

DEPARTMENT OF
WATER RESOURCES

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☒ **I object because:**
☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): See ATTACHMENT

OBJECTIONS

BASIN 21

Hagenbarth

21-2054C

This water right should not exist

The basis for this water right is License # 8990/21-2054 which was used by the original licensee to divert water from Dry Creek and Sheridan Creek. The recommended right claims Dry Creek as a tributary to Sheridan Creek. Dry Creek is a tributary to Spring Creek in Basin 31 and has already been decreed under the SRBA. Those lands irrigated by Dry Creek and Sheridan Creek water in combination were claimed under water rights decreed in Basin 31. The POU in T13N R40E S10 SWSW can only be irrigated with Dry Creek water in regard to this claim and this decree is final. The land in Section 11 (SWNW & SENE) being claimed in this recommendation cannot be physically irrigated from the claimed POD because said POU is higher in elevation than the claimed POD.

F.

VERIFICATION (must be completed)

State of Montana)
)ss.
County of Beaverhead)

James F. Hagenbarth, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

James F. Hagenbarth
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 20, 2006



Shadra D. Guindon
Notary Public for State of Montana
Residing at: Dillon, Montana
My Commission Expires: April 22, 2007

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 20, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

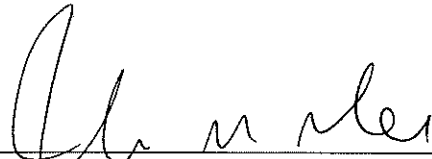
Name: State of Idaho - Dept. of Lands
Address: 954 W. Jefferson PO Box 83720-0050
Boise ID 83720-0050

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf