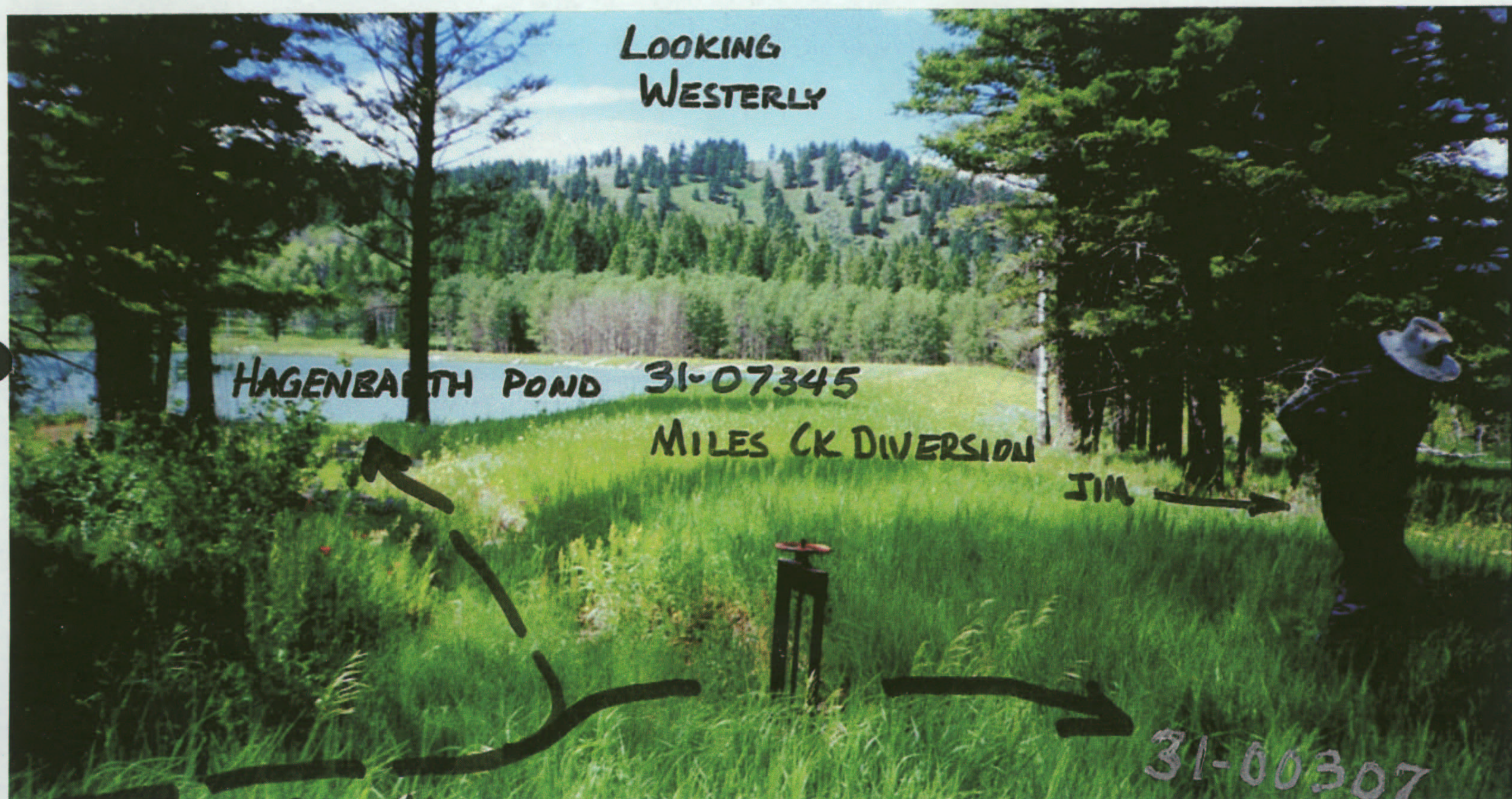
A31-00307

MICROFILMED

NOV 17 1992

SCALE 1:24 000





MILES CK. in mg
DIVERSION

Photo by: ABR
7/11/21

03/12/2001

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

RIGHT NUMBER: 31-307

NAME AND ADDRESS: DAVID J HAGENBARTH
JAMES F HAGENBARTH
MARGARET HAGENBARTH
PO BOX 1128
DILLON, MT 59725

SOURCE: MILES CREEK

TRIBUTARY: CROOKED CREEK

QUANTITY: 0.74 CFS

PRIORITY DATE: 11/01/1922

POINT OF DIVERSION: T13N R38E S35

NESESW

Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	0.74 CFS
STOCKWATER	05-01 12-15	0.09 CFS

PLACE OF USE:

IRRIGATION Within CLARK County							
T13N R38E S35	SWNE	7	T13N R38E S35	NESE	4		
T13N R38E S35	NWSE	23	T13N R38E S35	SWSE	3		
STOCKWATER Within CLARK County							
T13N R38E S35	SWNE		T13N R38E S35	NESE			
T13N R38E S35	NWSE		T13N R38E S35	SESE			

