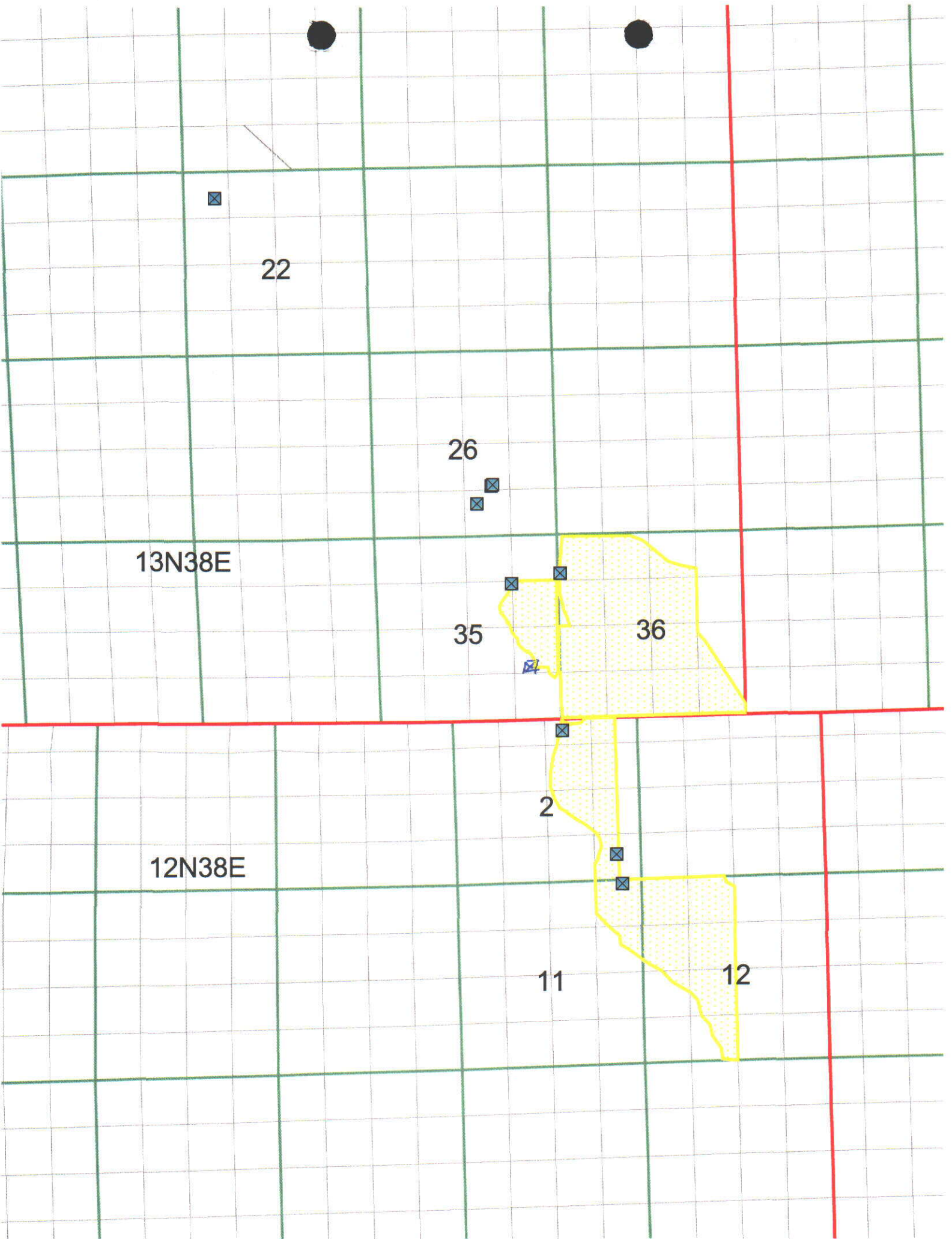




22

26

13N38E

35

36

2

12N38E

11

12

12/03/2002

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

RIGHT NUMBER: 31-11789
NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
MARGARET HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

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

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

PRIORITY DATE: 11/22/1909

POINT OF DIVERSION:

