

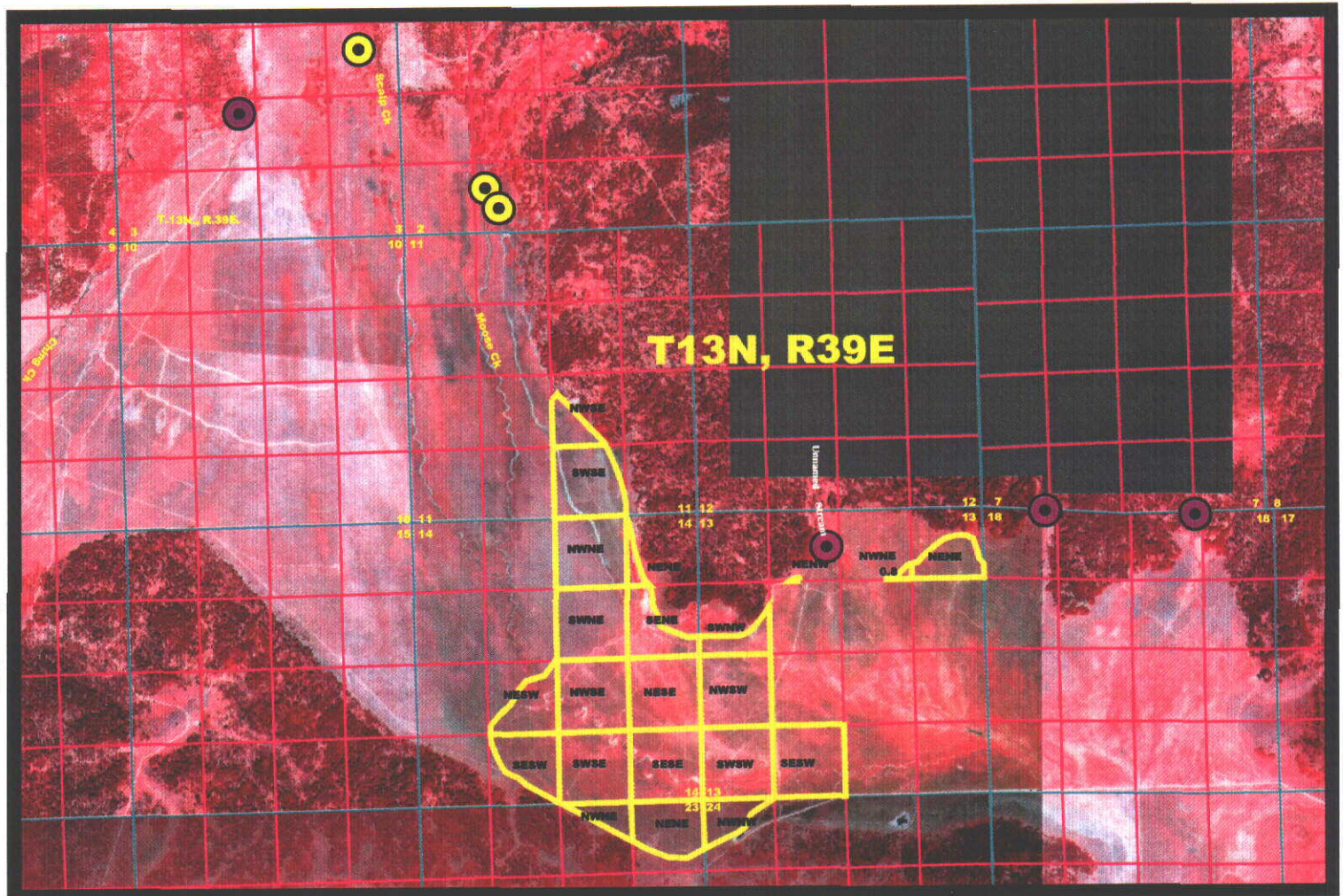


STATE OF IDAHO

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



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

PAGE: 5
POINT OF DIVERSION REVIEW SHEET CONTINUED

352
CLAIM NUMBER: A31-1020

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	2	NW	SE	SW		CLARK	
		2	SW	SE	SW		"	

SOURCE: MOOSE CK

TRIG: SPRING CK

REVIEWED BY: SPOR

DATE: 01/16/01

SYSTEM DESCRIPTION:

SOURCE/TRIG REFERS TO QQ444



31-04027

31-02125

31-02077

31-10208

T13N, R39E



T13N R39E

T13N R40E

03/19/2001

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

RIGHT NUMBER: 31-10208

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

SOURCE: MOOSE CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 7 CFS

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

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.

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.

PRIORITY DATE: 05/01/1948

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	7.00 CFS
STOCKWATER	05-01 12-15	0.23 CFS

PLACE OF USE:

IRRIGATION Within CLARK County					
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

STOCKWATER Use same as IRRIGATION

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 350 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER 1100 CATTLE SAME POU AS IRRIGATION

FIELD AMENDMENT FORM

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. Hagerman

Date:

1/18/01

Date:

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)

County of Beaverhead)

SS.

Subscribed and sworn (or affirmed) before me this 18th day

of January 20 01

Notary Public

Seal

Residing at DillonMy Commission Expires 5/17/2003

PURPOSE OF AMENDMENT:

- 1). Amend 31-00254 to add stockwater @ 0.23 cfs, non-additive.
1100 cattle.
- 2). Amend 31-10208 to add stockwater @ 0.23 cfs, non-additive.
1100 cattle.

RECEIVED

JAN 22 2001

Department of Water Resources
Eastern Region

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: A31-10208
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: MAY 01, 1948

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	7.000		

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

8. Total consumptive use is 877.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A31-10208

Page 1

Date: 06/29/88

A310208



MICROFILMED

NOV 17 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	39E	11	NW		SE		IRR	15.0
			SW		SE		IRR	37.0
							Section Acres	52.0
		13	NE		NE		IRR	20.0
			NW		NE		IRR	5.0
			SW		NW		IRR	14.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	159.0
		14	NE		NE		IRR	4.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	24.0
			NE		SW		IRR	17.0
			SE		SW		IRR	31.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	316.0
		23	NE		NE		IRR	29.0
			NW		NE		IRR	14.0
							Section Acres	43.0
		24	NW		NW		IRR	15.0
							Section Acres	15.0
							Total Acres	585.0

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:
31-2125/2077/0253/0254/4027

14. Remarks:

CLAIMANTS' PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR ANTELOPE VALLEY IN 1947. MOOSE CREEK AND SEVERAL OTHER SOURCES WERE POOLED AND USED UPON THE P/U OF THIS CLAIM. THE SYSTEM USES

MICROFILMED

NOV 17 1992

THE ENTIRE FLOWS MOOSE CREEK AND THEREFORE HAD PUT THESE
FLOWS TO BENEFICIAL USE SINCE 05/01/1948.
SEE ATTACHMENT "A" AND CLAIM # 31-4027 FOR ADDITIONAL INFORMATION

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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.