37 ACRES TOTAL

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: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE FOR STOCKWATER PURSUANT TO SECTION 42-1425, IDAHO CODE.
STOCKWATER: 400 CATTLE

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: A31-00307
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

2. Date of Priority: NOV 01, 1922

3. Source: MILES CREEK Trib. to: CROOKED CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	38E	35	SE	SE	SW		CLARK

5. Description of diverting works:
DIVERSION DAM, DITCH TO RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.740		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 55.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 RANGE CATTLE

A31-00307 Page 1 Date: 08/16/88

MICROFILMED
NOV 17 1992



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	38E	35	SW		NE		IRR	7.0
			SW		NE		STOCK	
			NE		SE		IRR	4.0
			NE		SE		STOCK	
			NW		SE		IRR	23.0
			NW		SE		STOCK	
			SE		SE		IRR	3.0
			SE		SE		STOCK	
Section Acres								37.0
Total Acres								37.0

*Don't fit with
claim map*

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:

SUPERSEDES 31-2231.

CLAIMANTS HAVE DIVERTED MILES CREEK FOR THE USES DESCRIBED UNDER PERMIT 31-7345. THE FLOWS OF MILES CREEK ARE DIVERTED INTO A RESERVOIR IN THE SESESW SEC 35, T13N, R38E. WATER THEN FLOWS OVER THE RESERVOIRS SPILLWAY AND IS PICKED UP BY DITCHES AND PUT TO BENEFICIAL USE ON THE PLACE OF USE. SEE ATTACHED MAP FOR FURTHER CLARIFICATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

Decree Defendant

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. Hagabue Date: 8/16/88

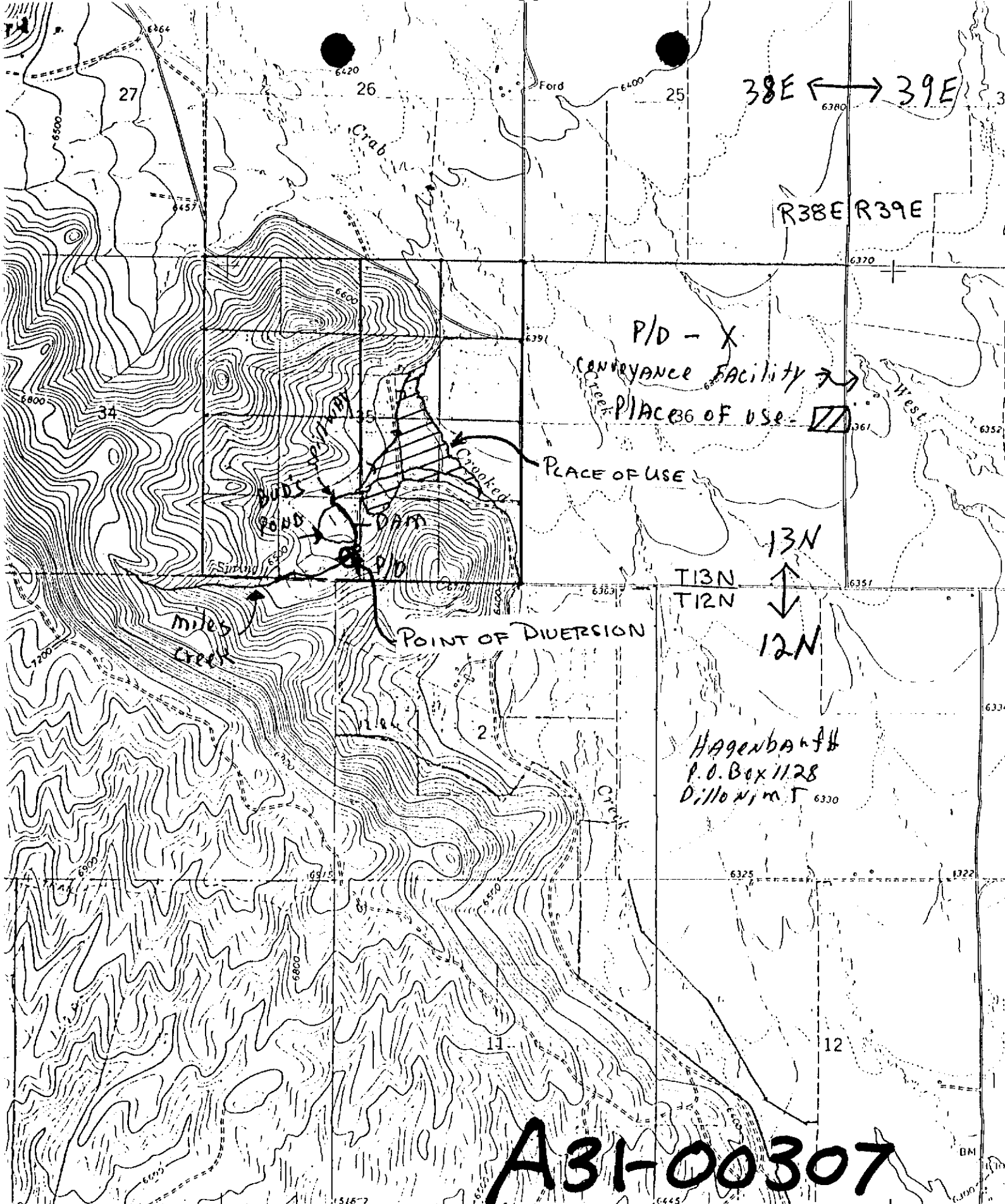
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16 day
of Aug 19 88
Seal

Ernest Carlson
Notary Public

Residing at Blaine Falls, ID
My Commission Expires 14 June 1994



38E ← → 39E

R38E R39E

P/D - X
CONVEYANCE FACILITY →
PLACE OF USE - [hatched box]

PLACE OF USE

13N
↑
12N

T13N
T12N

POINT OF DIVERSION

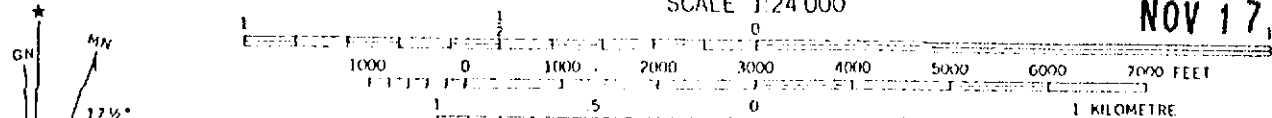
Hagenbach
P.O. Box 1128
Dillon, MT

A31-00307

MICROFILMED

NOV 17, 1992

SCALE 1:24,000





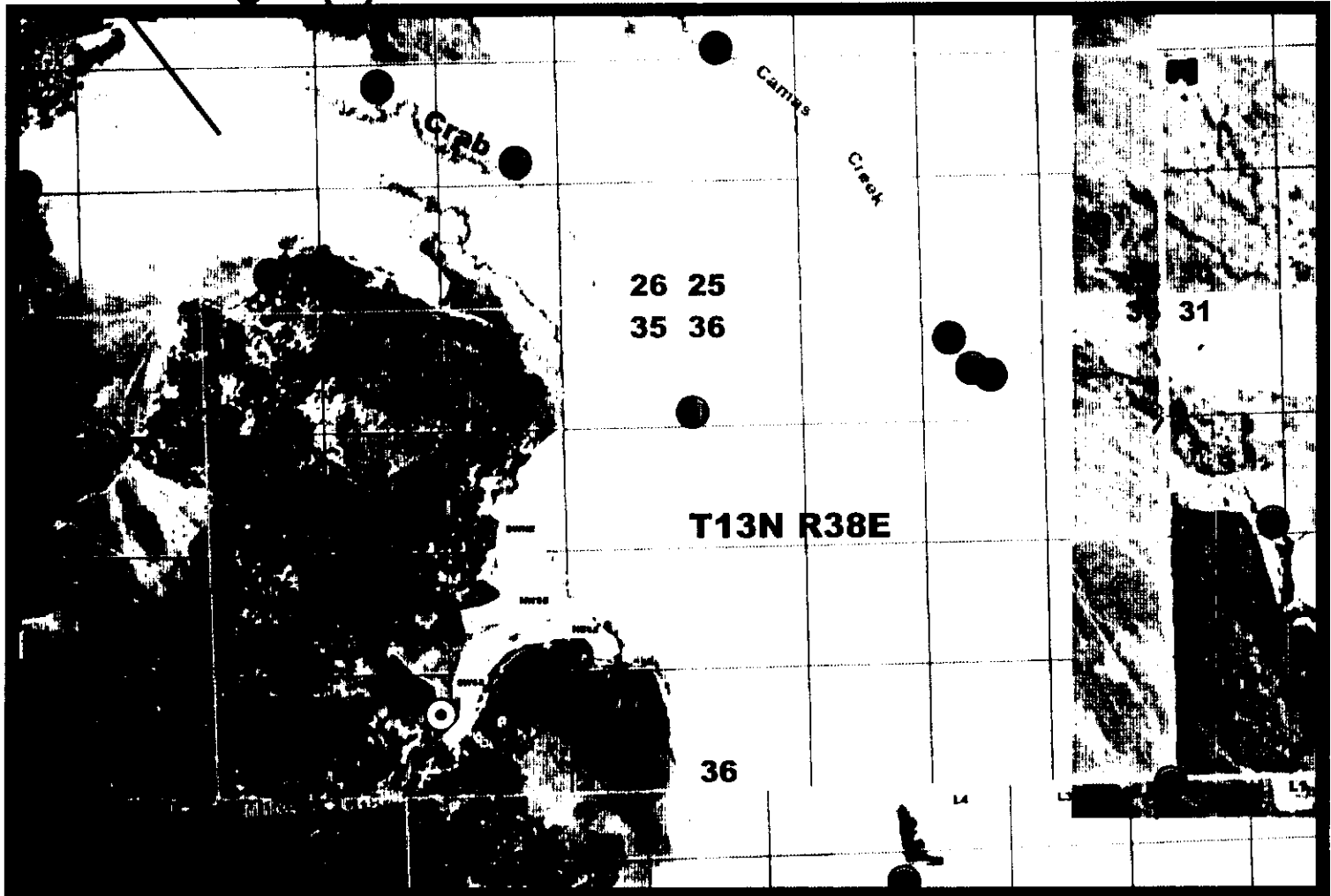
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Hagenbarth Lvstk

Water Right(s): 31-00307



LEGEND



Point of Diversion

SESE

Place of Use



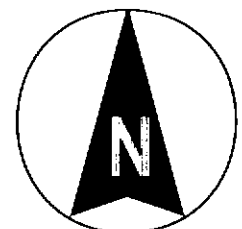
Section Line



Quarter-section line

Legal Description: T13N, R38E
Sec. 35 (parts of) W2SE, NESE, SWNE

Point(s) of Diversion: T13N, R38E
Sec. 35 NESES



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Sept. 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:35
02/17/00

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00307

LAST: WOOD LIVESTOCK CO
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST:
STATE: ID ZIP: 00000

LAST: HAGENBARTH
ADDRESS: PO BOX 1128
CITY: DILLON
PHONE NUMBER: 406-683-2163
OWNER CODE: C

FIRST: MARGARET
STATE: MT ZIP: 59725

LAST: HAGENBARTH
ADDRESS: PO BOX 1128
CITY: DILLON
PHONE NUMBER: 406-683-2163
OWNER CODE: C

FIRST: DAVID J
STATE: MT ZIP: 59725

LAST: HAGENBARTH
ADDRESS: PO BOX 1128
CITY: DILLON
PHONE NUMBER: 406-683-2163
OWNER CODE: C

FIRST: JAMES F
STATE: MT ZIP: 59725

*STORAGE RIGHT?
31-07345
LETTER OF REQUEST
FOR SRBA CLAIM
SENT JUNE 2, 2000
TO JAMES HAGENBARTH.*

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN

SUPERSEDES 31-2231.
CLAIMANTS HAVE DIVERTED MILES CREEK FOR THE USES DESCRIBED UNDER
PERMIT 31-7345. THE FLOWS OF MILES CREEK ARE DIVERTED INTO A
RESERVOIR IN THE SESESW SEC 35, T13N, R38E. WATER THEN FLOWS OVER
THE RESERVOIRS SPILLWAY AND IS PICKED UP BY DITCHES AND PUT TO
BENEFICIAL USE ON THE PLACE OF USE. SEE ATTACHED MAP FOR FURTHER
CLARIFICATION.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

CONTACT PERSON: A. RUGGIERO

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/11/2K

APPOINTMENT MADE: Y(☒) N()

TIME: 8:00 A(☒) P()

ACCOMPANIED BY: Jim HAGGEBARTH

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: PARTNER

DIRECTIONS TO PROPERTY / NOTES:

Met w/ Jim AS APPOINTED. DISCUSSED THIS CLAIM, AND OTHERS. VISITED SPILLWAY WHICH IS ONE OF THE IRRIG. DITCH HEADINGS FOR THE SW DITCH OF POU. THERE IS ANOTHER DITCH AT THE POD WHICH IRRIGATES FROM THE SE SIDG. FURTHER, DISCUSSED THE ERROR OF THE CLAIM AS SESE SEC. 35. SHOULD HAVE READ SWSE, AS REFLECTED BY RECOMMENDATION (WHICH ALSO FITS W/ DUGGIE, SUE Pg. 203 INSERT TO CVP).

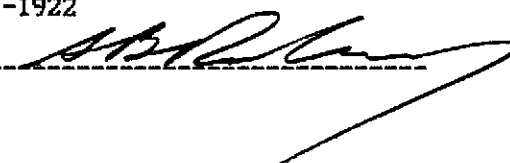
- A. AJ CLAIM: # A31-00307 PRIORITY DATE: 11-01-1922 STAGE: D
- B. WR RECORD: # 31-00307 PRIORITY DATE: 11-01-1922 STAGE: D
- C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()
- D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()
- E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N()
- F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
- PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()
- FIELD EXAM COMPLETED N/A() Y() N()
- FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()
- LICENSE ISSUED N/A() Y() N()
- * IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.
- G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y() N()
- * FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.
- H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: DECREE REBROS 1922-Nov. 1

=====

RECOMMENDED PRIORITY DATE: So Be It.

11-01-1922

REVIEWED BY 

DATE 2/17/24

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A31-00307	13N 38E	35	SE	SE	SW			CLARK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A31-10164 31-10164
A31-10165 31-10165

WR RECORDS IN SAME 40 ACRE TRACT

31-07345

SOURCE: MILES CREEK

TRIB: CROOKED CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
31-00307	13N 38E	35		SW	SW			CLARK		

OTHER WR RECORDS WITH SAME WR POD

31-07345

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A31-11022 31-11022

SOURCE: MILES CREEK

TRIB: CAMAS CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: DIETZ'S PLATS 'Approx. ... S.W.S.W. Sec. 35 T. 13N., R. 33E. According to GPS mapping
- It can't be there. Looks to be NESESW Sec. 35

USGS 00-443 DOES NOT LIST A NAME FOR THIS DRAINAGE - HOWEVER IT IS
RECOGNIZED BY 1930 DIETZ AND APPARENTLY LOCALLY AS MILES CREEK → Thus, Miles CK.

Actual POD NESESW - Pon June 7/11/ek

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 13N	RGE. 38E	SEC. 35	1/4 SE	1/4 SE	1/4 SW	LOT	POD FLAG	COUNTY CLARK	DIVERSION NAME	DIVERSION NBR
---	---	---	NE	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: MILES CREEK

TRIB: Cherokee Creek

REVIEWED BY: NOR

DATE: 7/11/ek

BQ1 Miles Creek

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___) See Photo

OPEN DITCH w/ SCREEN GATE THAT DIVERTS STREAM TO POND OR IRRIG. DITCH. POND IS NOT USED FOR
IRRIGATION STORAGE. RATHER, IT IS USED FOR RECREATION. SEE 31-07346.

See Photo INSERT PAGE

A. ROOT WATER RIGHT NUMBERS: A31-00307

B. POOL LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	38E	35	SW	NE		HAGENBARTH, MARGARET	A31-00307 / 7.0	31-00307 /	35.0		
			SW	NE		HAGENBARTH, MARGARET	A31-00066A / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00066B / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00067A / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00067B / 6.0	- /			
			SW	NE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			SW	NE		HAGENBARTH, JAMES F	A31-00373 / 6.0	31-00373 /			
			SW	NE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			SW	NE		HAGENBARTH, MARGARET	A31-00324 / 6.0	31-00324 /			
			SW	NE		HAGENBARTH, JAMES F	A31-00374 / 6.0	31-00374 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00069 /			
13N	38E	35	SW	NE		HAGENBARTH, MARGARET	A31-00307 /	31-00307 /	35.0		
			SW	NE		HAGENBARTH, MARGARET	A31-00066A / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00066B / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00067A / 6.0	- /			
			SW	NE		HAGENBARTH, DAVID J	A31-00067B / 6.0	- /			
			SW	NE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			SW	NE		HAGENBARTH, JAMES F	A31-00373 / 6.0	31-00373 /			
			SW	NE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			SW	NE		HAGENBARTH, MARGARET	A31-00324 / 6.0	31-00324 /			
			SW	NE		HAGENBARTH, JAMES F	A31-00374 / 6.0	31-00374 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			SW	NE		HARMON RESERVOIR CO. LTD.		31-00069 /			
13N	38E	35	NE	SE		HAGENBARTH, MARGARET	A31-00307 / 4.0	31-00307 /	31.0		
			NE	SE		HAGENBARTH, MARGARET	A31-00066A / 30.0	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00067A / 30.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-00324 / 30.0	31-00324 /			
			NE	SE		HAGENBARTH, JAMES F	A31-00374 / 30.0	31-00374 /			
			NE	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			NE	SE		HAGENBARTH, JAMES F	A31-00373 / 30.0	31-00373 /			
			NE	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00066B / 30.0	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00067B / 30.0	- /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			

stock

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	38E	35	NE	SE		HAGENBARTH, MARGARET	A31-00307 /	31-00307 /		31.0	
			NE	SE		HAGENBARTH, MARGARET	A31-00066A / 30.0	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00067A / 30.0	- /			
			NE	SE		HAGENBARTH, MARGARET	A31-00324 / 30.0	31-00324 /			
			NE	SE		HAGENBARTH, JAMES F	A31-00374 / 30.0	31-00374 /			
			NE	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			NE	SE		HAGENBARTH, JAMES F	A31-00373 / 30.0	31-00373 /			
			NE	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00066B / 30.0	- /			
			NE	SE		HAGENBARTH, DAVID J	A31-00067B / 30.0	- /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			NE	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			
13N	38E	35	NW	SE		HAGENBARTH, MARGARET	A31-00307 / 23.0	31-00307 /		22.0	
			NW	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			NW	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00324 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00373 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00374 /			
13N	38E	35	NW	SE		HAGENBARTH, MARGARET	A31-00307 /	31-00307 /		22.0	
			NW	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			NW	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			NW	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00324 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00373 /			
			NW	SE		WOOD LIVESTOCK CO.		31-00374 /			
13N	38E	35	SE	SE		HAGENBARTH, MARGARET	A31-00307 / 3.0	31-00307 /		22.0	
			SE	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00324 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00373 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00374 /			

stock

stock

SWSE
Per Jan
7/11/2x

No irrig in this
AD from 00307
Don't fit with
claim map.
error of claimant.

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
I3N	38E	35	SE	SE		HAGENBARTH, MARGARET	A31-00307 /	31-00307 /	22.0		
			SE	SE		HAGENBARTH, MARGARET	R31-10256 /	- /			
			SE	SE		HAGENBARTH, MARGARET	A31-10256 /	- /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00066 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00067 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00068 /			
			SE	SE		HARMON RESERVOIR CO. LTD.		31-00069 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00324 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00373 /			
			SE	SE		WOOD LIVESTOCK CO.		31-00374 /			

stack

*SEE GPS FOR
AC & DIST. B.*

ADDITIONAL POU FOUND

OK!
DESCRIBED, AT LEAST, IN PART AS CLAIMED - P. 203, 19300 CASE

TOTAL ACRES A31-00307 37.00 220.00

POU COUNTY: CLARK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00307	MILES CREEK	HAGENBARTH, MARGARET	0.740	0.020		
A31-00066A	WEST CAMAS CREEK	HAGENBARTH, MARGARET	7.050	0.007		
A31-00066B	WEST CAMAS CREEK	HAGENBARTH, DAVID J	17.200	0.017		
A31-00067A	WEST CAMAS CREEK	HAGENBARTH, DAVID J	8.460	0.008		
A31-00067B	WEST CAMAS CREEK	HAGENBARTH, DAVID J	17.200	0.017		
A31-00324	WEST CAMAS CREEK	HAGENBARTH, MARGARET	17.200	0.017		
A31-00373	WEST CAMAS CREEK	HAGENBARTH, JAMES F	2.000	0.002		
A31-00374	CRAB CREEK	HAGENBARTH, JAMES F	2.440	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-00307	STOCKWATER	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	0.090 CFS	
R31-10256	STOCKWATER	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	0.250 CFS	
A31-00373	STOCKWATER	HAGENBARTH, JAMES F	FROM 04-01 TO 12-31	0.230 CFS	
A31-10256	STOCKWATER	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	0.250 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. 4-43; () TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: POLL SUB Pg. 203, 1930 OCEAN, ALSO FOR SOURCE. DITCH AS MILLS CREEK.

7/11/2K EXPLAINED TO Fm - 37th AC CAN'T BE MADE FROM GPS - ONLY 34th - H's OK w/ 34th.

RECOMMENDATIONS:

TOTAL ACRES: 34th N/A()

REVIEWED BY: SRRL

DATE: 2 JUNE 2K

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A31-00307 IRRIGATION	FROM 04-01 TO 11-01	0.740 CFS	As Decreed Pg. 203, 1930 Decrees
A31-00307 STOCKWATER	FROM 01-01 TO 12-31	0.090 CFS	
TOTAL DIVERSION RATE/VOLUME		0.740 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
31-00307 IRRIGATION	FROM 05-01 TO 09-01	0.740 CFS	
31-00307 STOCKWATER	FROM TO		
31-00307 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.740 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

Decreed by the
Stockwater is defined by decree.

NOTES:

Historic Period as U.S. 12 May 1 to October 31 according to WIMB31.
Both Stock and IPRIA. Recommended to Dept. Std. or May 1 to Oct. 31.

AJ CLAIM TOTAL DIVERSION RATE: 0.740 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.740 CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()
- * ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.
- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()
- * IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.
- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AE/A
ACRES _____ x DIVERSION VOL. AE/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 55.5 AE/A
ACRES _____ x CONSUMPTIVE VOL. AE/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

WM DIVERSITY? No

Claims as Documented 0.74 cfs
0.02 x 34 ac (GIS) = 0.68
CONVEYANCE LOSS 0.06 cfs

NOTES: 7/11/2K STREAM WAS DRY AT POD. LOW WATER YEAR 2000. UPPER POD OF 31-07345
HAD A VERY SMALL FLOW — WHICH IS DIVERTED INTO A PIPING DIRECTLY TO THE LAKE.
SEE Photo.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE	
	FROM	TO		DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	5/1	04-01	11-01	0.740		55.5	
STOCKWATER	5/1	01-01	12-31	0.090		55.5	
TOTAL FOR THIS RIGHT				0.04			

NON-IRRIGATION USES CLAIMED: S/400 RANGE CATTLE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: *[Signature]*

DATE: *2 June 21*

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00307

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.740

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00307	0.740	-		31-00307	0.740
TOTAL CFS		0.740				0.740

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

DISCLOSED/CLAIMED AS 0.74 CFS. NO APPARENT SPLITS, TX'S OR CD'S

AUTHENTICATION:

SIGNATURE: _____

DATE: *7/17/04*

NAME OF FIELD EXAMINER: *AUGUST B. BROWN*

TITLE: *SA*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>(1975) 11-43</u> IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USES AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER <u>G25</u>	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>7/11/2K</u>	_____	<u>POD & Sprinklers</u>
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER <u>1930 DEEDS</u>	DATE <u>Pg. 203</u>	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:35
02/17/00

PAGE: 18
QUICKLOOK INFORMATION

18
CLAIM NUMBER: A31-00307

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:57:41
02/17/00
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A31-00307

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET HAGENBARTH	11/01/1922	IRRIGATION	04-01 11-01	0.740 CFS	OK
C	DAVID J HAGENBARTH		STOCKWATER	01-01 12-31	0.090 CFS	OK
C	JAMES F HAGENBARTH					
TOTAL DIVERSION:					0.740 CFS	
CONSUMPTIVE USE:						33.50 AEA

Water Source: MILES CREEK

Tributary to: CROOKED CREEK

Stage: DECREED

Point(s) of Diversion:

T13N R38E S35

SESESW

CLARK County

Place of use Legal Description for: IRRIGATION

T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
13N	38E	35				07									04	23		03	37.0
TOTAL ACRES																			37.0

