

08/02/2005

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:

Water right number: 21-4170

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

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
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):

Priority date, POD, place of use, combined TOTAL acres,
combined rights - Trib. to sinks so not subject to Rexburg Decree

2. Describe the changes you wish to make in the proposed recommendation:

Priority date - 11/10/1893
POD - TIBNRHOE S10 NWNESE - Replace recommended
Place of use: ADD 4 acres for the NESW of Sec 12 - MAP excludes a
parcel irrigated with 4120 water.

3. Give a brief explanation as to why you disagree with these portions:

Priority Date: I have supplied proof water was diverted from source at least
as early as 11/10/1893.
POD: ACTUAL POD LIES 1/2 mile N & E of recommended POD.
Place of use: WATER irrigates 4 acres NOT described on MAP.

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

DATE: 11/11/2005

SIGNATURE:

James F. HagenbARTH

Please print your name:

JAMES F. HAGENBARTH

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

2 & 3.) Combined TOTAL acres: The combined acres for the
combined water rights does NOT include all the acres
claimed & irrigated

Combined rights should eventually include the Palisade
Storage of 190 AF claimed in 21-12938 and water
from 21-2054 B - 21-12854 - Add to place of use