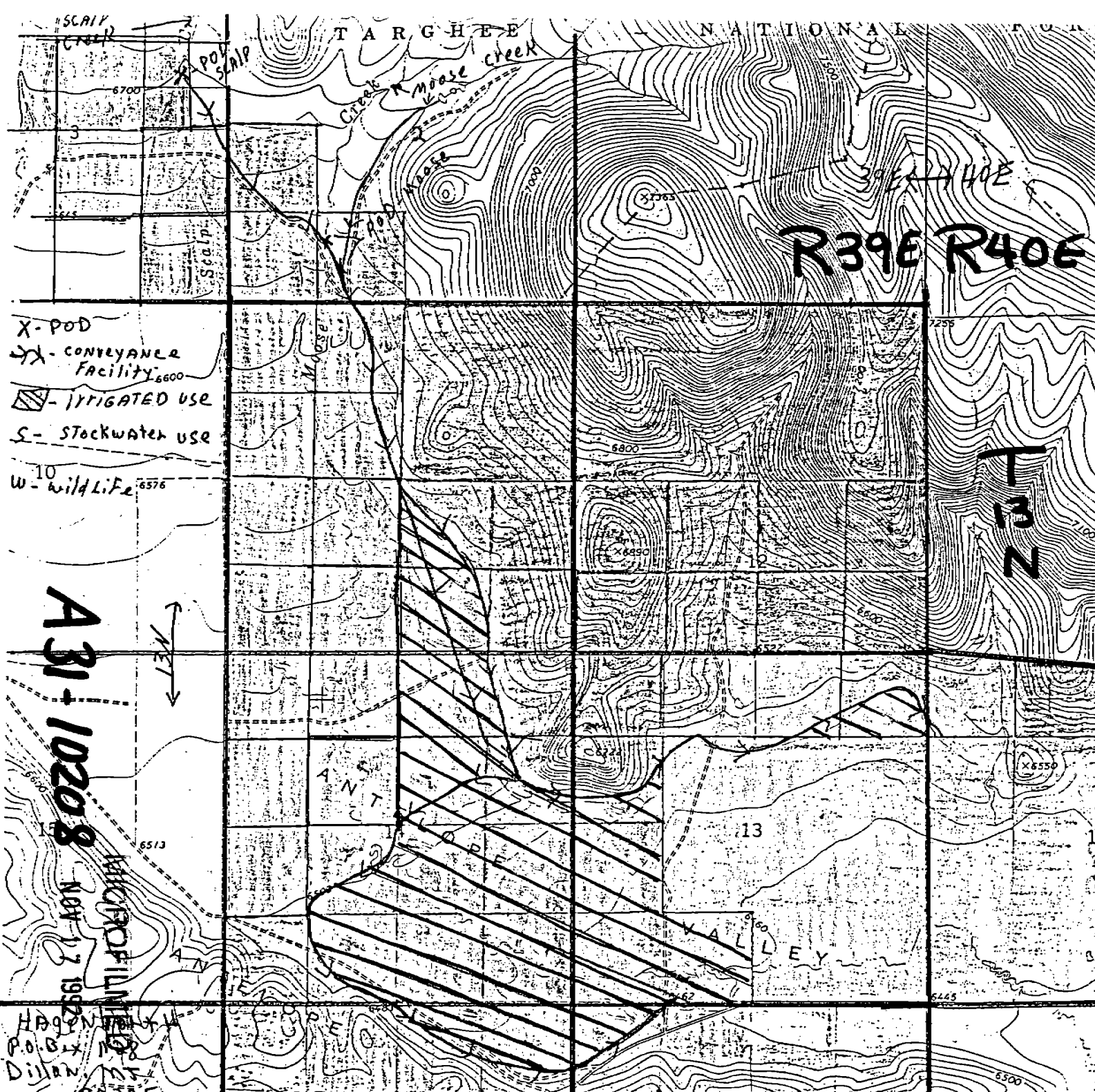
Signature of Claimant(s): *James E. Dagerman* Date: 6/29/88
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of June 19 88 *Calvin Wraif*
Notary Public

