

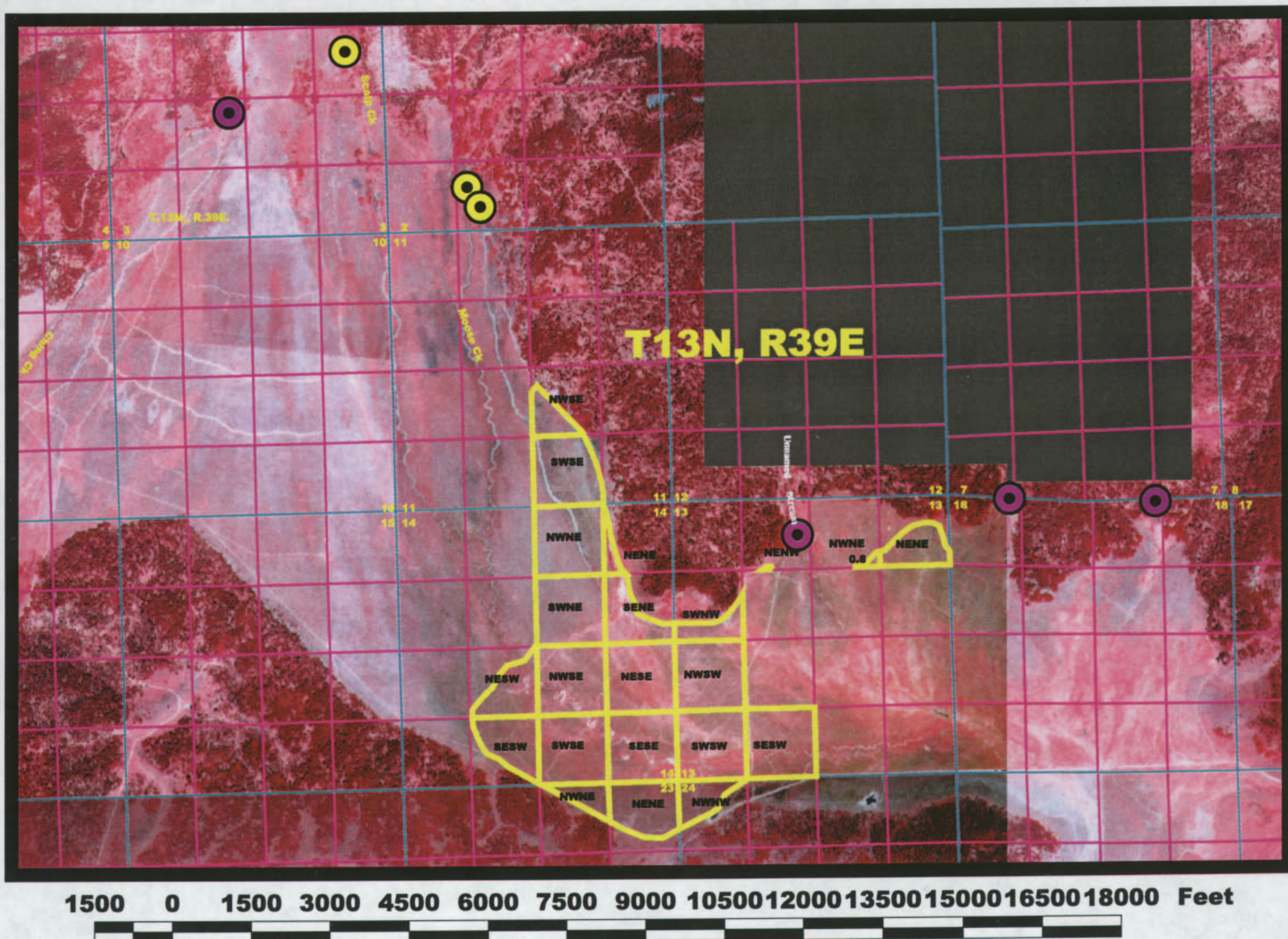


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 31-04027, 31-10208,
31-02077, 31-02125**



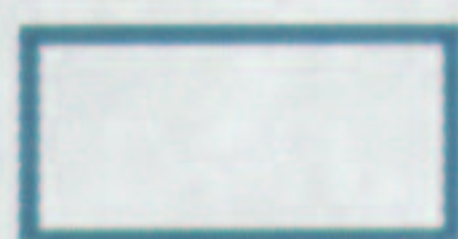
LEGEND



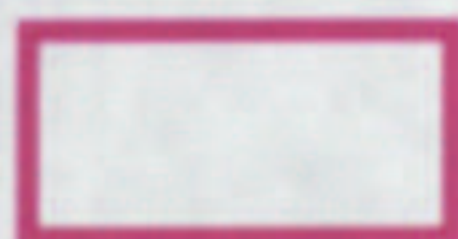
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T13N, R39E
(parts of) Secs. 11, 13, 14, 23, 24**

**Point(s) of Diversion: T13N, R39E
Sec. 3 NWSENE (Scalp Ck)
Sec. 2 NWSESW (Moose Ck)
SWSESW (Moose Ck)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2001

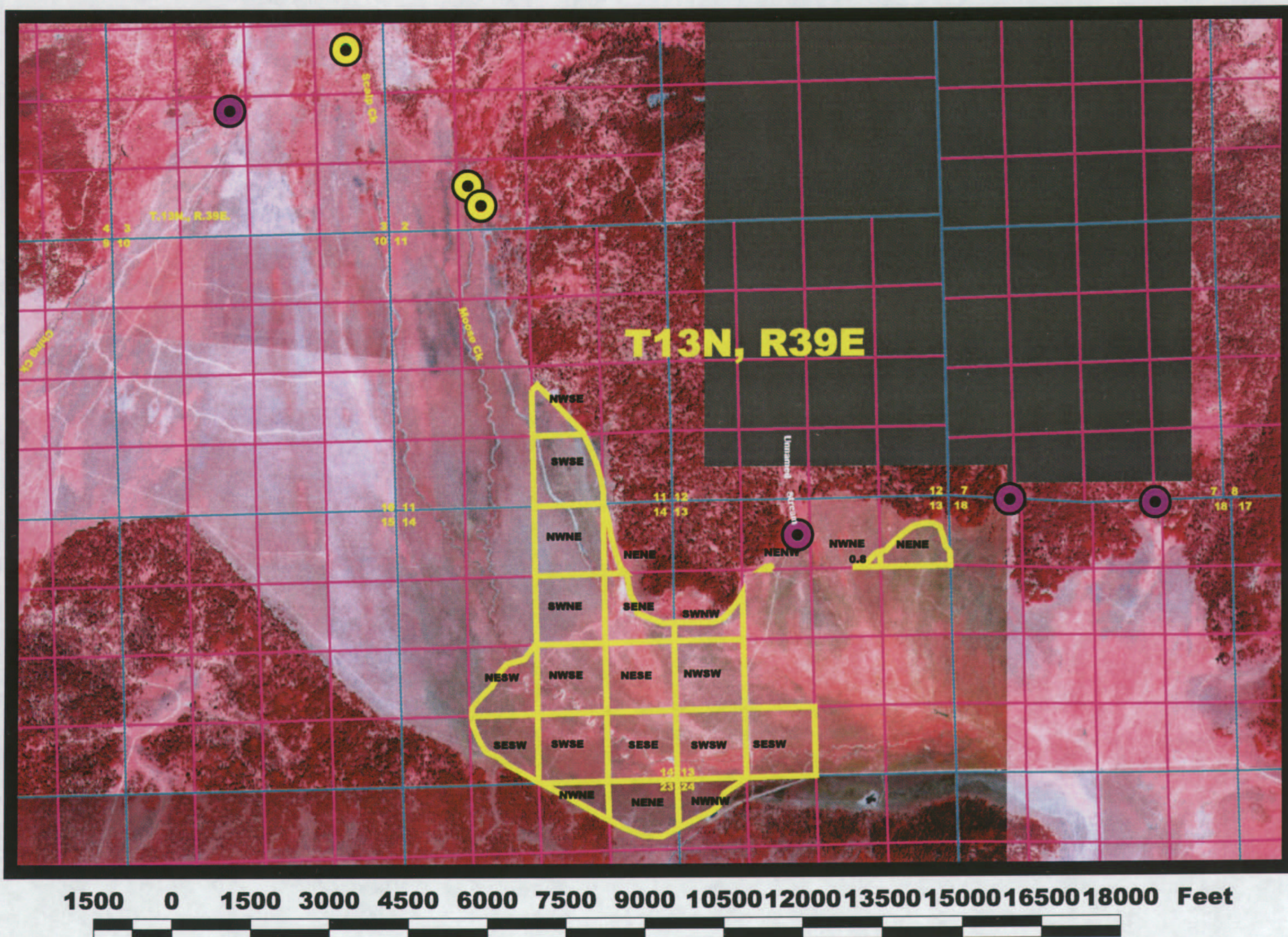


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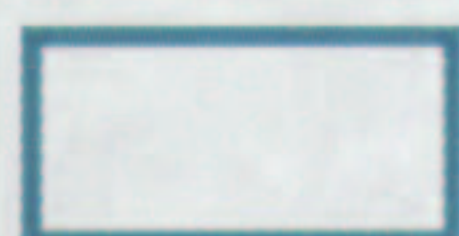
LEGEND



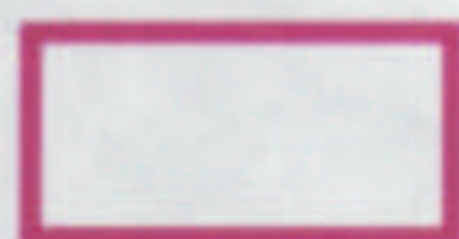
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GIS Place of Use Illustration
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Prepared by: A. Ruberry
Date: March 2001



T13N R39E

Hagenbarth
31-02125,

Moose Ck

11 12
14 13

14 13
23 24

2
1

03/19/2001

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

RIGHT NUMBER: 31-2125

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

SOURCE: MOOSE CREEK

TRIBUTARY: SPRING CREEK

QUANTITY: 0.5 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.48 CFS. COMBINED RIGHT NOS.: 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.

PRIORITY DATE: 08/11/1913

POINT OF DIVERSION:	T13N R39E S2	NWSESW	Within CLARK County
	T13N R39E S2	SWSESW	Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05-01 10-31	0.50 CFS

PLACE OF USE:

<u>IRRIGATION Within CLARK County</u>					
T13N R39E S11	NWSE	12	T13N R39E S11	SWSE	37
T13N R39E S13	NENE	19	T13N R39E S13	NWNE	0.8
T13N R39E S13	NENW	0.2	T13N R39E S13	SWNW	13
T13N R39E S13	NWSW	40	T13N R39E S13	SWSW	40
T13N R39E S13	SESW	40	T13N R39E S14	NENE	5
T13N R39E S14	NWNE	40	T13N R39E S14	SWNE	40
T13N R39E S14	SENE	24	T13N R39E S14	NESW	23
T13N R39E S14	SESW	25	T13N R39E S14	NESE	40
T13N R39E S14	NWSE	40	T13N R39E S14	SWSE	40
T13N R39E S14	SESE	40	T13N R39E S23	NENE	29
T13N R39E S23	NWNE	11	T13N R39E S24	NWNW	15

574 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 574 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

RIGHT NOT CLAIMED IN PRIOR ADJUDICATION.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

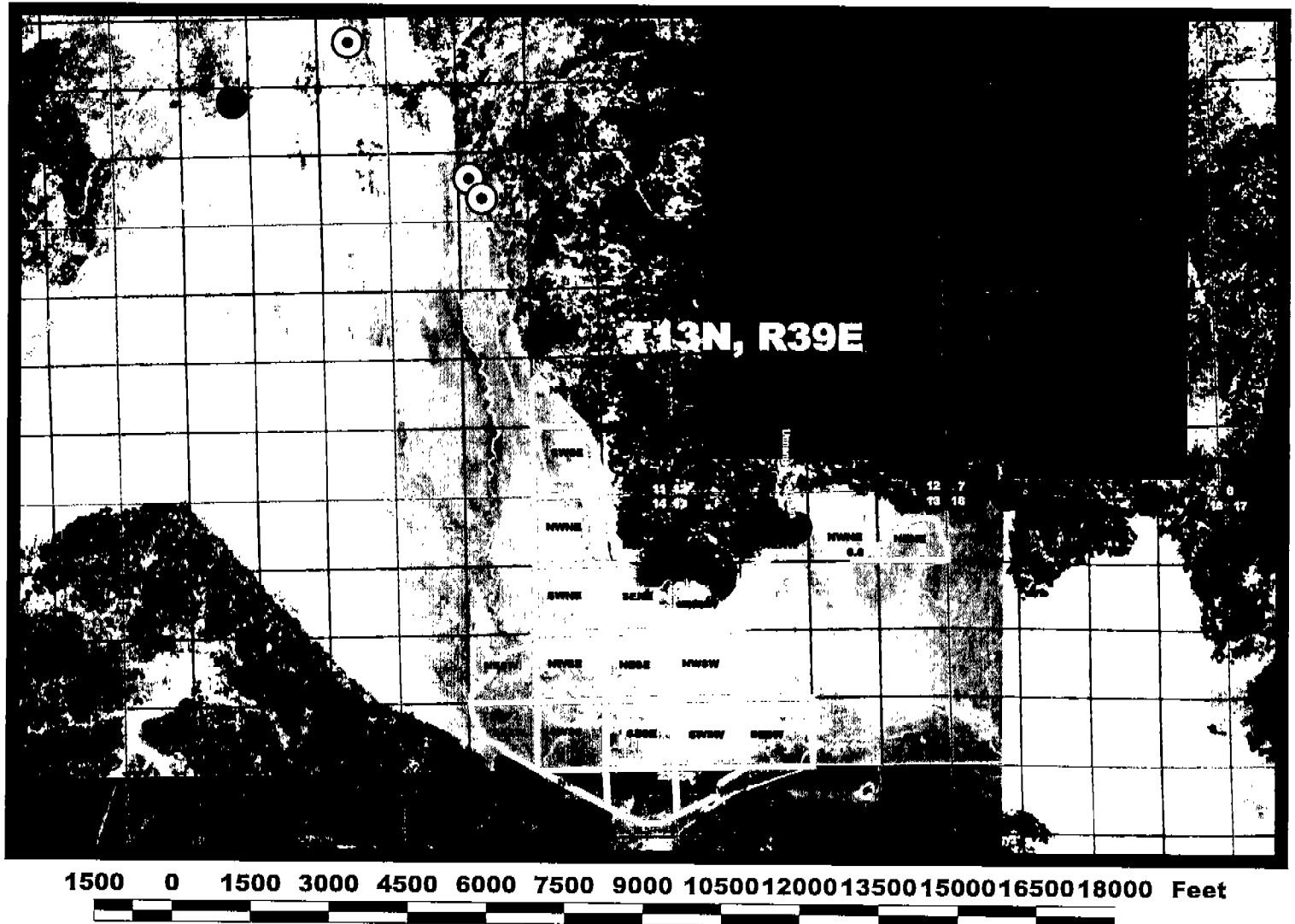


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 31-04027, 31-10208,
31-02077, 31-02125**



LEGEND



Point of Diversion

SESE

Place of Use



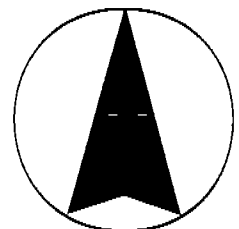
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Quarter-section line

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SWSESW (Moose Ck)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2001

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: 31-2125

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):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ 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

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: A31-02125
Date Received: 6/29/1988
Receipt No: E000586
Received By: _____

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: AUG 11, 1913

3. Source: MOOSE CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	39E	2	NW	SE	SW		CLARK
			SW	SE	SW		CLARK

5. Description of diverting works:
DIKES AND DITCHES FOR FLOOD AND SUB-IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A31-02125

Page 1

Date: 06/29/88

MICROFILMED

NOV 1 / 1992

A3102125



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	39E	14	SW	NE	IRR	25.0
Section Acres						25.0
Total Acres						25.0

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
31-2077/4027/10208

14. Remarks:

CLAIMANTS PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR ANTELOPE VALLEY IN 1948. MOOSE CREEK AND SEVERAL OTHER SOURCES WERE POOLED AND USED ON THE LAND SERVICED BY THIS SYSTEM CONSEQUENTLY THE EXPANDED USE. SEE RIGHT # 31-10208 SEE ATTACHMENT "A"

15. Basis of Claim: LICENSE
Water Right Number: 9576

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: 2

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. Hogerlund Date: 6/29/88
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of June 19 88 William Wray
Notary Public

Seal

Residing at Orato Falls
My Commission Expires 5/29/91

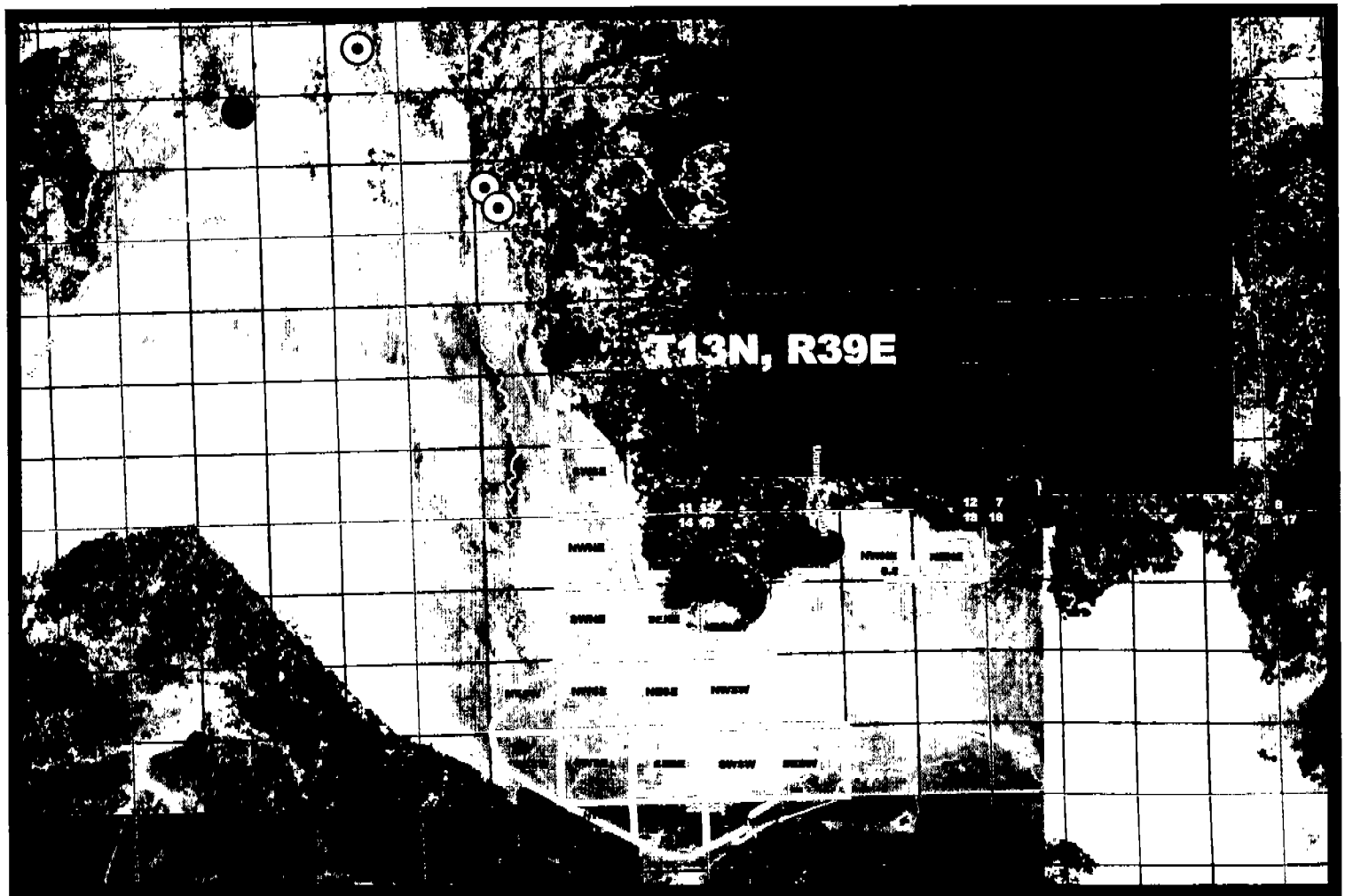


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 31-04027, 31-10208,
31-02077, 31-02125**



1500 0 1500 3000 4500 6000 7500 9000 10500 12000 13500 15000 16500 18000 Feet

LEGEND



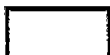
Point of Diversion

SESE

Place of Use



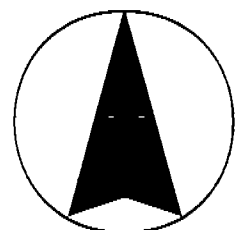
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SWSESW (Moose Ck)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-02125

LAST: WOODRUFF
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000

FIRST: LILLIAN J.
STATE: ID ZIP: 00000

OWNER CODE: 0

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-533-2163

FIRST: MARGARET
STATE: MT ZIP: 59725

OWNER CODE: 0

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-533-2163

FIRST: DAVID J.
STATE: MT ZIP: 59725

OWNER CODE: 0

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-533-2163

FIRST: JAMES F.
STATE: MT ZIP: 59725

OWNER CODE: 0

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

Y

CLAIM REMARKS:

CLAIMANTS PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR
ANTILUPE VALLEY IN 1948. MOOSE CREEK AND SEVERAL OTHER SOURCES
WERE POOLED AND USED ON THE LAND SERVICED BY THIS SYSTEM.
CONSEQUENTLY THE EXPANDED USE. SEE RIGHT # 31-10203
SEE ATTACHMENT "A"

cc: Comments

CONTACT PERSON:

AL RUBEN

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/12/2K

APPOINTMENT MADE: Y(✓) N()

TIME: 8:00 A(✓) P()

ACCOMPANIED BY:

Jim HAGENBARTH

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

Partner

DIRECTIONS TO PROPERTY / NOTES:

1/2 Met Jim AS APPOINTED FOR DAY TWO OF TOURING. VISITED ANTELOPE VALLEY
CLAIMS: POOL'S, POKE, POKE, etc.

THERE IS A QUESTION AS TO WHY THIS LICENSE AND 31-02077 WERE NOT
ENSIGNED TO THE SAUVIS DUBOIS. DON'T KNOW!

<u>WR#</u>	<u>Priority</u>	<u>Source</u>
<u>31-02125</u>	<u>Aug. 11, 1913</u>	<u>ANTELOPE CK (Now MOOSE CK)</u>
<u>31-02077</u>	<u>Aug. 23, 1911</u>	<u>ANTELOPE CK (Now MOOSE CK)</u>

SAUVIS VS ABBOTT DUBOIS
NOV. 1, 1930

RECOMMENDED AS LICENSED. NO DOCUMENTATION FOUND.

A. AJ CLAIM: * A51-02125 PRIORITY DATE: 09-11-1913 STAGE: L

B. WR RECORD: * J1-02125 PRIORITY DATE: 05-11-1913 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

Matches Lic.

*NO EVIDENCE FOUND WHICH SHOWS THIS LICENSE IS SUPERCEDED BY
SWAB VS ARNOTT, 1930 DECEDS*

RECOMMENDED PRIORITY DATE:
05-11-1913

SO FOR IT.

REVIEWED BY

MR

DATE

3/20/21

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	T4P.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-02125	13N	39E	2	NW	SE	SW		CLARK
A31-02125	13N	39E	2	SW	SE	SW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX B PREFIX
431-02077 NONE
431-10106

WR RECORDS IN SAME 40 ACRE TRACT
31-02077

SOURCE: MOOSE CREEK

TRIR: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	T4P.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-02125	13N	39E	14	NW	SE			FREMONT

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: SPRING CREEK

TRIR: CANAS CREEK

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y

FIELD
EXAMINER

NOTES:

Lic w/ only POD AS: "AT A POINT IN THE NW¹ OF SE¹ SEC. 14 T13N R39E."
Claims change in POD PLUS ADDITION OF ONLY POD. WAY PRIOR TO 1987- But
NO DATE IS KNOWN- JUST REMEMBERED AS "ALWAYS BEING THERE". System Construction 1945.
NO REAL CHANGE TO SOURCES - ONLY to SOURCE NAMES.
NO SPRING CR AS LEGAL OUTLINE

CP 3

CP 2

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

IMP.	RTE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
① 13N	38E	2	NW	SE	SW		CLARK	
		2	SW	SE	SW			

SOURCE: MOOSH CREEK TOIR: Sinks

REVIEWED BY: ABR DATE: 3/20/21

SYSTEM DESCRIPTION: ① MOOSH CREEK IS DIKED OVER AT THE CONFLUENCE W/ SCALP CK DITCH. WATER IS COLLECTED IN A BIG DITCH AND CONVEYED ON FURTHER SOUTH FOR IRRIG. AND STOCKWATERING.

- ② ORIGINAL LIC. AS ANTERIOR CK $\Rightarrow$ CØ2
- ③ ORIGINAL POO IN SEC. 14 $\Rightarrow$ CØ3
- ④ LIC. LIMITS TO 25 AC. $\Rightarrow$ CØ5 W/ PP4 OTHER RTS.
- ⑤ LIC. NOT CLAIMED IN SAVVUS ABBOTT CØ2

4. ROOT WATER RIGHT NUMBERS: A31-02125

9. POU LISTING

TWP AND SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	JR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N 39E 14	54	NE		HAGENBARTH, MARGARET	A31-02125 /25.0	-	/		16.0
	54	NE		HAGENBARTH, MARGARET	A31-04027 /40.0	31-04027	/14.0		
	54	NE		HAGENBARTH, MARGARET	A31-10208 /40.0	-	/		
	54	NE		UNION CENTRAL LIFE INSURANCE C		31-00253	/		
	54	NE		UNION CENTRAL LIFE INSURANCE C		31-00254	/		
TOTAL ACRES					A31-02125	25.00			16.00

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

10. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

LICENSED AS 25 ACRES, AS FOLLOWS: 17 ACRES IN SWSE, ... 8 AC IN NWSE SEC. 14
T.13N, R.39E. Now claims all 25 ac in SWNE SEC. 14 (13/39)

CP5 1948
WARR

RECOMMENDATIONS:

TOTAL ACRES:

K46
25⁰⁰/5742

REVIEWED BY:

AKR

DATE:

7/12/01

THIS LICENSE COMINGLES WITH OTHER WATERS AND IS USED IN A PERMISSIBLE PLACE OF USE SCHEME WITH THE OTHER RIGHTS. THIS RIGHT IS LIMITED TO 25 AC W/ THE ENTIRE POU.

A. AS CLAIMED USES:

PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
431-02125 IRRIGATION	FROM	06-11	TO 11-01	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				.500 CFS <i>ok</i>

B. WR RECORDED USES:

PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
31-02125 IRRIGATION	FROM		TO	.500 CFS
31-02125 DOMESTIC	FROM		TO	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

*PERIOD OF USE NOT EXPRESSED BY Lic. Recommend to Dept. STD.
AS 5/1 TO 10/31.*

NOT Lic for Stockwater

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

AD TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN HEAR IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y FIELD DATABASE EXAMINER

B. MEASUREMENT METHOD P49my 17.36 FLOW MEASUREMENT, SEE ATTACHED CALCULATIONS.

CONFLUENCE OF SCALP CK AND
MOOSE CK - MEASURED 17.36
BY G. TAYLOR, 1993.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 01-0077/4027/10208

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-02125	MOOSE CREEK	HAGENBARTH, MARGARET	0.500	0.020		
A31-04027	SCALP CREEK	HAGENBARTH, MARGARET	7.000	0.011		
A31-10208	MOOSE CREEK	HAGENBARTH, MARGARET	7.000	0.011		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-04027	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.243 CFS	
A31-04027	WILDLIFE	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.250 CFS	

B.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/20 REVIEW)

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 17.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
SOURCE KNOWN LOCALLY AS ANTELOPE CREEK.

1B. CALCULATIONS

*Claims as lic. @ 0.50 cfs or
on 25 ac = .02 cfs/ac*

*25
x 3
75 AF/A*

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Prig</u>	<u>5/1 10/31</u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FOR THIS RIGHT		<u>0.50</u>	<u> </u>	<u> </u>

REVIEWED BY: SBR

DATE: 3/29/22

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 NUMBERS: 31-02125

TOTAL DIVERSION RATE OF WR SPLITS DATABASE
0.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-02125	0.500	-		31-02125	0.500
TOTAL CFS		0.500				0.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

*Claimed as Licensor @ 0.50 cfs (in-run). No apparent splits.
C/o's or TX's.*

AUTHENTICATION:

SIGNATURE: *[Signature]*

DATE: *3/24/04*

NAME OF FIELD EXAMINER: *Allen B. [Signature]*

TITLE: *SA Agt.*

*PPU w/ other Rts.
w/ Limits*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-92125

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 AACS MAP = 2
 WATERMASTER RECORDS = 3
 VAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:23:16
03/14/93

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A31-02125

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET HAGENBARTH	08/11/1913	IRRIGATION	04-01 11-01	0.50 CFS	
C	DAVID J. HAGENBARTH					
C	JAMES F. HAGENBARTH					
	P.O. BOX 1128					
	SILLON MT 57723					
	(406) 683-2163					
				TOTAL DIVERSION:	0.50 CFS	
				CONSUMPTIVE USE:		37.5 AF1

WATER SOURCE: MOOSE CREEK

TRIBUTARY TO: SINKS

STAGE: LICENSE

POINT(S) OF DIVERSION:

T13N 239E 002

NWSESW

SWSESW

CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

		NE				NW				SW				SE				
		NENE		NNE		SNE		SSE		NENW		NNW		SWNW		SESW		
T	R S	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	SUM
13N	39E 14																	25.0
																		25.0
																		TOTAL ACRES

POU COUNTY: CLARK

NON-IRRIGATION USES: NONE

OTHER RIGHTS: 31-20777/40077/10200

REMARKS: CLAIMANTS PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR ANTELOPE VALLEY IN 1945. MOOSE CREEK AND SEVERAL OTHER SOURCES WERE POOLED AND USED ON THE LAND SERVICED BY THIS SYSTEM CONSEQUENTLY THE EXPANDED USE. SEE RIGHT # 31-10203 SEE ATTACHMENT "A"

DATES: EXAM MADE DATE: VERIFIED DATE: 06/18/1985

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG: Y
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

HAGENBARTH LYSTK ANTLOPS SRBA CLAIMS

Water Right	POLYGONS INCLUDED FOR PPU
Wau Sp #2 31-10216 UNNAMOO Stream (Locho Sp CR)	H7, H8, H9, H10, H11 <i>OK</i> <i>INTERSECT 1, 7a</i>
31-10212 UNNAMOO Stream (Locho Sp CR)	H3, H4, H5, H6, H7, H8 <i>OK</i> <i>INTERSECT 8</i>
31-00253 31-00254 UNNAMOO Stream	H2, H4, H5, H6, H7, H8 <i>INTERSECT 9</i>
31-10208 * MOOSE CR	H1, H2, H3, H6, H7, H9 <i>AS PPU</i> <i>INTERSECT 10</i>
31-02125 * MOOSE CR	PART OF H1 (Limited to 25 ac) ALSO H2, H3, H6, H7, H9 <i>AS PPU</i> <i>INTERSECT 10</i>
31-02077 * MOOSE CR	PART OF H1 (Limited to 120 ac) ALSO H2, H3, H6, H7, H9 <i>AS PPU</i> <i>INTERSECT 10</i>
31-04027 * SCALP CR	H1, H2, H3, H6, H7, H9 <i>AS PPU</i> <i>INTERSECT 10</i>
* 31-10208, 02125, 02077, 04027 = PPU (WITH Limits of AERAGE)	
GIS NOTES: (1) COMBINING INTERSECTS 9 & 10 AS PPU (Limits)	