T12N R38E S2 SWNWNE Lot 2 Rediversion Within CLARK County
T12N R38E S2 NWSESE Rediversion Within CLARK County
T12N R38E S11 NENENE Rediversion Within CLARK County
T13N R38E S22 SENWNW Within CLARK County
T13N R38E S22 SENWNW Injection Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 SENWSE Rediversion Within CLARK County
T13N R38E S26 NWSWSE Injection Within CLARK County
T13N R38E S35 NESWNE Rediversion Within CLARK County
T13N R38E S35 SWNESE Rediversion Within CLARK County
T13N R38E S36 SWNWNW Rediversion 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	2.440 CFS
STOCKWATER	05/01 10/31	0.230 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T12N R38E S02 Lot 1 NENE	11.0	T12N R38E S02 Lot 2 NWNE	13.0
T12N R38E S02 SWNE	34.0	T12N R38E S02 SENE	21.0
T12N R38E S02 NESE	21.0	T12N R38E S02 NWSE	20.0
T12N R38E S02 SESE	18.0	T12N R38E S11 NENE	38.0
T12N R38E S11 SENE	12.0	T12N R38E S12 NENW	39.0
T12N R38E S12 NWNW	40.0	T12N R38E S12 SWNW	38.0
T12N R38E S12 SENW	40.0	T12N R38E S12 NESW	37.0

Water Right 31-11789

1

SF5 31-11789

12/03/2002

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

T12N R38E S12	NWSW	7.0	T12N R38E S12	SESW	20.0
T13N R38E S35	SWNE	7.0	T13N R38E S35	SENE	38.0
T13N R38E S35	NESE	27.0	T13N R38E S35	NWSE	0.5
T13N R38E S35	SESE	0.5	T13N R38E S36	NWNE	15.0
T13N R38E S36	SWNE	40.0	T13N R38E S36	NENW	36.0
T13N R38E S36	NWNW	35.0	T13N R38E S36	SWNW	36.0
T13N R38E S36	SENW	40.0	T13N R38E S36	NESW	40.0
T13N R38E S36	NWSW	39.0	T13N R38E S36	SWSW	39.0
T13N R38E S36	SESW	39.0	T13N R38E S36	NESE	9.0
T13N R38E S36	NWSE	40.0	T13N R38E S36	SWSE	39.0
T13N R38E S36	SESE	31.0			