Place of use Legal Description for: STOCKWATER

T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
13N	38E	35				S									S	S		S

POU County: CLARK

Non-Irrigation Uses: S/400 RANGE CATTLE

Other Rights: NONE

Remarks: GEN SUPERSEDES 31-2231.
CLAIMANTS HAVE DIVERTED MILES CREEK FOR THE USES DESCRIBED UNDER PERMIT 31-7345. THE FLOWS OF MILES CREEK ARE DIVERTED INTO A RESERVOIR IN THE SESESW SEC 35, T13N, R38E. WATER THEN FLOWS OVER THE RESERVOIR'S SPILLWAY AND IS PICKED UP BY DITCHES AND PUT TO BENEFICIAL USE ON THE PLACE OF USE. SEE ATTACHED MAP FOR FURTHER CLARIFICATION.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 31

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

01/24/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-307

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725
Telephone Number: (406)683-2163

MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725
Telephone Number: (406)683-2163

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725
Telephone Number: (406)683-2163

1. Describe the portion of the proposed recommendation with which you disagree (e.g priority date, period of use, source):
 - 1) Period of Use- stockwater
 - 2) Place of Use
2. Describe the changes you wish to make in the proposed recommendation:
 - 1) Change Period of Use for stockwater to 05/01 12/15
 - 2) The Place of Use described as T13N R38E S35 SESE should be described as the SWSE.
3. Give a brief explanation as to why you disagree with these portions:
 - 1) Cattle use this water source as late as 12/15.
 - 2) See map for clarification.