HAI

T13N R39E

12 7
13 18

H8

H10



H11

H16

H9

H1

23 24

T13N R39E

T1

Scalp Ck
31-04027

Moose Ck
31-10208
31-02077
31-02125

T13N R39E

6
T13N, R40E

Locke Sp Ck
31-10212

Unnamed ck
31-10216

T13N R40E

2

1

South
Ck

Moose
Ck

T43N R39E

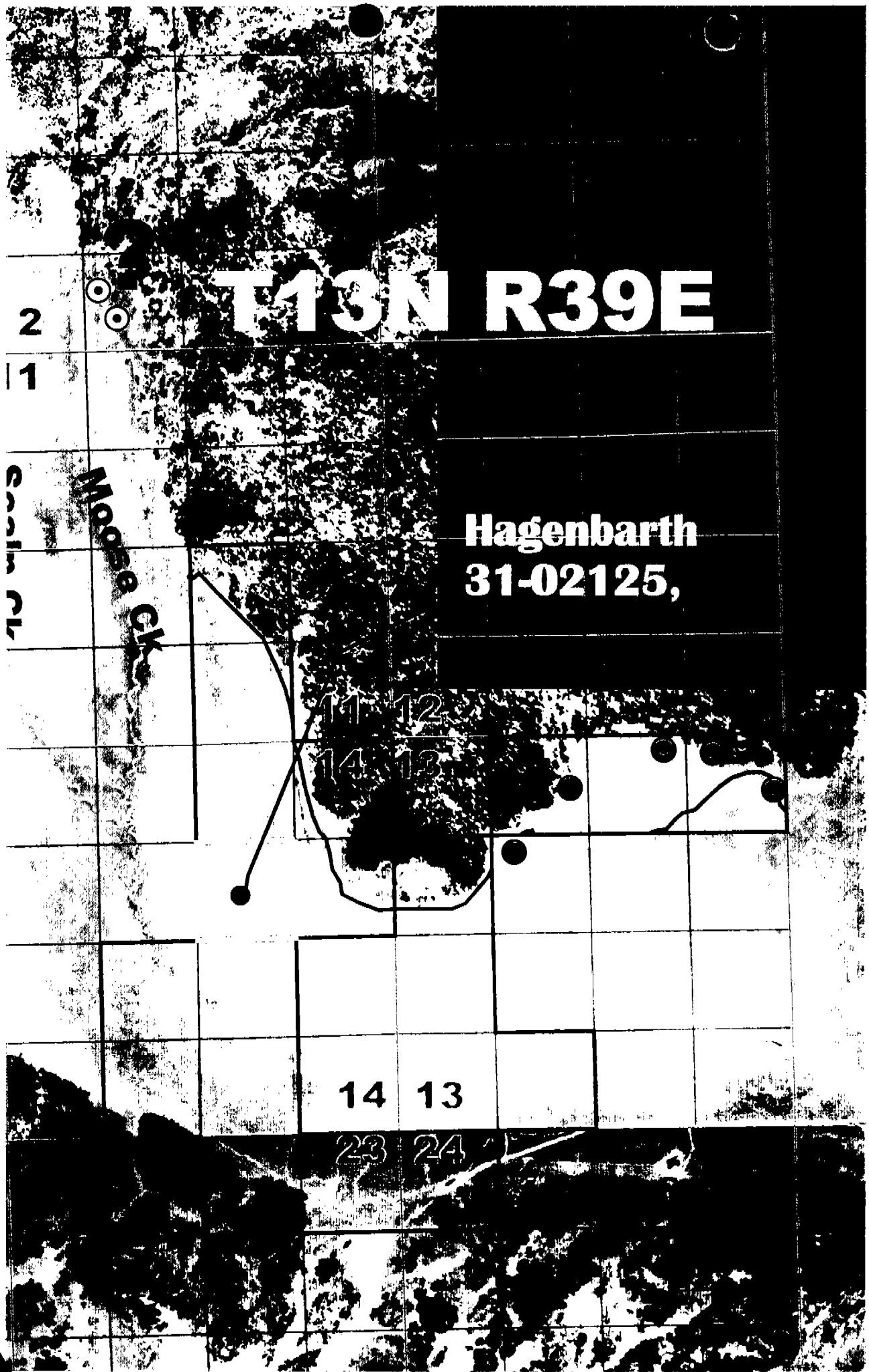
**Hagenbarth
31-02125,**

11 12

14 13

14 13

23 24



County: Fremont
Stream: Antelope Creek
Amount: 1/2 of 1 c.f.
Use: Irrigation
Priority: Aug. 11, 1913

STATE OF IDAHO

Water License No. 9576

WHEREAS, On the 11th day of August, A.D. 1913

Lillian J. Woodruff

of Blackfoot, County of Bingham, State of Idaho, duly made application (No. 14352) to me for a permit to use 3.2 cubic feet per second of the waters of Antelope Creek

County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 6th day of September, A.D. 1913, Permit No. 9576 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 15th day of September, A.D. 1914, and for the application to beneficial use of said water on or before the 6th day of September, A.D. 1915, and

WHEREAS, On the 31st day of August, A.D. 1914,

Lillian J. Woodruff

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 9576 dated September 11, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water with date of priority of August 11, 1913, and

WHEREAS, On the 15th day of May, A.D. 1915,

Lillian J. Woodruff

the holder of said permit, duly made proof of the application to beneficial use of 1/2 of 1 cubic foot per second of said water

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Lillian J. Woodruff

of Blackfoot, County of Bingham, State of Idaho, the holder and owner of said Permit No. 9576, a perpetual right, dating from August 11, 1913, to the use of 1/2 of 1 cubic foot per second of the waters of Antelope Creek,

in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbefore mentioned, to be diverted at a point in the NW 1/4 of SE 1/4, Sec. 14, T. 13 N. 2, R. 39 E.B.M.

and conducted to and upon 25 acres, as follows: 17 acres in SW 1/4 of SE 1/4 and 8 acres in NW 1/4 of SE 1/4, Sec. 14, T. 13 N., R. 39 E.B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