STOCKWATER same as IRRIGATION

960 ACRES TOTAL

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

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

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

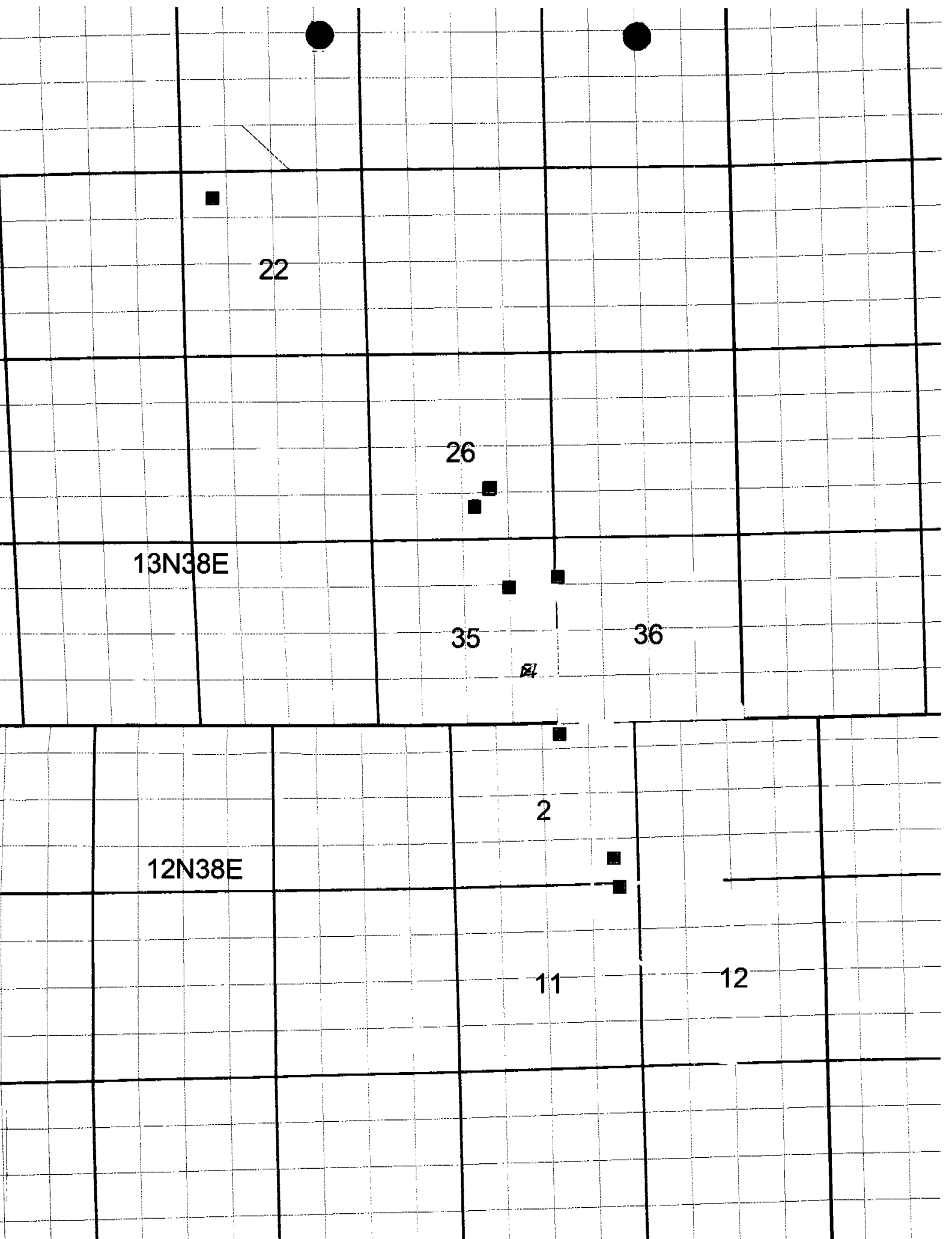
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

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

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

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



Post-It® Fax Note

7671

Date

of pages

To: <u>AL</u>	From: <u>Candia</u>
Co./Dept.	Co.
Phone #	Phone #
Fax #	Fax #

31-66A 21. AL

SETTLEMENT DISCUSSIONS

PRESENT: SM CUSHMAN

PATT ROWLAND

JOHN MARSHAL

JIM HAGENBARTH

DAN BURTONSHAW

LYNN BURTONSHAW

NICK HILMAN & WIFE

GERARD ?

JERRY RIGBY

GREG SHENTON (SP?) - WATER MASTER

Parent Right

31-00066A

DISCUSSION RE: DIVERSION STRUCTURE IN § 22

EVERYONE AGREES THAT ONLY 4.4 CFS IS DELIVERED

THROUGH THIS STRUCTURE. SO WHY ARGUE HERE?

APPEARS THAT HAGENBARTH REALLY WANTS A
HIGH WATER RIGHT FOR SPRING.

SM - DESCRIBING A DIFFERENT WATER RIGHTSETTLEMENT

* HAGENBARTH WILL BE APPLYING
FOR A POST DECREE TRANSFER
ADDING A NEW POD.

COMBINED TOTAL 19.2 CFS

- 2.44 CFS CRAB CREEK 1909 (374) ³¹⁻ LEAVE IN CRAB CK

16.76 CFS WEST CAMAS

2.0 CFS 1891 (31-373)

POD § 22 5/1 TO 10/31

2.44 CFS 1909 (31-11789)

POD § 22 5/1 TO 7/1

12.32 CFS

POD § 22

MEASURED AT
§ 261 & 30SUBORDINATED TO
ALL OTHER WEST
CAMAS CREEK RIGHTS

(66A SPLIT)

66B -

67A -

67B -

374 5/1 TO 10/31

11789

2.44

4.61

1190

11790