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/5/2001

SIGNATURE: James F. Hagenbarth

Please print your name: James F. Hagenbarth

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

108

① By priority Period of Use - ~~OK~~

② Constructive Power

NO ENLARG

3/12/01

Pro

Creek

26

25

35

36

Hagenbarth

31-00307

T13N R38E

8

21

3

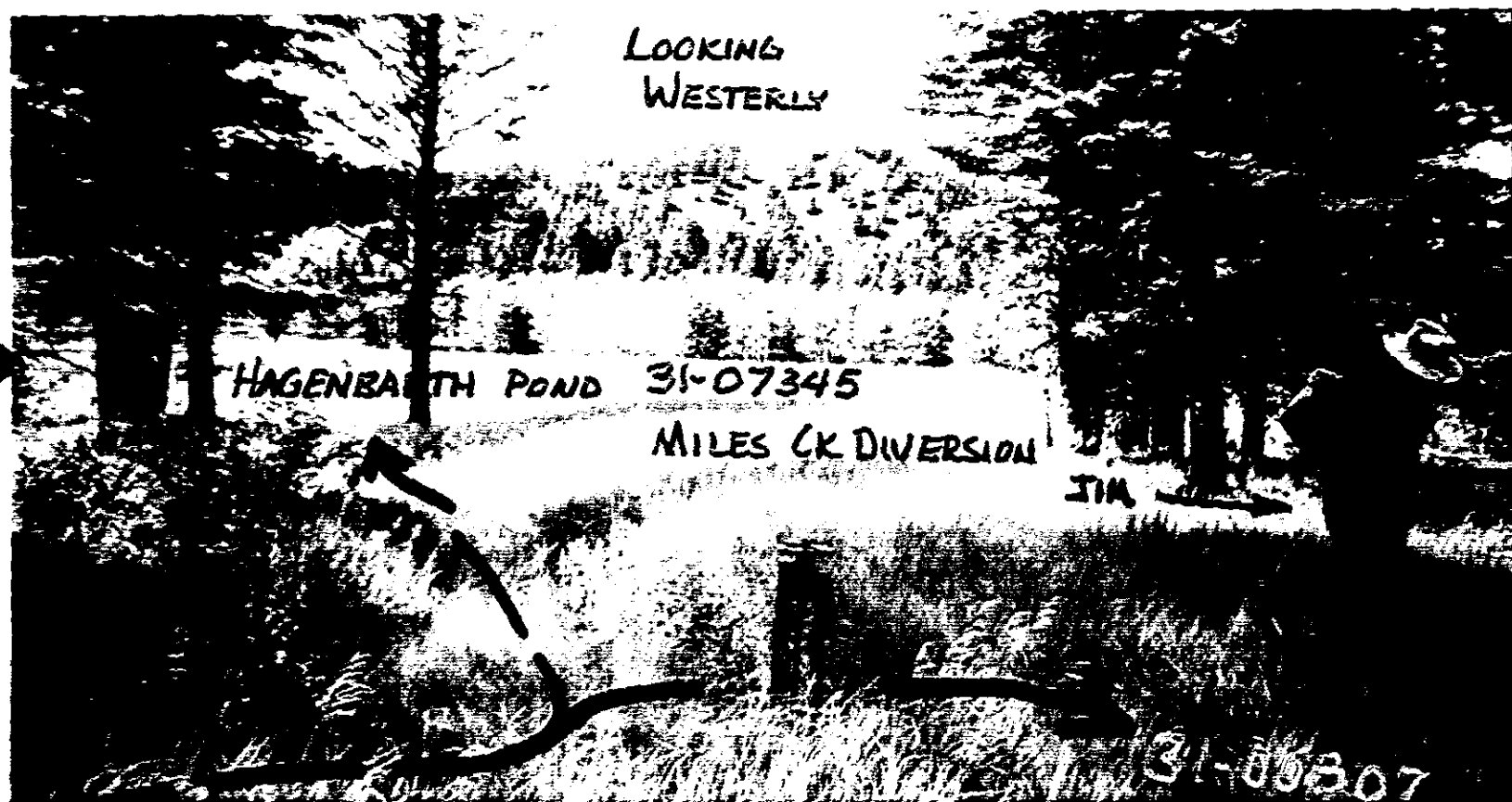
2

SWSE

36

Miles

Creek



31-05807
JIM

2 June 2000

James F Hagenbarth
PO Box 1128
Dillon MT 59725

Re: Adjudication claim for 31-07345

Dear James:

In review of the decreed water right for irrigation, 31-00307, it became apparent that a component was missing; that being a storage right. Researching the Water Rights data base I have located the licensed storage right 31-07345 and have determined that it should be enjoined to the adjudication since it predates the 1987 SRBA commencement date.

I have enclosed a Profile Report of the license for your review. Also, I have enclosed a Notice of Claim form and a Request for Extension of Time form. You can use the Profile Report to file the SRBA claim of the right. The Extension of Time form can be filed to request that the late fee be set aside (your argument might be that since you have many claims this one was overlooked). Filing this claim in the SRBA will require fees as shown:

Claim of 31-07345	\$ 50.00
Late fee (unless waived by extension)	50.00
Diversion Rate Fee (@ 100.00/cfs)	<u>74.00</u>
Total due	\$174.00

I look forward to your timely response. Should you have questions or concerns please feel free to contact me. Incidentally, I should be moving up to Kilgore on or about 5 June, you can catch me there also.

Respectfully submitted,

Allen B. Ruberry
Sr. Water resource Agent
Adjudications Bureau

Cc; file
Enclosures: Profile Report 31-07345
SRBA claim form
Extension of Time form

WR0749NP
No. 31-07345

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES F HAGENBARTH	09/26/1980	WILDLIFE STORAGE	01/01 12/31		60.00 AFA
C	DAVID J HAGENBARTH		RECREATION STORAGE	01/01 12/31		60.00 AFA
	PO BOX 1128		DIVERSION TO STORAGE	01/01 12/31	0.740 CFS	
	DILLON MT 59725					
TOTAL DIVERSION:					0.740 CFS	60.00 AFA

Water Source: MILES CREEK
UNNAMED STREAMS

Tributary to: CROOKED CREEK
CROOKED CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 3.60 AFA

Point(s) of Diversion: T13N R38E S35 SWSW SESW CLARK County

Place of use Legal Description for: WILDLIFE STORAGE

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
13N 38E 35	:				:				:	W			:	W		

Pou County: CLARK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
31-00307

Other Water Rights Listing Overlapping Place(s) of use:
31-00066 31-00067 31-00068 31-00069 31-00307 31-00324 31-00373 31-00374

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 31.

Remarks: GEN Measuring devices of a type approved by the Department shall be permanently maintained at each point of diversion.
The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.
Three points of diversion are located within the SESW, S35, T13N, R38E.

Dates: App. Received: 09/26/1980 Priority Date: 09/26/1980
Proof Due Date: 12/01/1986 Proof Made Date: 10/10/1986
Exam Made Date: 07/20/1993 Exam Sent to S.O.: 05/07/1997
Licensed Date: 08/28/1998

Misc: Water District Number: 31 Field Exam Fee: R (Received)

50 Chain Poles
50 Lateral Poles
74 Div. Rate

\$174⁰⁰

Wood Livestock Company,
a corporation

1922 - November 1

0.74 c.f.s.

Source: Miles Creek or Miles
Spring, tributary to Camas Creek.

31 307 ✓

Point of Diversion: Approximately
in the Southwest Quarter of the
Southwest Quarter of Section 35,
Township 13 North, Range 38 East,
B.M.

For use on the following described
land, to-wit:

LAND LIST NO. 6

<u>Legal Subdivision</u>	<u>Section</u>	<u>Township North</u>	<u>Range E.B.M.</u>
NE $\frac{1}{4}$ NE $\frac{1}{4}$	11	12	38
E $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$	12	12	38
SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	13	38
S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$	35	13	38
S $\frac{1}{2}$ SW $\frac{1}{4}$	36	13	38
Lots 1 and 2; W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$;			
SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$	8	12	38
NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$	2	12	38
NE $\frac{1}{4}$ NE $\frac{1}{4}$	22	12	38
S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$	22	12	38
NW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$	22	12	38
NE $\frac{1}{4}$ NE $\frac{1}{4}$	21	12	38
SE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$	15	12	38
E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$	35	13	38
NW $\frac{1}{4}$	23	12	38
SE $\frac{1}{4}$ SE $\frac{1}{4}$	21	12	38
NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$	20	12	38
E $\frac{1}{2}$ NE $\frac{1}{4}$	35	12	38

203