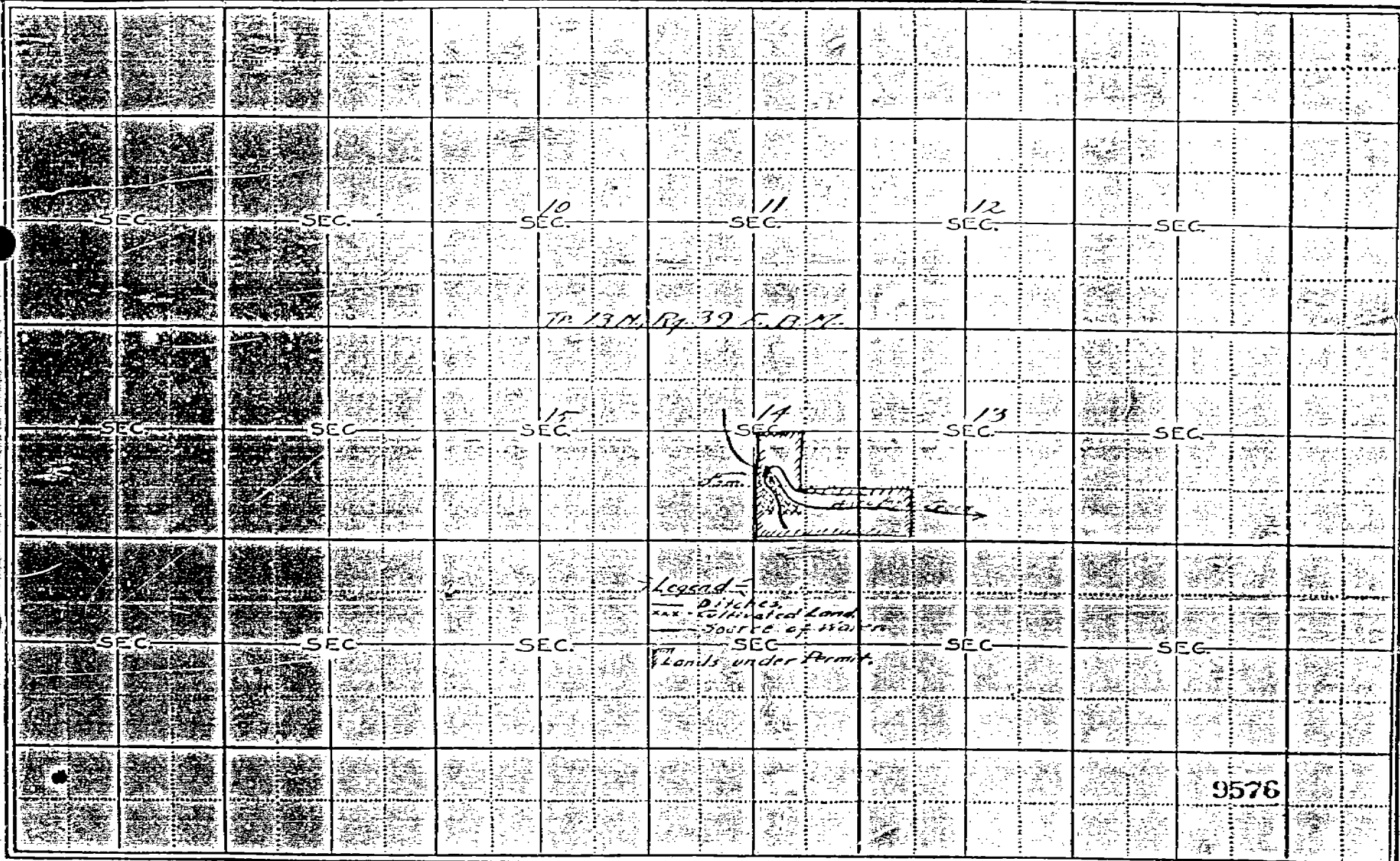
WITNESS, My hand and the seal of my office at Boise, Idaho, this 13rd day of September, A.D. nineteen hundred and fifteen.

J. H. SMITH,

(Seal)

State Engineer

Name of Applicant *Lynn T. Haggerty*



9576

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

REPORT OF ENGINEER

1. State name of applicant and number of acres: *William J. Woodruff, Farm 9576*
2. State source of water supply: *Antelope Creek*
3. Location of point of diversion: *NW 1/4 Sec. 13, T. 13 N., R. 39 E., B. 14*

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes*

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: *Two (2) feet*
(b) Width at water line: *Three (3) feet*
(c) Depth of water: *One (1) foot*
(d) Grade per mile: *10 feet*
(e) Capacity of ditch: *3.2* second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Water has been turned into the ditches, and land has been irrigated.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

SW 1/4 Sec. 13, None in cultivation; SE 1/4 Sec. 14, None in cultivation; SW 1/4 Sec. 14, 17 acres; NW 1/4 Sec. 14, 8 acres, all in T. 13 N., R. 39 E., B. 14.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *No water available this year, due to no run-off in Antelope Creek. Ditch in good shape. Only 25 acres in cultivation - balance in sage brush, and no water done.*

STATE OF IDAHO,

County of _____

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 19____.

My Commission Expires _____

Notary Public.

9576

6/18/88

RE: Antelope Valley Water Delivery System
Scalp-Moose Creek portion

To Whom it may concern:

I am representing the claimants, Margaret, David J. and James F. Hagenbarth, in the filing of water rights in the Snake River Basin Water System. The information contained below is in respect to a water delivery system which is used by the claimants to put diverted flows from Scalp Creek, Moose Creek, and at times Lock Springs to beneficial use on lands owned by the claimants. The water sources mentioned are typical to most streams in this area in that they can flow tremendous amounts in the spring, yet flow very little in the summer. The claimants use the maximum amount diverted, but usually only for a short time.

At least since 1939 Scalp Creek flowed in a southeasterly direction, mingled with Moose Creek and spread out on the lands owned by the claimants in Antelope Valley. In the fall of 1947 my Father, D.V. Hagenbarth, constructed a massive sub-flood water delivery system for Antelope Valley. This system put the waters of Scalp, Moose Creek, Lock Springs, and several unnamed springs to a more efficient beneficial use. This system can be described as a series of dikes, dams, culverts, and slow gradient ditches used to distribute the various waters onto the claimants' land in a sub-flood combination. Since May 1, 1948 part of this delivery system has distributed Scalp Creek waters onto the lands of the claimants. Claim No. 31-4027 was the original claim made on the waters of Scalp Creek by the defendants. License Nos. 31-0253 and 31-0254 along with right #135 of the Suave Decree describe the Lock Springs waters which are partially used by the Scalp-Moose Creek portion of the Antelope Valley delivery system. License Nos. 31-2077 and 31-2125 describe the Moose Creek waters which is distributed by the delivery system. Since Scalp and Moose Creek waters are diverted at the head of the delivery system, their flows are used on the same lands. Lock Spring water is used only on a portion of the Scalp-Moose Creek water system lands. The attached map illustrates this water delivery system and the various points of diversion of the water sources.

These water rights were researched by the claimants and ownership was determined by present and past use of the water from these rights on the claimants' and their predecessors' lands. Each water right by priority will be filed on separately, but this explanation will be attached to each filing in order to tie the rights together as they have been used since the claimants' predecessor constructed the Antelope Flat water delivery system 40 years ago.

Sincerely,

James F. Hagenbarth
James F. Hagenbarth

MICROFILMED

NOV 17 1992