

DEPARTMENT OF
WATER RESOURCES

STIPULATED ELEMENTS OF A WATER RIGHT

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IDWR Concurrence:

Ernest Carlsen 26 Oct 07
Ernest Carlsen Date
Water Resource Program Manager

Nick Spencer 11-1-07
Nicholas B. Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on January 4, 2008 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

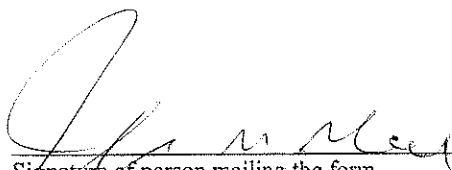
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

John M. Marshall, Esq.
Givens Pursley LLP
601 W. Bannock Street
Boise, ID 83702

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

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

RIGHT NUMBER: 21-2054B

NAME AND ADDRESS:

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128
JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

Emc
NBS
JMM

SOURCE: Source: Tributary:
SPRING SHERIDAN CREEK

QUANTITY: 3.800 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000
gallons per day.

PRIORITY DATE: 09/24/1912

POINT OF DIVERSION:

T13N R41E S6 NWSESW
Within CLARK County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	05/01 10/31	3.800 CFS
STOCKWATER	05/01 10/31	0.240 CFS

PLACE OF USE:

IRRIGATION within CLARK County

T13N R40E S10 SESW 25.0
T13N R40E S10 NESE 28.0
T13N R40E S10 NWSE 12.0
T13N R40E S10 SWSE 36.0
T13N R40E S10 SESE 40.0
T13N R40E S11 NESW 40.0
T13N R40E S11 NWSW 27.0
T13N R40E S11 SWSW 40.0
T13N R40E S11 SESW 40.0
T13N R40E S11 NESE 40.0
T13N R40E S11 NWSE 40.0
T13N R40E S11 SWSE 40.0
T13N R40E S11 SESE 39.0

T13N R40E S12 NESW 7.4
T13N R40E S12 NWSW 40.0
T13N R40E S12 SWSW 16.0
T13N R40E S14 NENE 9.7
T13N R40E S14 NWNE 19.0

~~T13N R40E S12 SWSW 0.2~~

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

T13N R40E S14 NENW 21.0

T13N R40E S14 NWNW 9.8

T13N R40E S15 NENE 40.0

T13N R40E S15 NWNE 40.0

~~T13N R40E S15 SENE 0.1~~

T13N R41E S07 Lot 2 SWNW 19.0

STOCKWATER within CLARK County

T13N R40E S11 SESW

T13N R40E S11 NESE

T13N R40E S11 NWSE

T13N R40E S11 SWSE

T13N R40E S11 SESE

T13N R40E S12 NWSW

T13N R40E S14 NENE

T13N R40E S14 NWNE

EMC
NBS
Jmm

668.9 ACRES TOTAL

~~669.2 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 668.9 acres in a single irrigation season. Combined Right Nos.: 21-2054B, 21-4170, 21-4171, 21-4172, 21-4173, 21-4174, 21-4175, 21-12854, 21-12939, 31-2274, 31-2275, 31-10245, 31-10740

This right is limited to the irrigation of 190 acres within the place of use described above in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 669.2 acres in a single irrigation season. Combined Right Nos.: 21-2054B, 21-4170, 21-4171, 21-4172, 21-4173, 21-4174, 21-4175, 21-12854, 21-12939, 31-2274, 31-2275, 31-10245, 31-10740~~

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: BASIS OF CLAIM - License

Storage water may be supplemental to this water right (both in and out of priority) when Sheridan Creek natural flow is sufficient to exchange for available Henrys Fork storage.