Seal

Residing at *Idaho Falls*
My Commission Expires 5/29/91



SCALP CREEK

TARGHEE

NATIONAL

FOREST

6700

MOOSE CREEK

R39E R40E

R39E R40E

X-POD

X-CONVEYANCE FACILITY

IRRIGATED USE

STOCKWATER USE

W-10 WILDLIFE

A31-10208

NET

6513

13

VALLEY

RIDGE

DILLON

BM 6527

6500

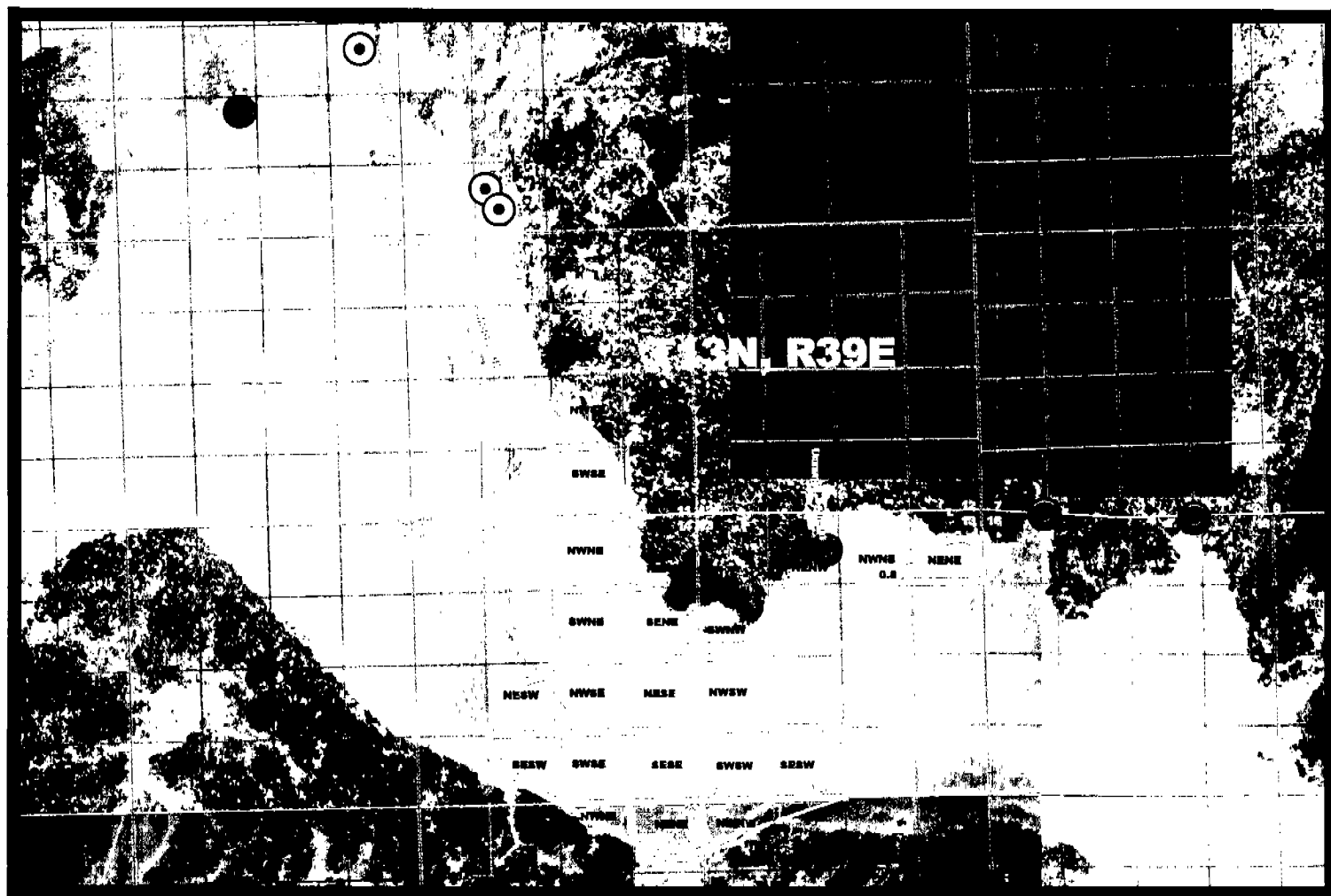


STATE OF IDAHO

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

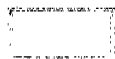
LEGEND



Point of Diversion

SESE

Place of Use



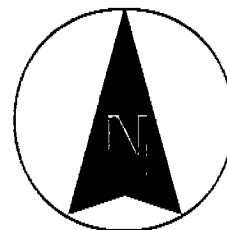
Section Line



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 1
GENERAL INFORMATION

343
CLAIM NUMBER: A31-1020

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-683-2163

FIRST: MARGARET
STATE: MT ZIP: 59725

OWNER CODE: C

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-683-2163

FIRST: DAVID J.
STATE: MT ZIP: 59725

OWNER CODE: C

LAST: HAGENBARTH
ADDRESS: P.O. BOX 1128
CITY: DILLON
PHONE NUMBER: 436-683-2163

FIRST: JAMES F.
STATE: MT ZIP: 59725

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS:

CLAIMANTS' PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR ANTELOPE VALLEY IN 1967. MOOSE CREEK AND SEVERAL OTHER SOURCES WERE POOLED AND USED UPON THE P/U OF THIS CLAIM. THE SYSTEM USES THE ENTIRE FLOWS OF MOOSE CREEK AND THEREFORE, HAD PUT THESE FLOWS TO BENEFICIAL USE SINCE 05/31/1948. SEE ATTACHMENT "A" AND CLAIM # 31-4027 FOR ADDITIONAL INFORMATION

⇒ CC: COMMENTS

PAGE: 2
FIELD EXAMINATION INFORMATION

349
CLAIM NUMBER: A31-1020

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

PAGE: 3
PRIORITY DATE REVIEW PAGE

353
CLAIM NUMBER: A31-1020

A. AJ CLAIM: # A31-10208 PRIORITY DATE: 05-01-1948 STAGE: J
B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
Y -----

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

NOTES: CLAIMANTS STATEMENT SAYS 'SYSTEM CONSTRUCTED IN FALL OF 1940'
CLAIMS FIRST DAY OF IRRIGATION IN ACCORDANCE WITH DECREE (1930)

RECOMMENDED PRIORITY DATE: 5/01/1948 AS CLAIMED

REVIEWED BY *[Signature]*

DATE 3/15/21

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-10208	13N	59E	2	NW	SE	SW		CLARK
A31-10208	13N	59E	2	SW	SE	SW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-02077 NONE
A31-02125

WR RECORDS IN SAME 40 ACRE TRACT
31-02077

SOURCE: MOOSE CREEK

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	_____
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	_____

NOTES:

Moose Creek

PAGE: 5
POINT OF DIVERSION REVIEW SHEET CONTINUED

352
CLAIM NUMBER: 031-1020

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	2	NW	SE	SW	---	Clark	---
---	---	2	SW	SE	SW	---	"	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: Moose Cr

TRIB: Spring Cr

REVIEWED BY: ASR

DATE: 01/16/01

SYSTEM DESCRIPTION:

Source/Trib RATION TO OQ444



A. ROOT WATER RIGHT NUMBERS: A31-10208

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.
13N	39E	11	NW	SE		HAGENBARTH, MARGARET	A31-10208 /15.0	- /	5.0	
			NW	SE		HAGENBARTH, MARGARET	A31-02077 /15.0	31-02077 /20.0		
			NW	SE		HAGENBARTH, MARGARET	A31-04027 /15.0	31-04027 /		
13N	39E	11	SW	SE		HAGENBARTH, MARGARET	A31-10208 /37.0	- /	5.0	
			SW	SE		HAGENBARTH, MARGARET	A31-02077 /37.0	31-02077 /40.0		
			SW	SE		HAGENBARTH, MARGARET	A31-04027 /37.0	31-04027 /		
13N	39E	13	NE	NE		HAGENBARTH, MARGARET	A31-10208 /20.0	- /	8.0	
			NE	NE		HAGENBARTH, MARGARET	A31-00253 /24.0	- /		
			NE	NE		HAGENBARTH, MARGARET	A31-00254 /24.0	- /		
			NE	NE		HAGENBARTH, MARGARET	A31-04027 /20.0	31-04027 /20.0		
			NE	NE		HAGENBARTH, MARGARET	A31-10212 /17.0	- /		
			NE	NE		HAGENBARTH, MARGARET	A31-10216 /28.0	- /		
13N	39E	13	NW	NE		HAGENBARTH, MARGARET	A31-10208 / 5.0	- /	4.0	
			NW	NE		HAGENBARTH, MARGARET	A31-00253 /23.0	- /		
			NW	NE		HAGENBARTH, MARGARET	A31-00254 /23.0	- /		
			NW	NE		HAGENBARTH, MARGARET	A31-04027 / 5.0	31-04027 / 5.0		
			NW	NE		HAGENBARTH, MARGARET	A31-10212 /23.0	- /		
13N	39E	13	SW	NW		HAGENBARTH, MARGARET	A31-10208 /14.0	- /	14.0	
			SW	NW		HAGENBARTH, MARGARET	A31-00253 / 4.0	31-00253 /		
			SW	NW		HAGENBARTH, MARGARET	A31-00254 / 4.0	31-00254 /		
			SW	NW		HAGENBARTH, MARGARET	A31-04027 /14.0	31-04027 /25.0		
13N	39E	13	NW	SW		HAGENBARTH, MARGARET	A31-10208 /40.0	- /	9.0	
			NW	SW		HAGENBARTH, MARGARET	A31-00253 /34.0	31-00253 /		
			NW	SW		HAGENBARTH, MARGARET	A31-00254 /34.0	31-00254 /		
			NW	SW		HAGENBARTH, MARGARET	A31-04027 /40.0	31-04027 /40.0		
			NW	SW		RUFENER, HENRY		31-02070 /20.0		
13N	39E	13	SW	SW		HAGENBARTH, MARGARET	A31-10208 /40.0	- /	10.0	
			SW	SW		HAGENBARTH, MARGARET	A31-00253 /40.0	- /		
			SW	SW		HAGENBARTH, MARGARET	A31-00254 /40.0	- /		
			SW	SW		HAGENBARTH, MARGARET	A31-04027 /40.0	31-04027 /40.0		
13N	39E	13	SE	SW		HAGENBARTH, MARGARET	A31-10208 /40.0	- /	20.0	
			SE	SW		HAGENBARTH, MARGARET	A31-00253 /40.0	- /		
			SE	SW		HAGENBARTH, MARGARET	A31-00254 /40.0	- /		
			SE	SW		HAGENBARTH, MARGARET	A31-04027 /40.0	31-04027 /40.0		
13N	39E	14	NE	NE		HAGENBARTH, MARGARET	A31-10208 / 4.0	- /		
			NE	NE		HAGENBARTH, MARGARET	A31-02077 / 4.0	31-02077 /20.0		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.
			NE	NE		HAGENBARTH, MARGARET	A31-04027 / 4.0	31-04027 /		
13N	39E	14	NW	NE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	11.0	
			NW	NE		HAGENBARTH, MARGARET	A31-02077 / 40.0	31-02077 / 40.0		
			NW	NE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 /		
13N	39E	14	SW	NE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	16.0	
			SW	NE		HAGENBARTH, MARGARET	A31-02125 / 25.0	- /		
			SW	NE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 / 14.0		
			SW	NE		UNION CENTRAL LIFE INSURANCE C		31-00253 /		
			SW	NE		UNION CENTRAL LIFE INSURANCE C		31-00254 /		
13N	39E	14	SE	NE		HAGENBARTH, MARGARET	A31-10208 / 24.0	- /	13.0	
			SE	NE		HAGENBARTH, MARGARET	A31-02077 / 24.0	- /		
			SE	NE		HAGENBARTH, MARGARET	A31-04027 / 24.0	31-04027 / 28.0		
			SE	NE		UNION CENTRAL LIFE INSURANCE C		31-00253 /		
			SE	NE		UNION CENTRAL LIFE INSURANCE C		31-00254 /		
13N	39E	14	NE	SW		HAGENBARTH, MARGARET	A31-10208 / 17.0	- /	10.0	
			NE	SW		HAGENBARTH, MARGARET	A31-04027 / 17.0	31-04027 / 15.0		
13N	39E	14	SE	SW		HAGENBARTH, MARGARET	A31-10208 / 31.0	- /	3.0	
			SE	SW		HAGENBARTH, MARGARET	A31-04027 / 31.0	31-04027 / 30.0		
13N	39E	14	NE	SE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	13.0	
			NE	SE		HAGENBARTH, MARGARET	A31-00253 / 6.0	31-00253 /		
			NE	SE		HAGENBARTH, MARGARET	A31-00254 / 6.0	31-00254 /		
			NE	SE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 / 40.0		
			NE	SE		RUFENER, HENRY		31-02070 / 1.0		
13N	39E	14	NW	SE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	17.0	
			NW	SE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 / 35.0		
			NW	SE		WOODRUFF, LILLIAN J.		31-02125 / 8.0		
13N	39E	14	SW	SE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	1.0	
			SW	SE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 / 40.0		
			SW	SE		WOODRUFF, LILLIAN J.		31-02125 / 17.0		
13N	39E	14	SE	SE		HAGENBARTH, MARGARET	A31-10208 / 40.0	- /	2.0	
			SE	SE		HAGENBARTH, MARGARET	A31-00253 / 32.0	- /		
			SE	SE		HAGENBARTH, MARGARET	A31-00254 / 32.0	- /		
			SE	SE		HAGENBARTH, MARGARET	A31-04027 / 40.0	31-04027 / 40.0		
13N	39E	23	NE	NE		HAGENBARTH, MARGARET	A31-10208 / 29.0	- /	19.0	
			NE	NE		HAGENBARTH, MARGARET	A31-04027 / 29.0	31-04027 / 30.0		
13N	39E	23	NW	NE		HAGENBARTH, MARGARET	A31-10208 / 14.0	- /	3.0	
			NW	NE		HAGENBARTH, MARGARET	A31-04027 / 14.0	31-04027 / 14.0		

PAGE: 3
PLACE OF USE REVIEW SHEET CONTINUED

355
CLAIM NUMBER: A31-1020

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	4R #/ACRES	LANDSAT DATA	FIELD EXAM.
13N	39E	24	NW	NW		HAGENBARTH, MARGARET	A31-10208 /15.0	- /		18.0
			NW	NW		HAGENBARTH, MARGARET	A31-34027 /15.0	31-34027 /15.0		
			NW	NW		HAGENBARTH, MARGARET	A31-10261 /	- /		
TOTAL ACRES							A31-10208	595.30		199.00

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

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POB COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

PERMISSIBLE PLACES
w/ OTHER RIGHTS
USE Limitations

K06-380

RECOMMENDATIONS:

TOTAL ACRES:

574.2

REVIEWED BY:

[Signature]

DATE:

01/16/01

A. AJ CLAIMED USES:

PURPOSES
A31-10208 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
7.000 CFS

7.000 CFS

*Measure
See TR*

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE	FIELD EXAMINER
N	---
Y	---
N	---

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() EXPLAIN IN NOTES, BELOW

NOTES:

DEPARTMENT STANDARD IRRIG SEASON FOR AREA IS MAY 1 TO

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(✓)

AJ TOTAL CLAIMED DIVERSION RATE: 7.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

No prior RECORD.

*** 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 EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 31-2125/2077/0253/0254/4027

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	VOL
A31-10208	MOOSE CREEK	HAGENBARTH, MARGARET	7.000	0.011		
A31-00253	SPRING	HAGENBARTH, MARGARET	0.420	0.002		
A31-00254	SPRING	HAGENBARTH, MARGARET	0.500	0.002		
A31-02077	MOOSE CREEK	HAGENBARTH, MARGARET	2.400	0.020		
A31-02125	MOOSE CREEK	HAGENBARTH, MARGARET	0.500	0.020		
A31-04027	SCALP CREEK	HAGENBARTH, MARGARET	7.000	0.011		
A31-10212	SPRING	HAGENBARTH, MARGARET	0.300	0.020		
A31-10216	STREAM	HAGENBARTH, MARGARET	1.500	0.031		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOL
A31-02077	STOCKWATER	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	.240 CFS	
A31-02077	WILDLIFE	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	.250 CFS	
A31-04027	STOCKWATER	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.240 CFS	
A31-04027	WILDLIFE	HAGENBARTH, MARGARET	FROM 04-01 TO 12-31	.250 CFS	
A31-00253	STOCKWATER	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	.240 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-00253	WILDLIFE	HASENBARTH, MARGARET	FROM 01-01 TO 12-31	.250 CFS	
A31-10216	STOCKWATER	HASENBARTH, MARGARET	FROM 01-01 TO 12-31	.200 CFS	
A31-10216	WILDLIFE	HASENBARTH, MARGARET	FROM 01-01 TO 12-31	.200 CFS	
A31-10251	STOCKWATER	HASENBARTH, MARGARET	FROM 05-01 TO 12-31		2.00

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

1B. CALCULATIONS

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

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 877.5 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()

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
Stock	5/1 10/31	23		
IRRIGATION	04-01 11-01	DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
		7.000		877.5
TOTAL FOR THIS RIGHT	5/1 10/31	7.000		877.5

REVIEWED BY:

DATE:

Amoro-Stockwater 1100 cattle 110050 NOW ADDITIVE Same Poll

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: 31-10208

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSI
RATE

-

A31-10208

7.000

-

-

TOTAL CFS

7.000

DIVERSION RATE REVIEW

DATABASE
N

FIELD
EXAMINER

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)

NOTES:

BENEFICIAL USE CLAIM - MUDSHIPS ROAD - See Taylor's memo

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 01/16/01

NAME OF FIELD EXAMINER: [Signature]

TITLE: En. Asst

PERMISSIONS FOR
OWNER RIGHTS
USE LIMITS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 14
QUICKLOOK INFORMATION

561
CLAIM NUMBER: A31-1020

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 BY CODE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP 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

00:17:59
03/24/93
362

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A31-1020

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVER VOL
C	MARGARET HAGENBARTH	05/01/1948	IRRIGATION	04-01 11-01	7.00 CFS	
C	DAVID J. HAGENBARTH					
C	JAMES F. HAGENBARTH					
	P.O. BOX 1128					
	DILLON MT 59725					
	(436) 683-2163					
					TOTAL DIVERSION:	
					CONSUMPTIVE USE:	
					7.00 CFS	

WATER SOURCE: MOOSE CREEK

TRIBUTARY TO: SINKS

STAGE: BENEFIC

POINT(S) OF DIVERSION:

T13N R39E S02

NWSESW

SWSESW

CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE											
				NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NENE		NWSE		SWSE		SESE	
T	R	S		LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC
13N	39E	11	:																								
13N	39E	13	:	20		05						14						40		40		40				15	37
13N	39E	14	:	04		40		40		24								17				31		40		40	40
13N	39E	23	:	29		14																					
13N	39E	24	:									15															

TOTAL ACRES

POU COUNTY: CLARK

NON-IRRIGATION USES: NONE

OTHER RIGHTS: 31-2125/2077/0253/0254/4027

REMARKS: CLAIMANTS' PREDECESSOR DEVELOPED A WATER DELIVERY SYSTEM FOR ANTELOPE VALLEY IN 1947. MOOSE CREEK AND SEVERAL OTHER SOURCES WERE POOLED AND USED UPON THE P/U OF THIS CLAIM. THE SYSTEM USES THE ENTIRE FLOWS OF MOOSE CREEK AND THEREFORE, HAD PUT THESE FLOWS TO BENEFICIAL USE SINCE 05/01/1948. SEE ATTACHMENT "A" AND CLAIM # 31-4027 FOR ADDITIONAL INFORMATION

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

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: 31-10208

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) Quantity-Restrictions on stockwater consumption of not more than 13,000 gallons per day.
 - 3) Explanatory material-Restriction of 1100 head of cattle under explanation.
2. Describe the changes you wish to make in the proposed recommendation:
 - 1) Change to: 5/01 ~~12/15~~ *12/15*
 - 2) Remove 13,000 gallon per day restriction. — *CAN'T REMOVE - F&E*
 - 3) Remove restriction of 1100 head of cattle.
3. Give a brief explanation as to why you disagree with these portions:
 - 1) Cattle have watered from this source as late as 12/15.
 - 2) The number of cattle watering on this system can at times drink more than 13,000 gallons per day and the stockwater diversion quantity is .23 CFS which would accommodate this described use.
 - 3) The number of cattle watering at the described places of use exceeds 1100 head at times.

____ 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

31-04027

31-02125

31-02077

31-10208

NWSE
12

SWSE
37

NWNE
40

SWNE
40

NESW
23

NWSE
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NESE
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NWSW
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SESW
25

SWSE
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SESE
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SWSW
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SESW
40

NWNE
11

NESE
29

NWSW
18

T13N R39E

T13N R40E

HAGONBARTH LVSTR ANTLOPS SRBA Claims

Water Right	Polygons Included For PPU
WALL Sp #2 31-10216 UNNAMED STREAM	H7, H8, H9, H10, H11 ON INTERSECT 1, 7a
(Lochs Sp CR) 31-10212 UNNAMED STREAM	H3, H4, H5, H6, H7, H8 ON INTERSECT 8
(Lochs Sp CR) 31-00253 31-00254 UNNAMED STREAM	H2, H4, H5, H6, H7, H8 INTERSECT 9
31-10208 * MOOSE CR	H1, H2, H3, H6, H7, H9 AS PPU INTERSECT 10
31-02125 * MOOSE CR	PART OF H1 (Limited to 2512) ALSO H2, H3, H6, H7, H9 AS PPU INTERSECT 10
31-02077 * MOOSE CR	PART OF H1 (Limited to 12012) ALSO H2, H3, H6, H7, H9 AS PPU INTERSECT 10
31-04027 * SCALP CR	H1, H2, H3, H6, H7, H9 AS PPU INTERSECT 10
* 31-10208, 02125, 02077, 04027 = PPU (WITH Limits of AERODGES) GIS NOTES: (1) COMBINE INTERSECTS 9 & 10 AS PPU (LIMITS)	

Scalp Ck

31-04027

Moose Ck

31-10208

31-02077

31-02125

T13N R39E

T13N, R40E

Locke Sp Ck

31-10212

31-10213

31-00253

31-00254

Unnamed ck

31-10216

31-10217

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31-10220

31-10221

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T13N R39E

H8

H10

H9

H11

23 24

T13N R39E

T1



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

POOR ORIGINAL

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY

Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994

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

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