

PD
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: A31-10739
Date Received: 7/26/1990
Receipt No: 8015039
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. 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: JUN 10, 1900

3. Source: CORRAL CREEK Trib. to: RATTLESNAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
12N	37E	22	SE NE	SE	CLARK
Ending Point of Minimum Instream Flow					
12N	37E	22	NW SW	SE	CLARK

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	04/01	12/31	0.230		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 1000 RANGE CATTLE.

A31-10739

Page 1

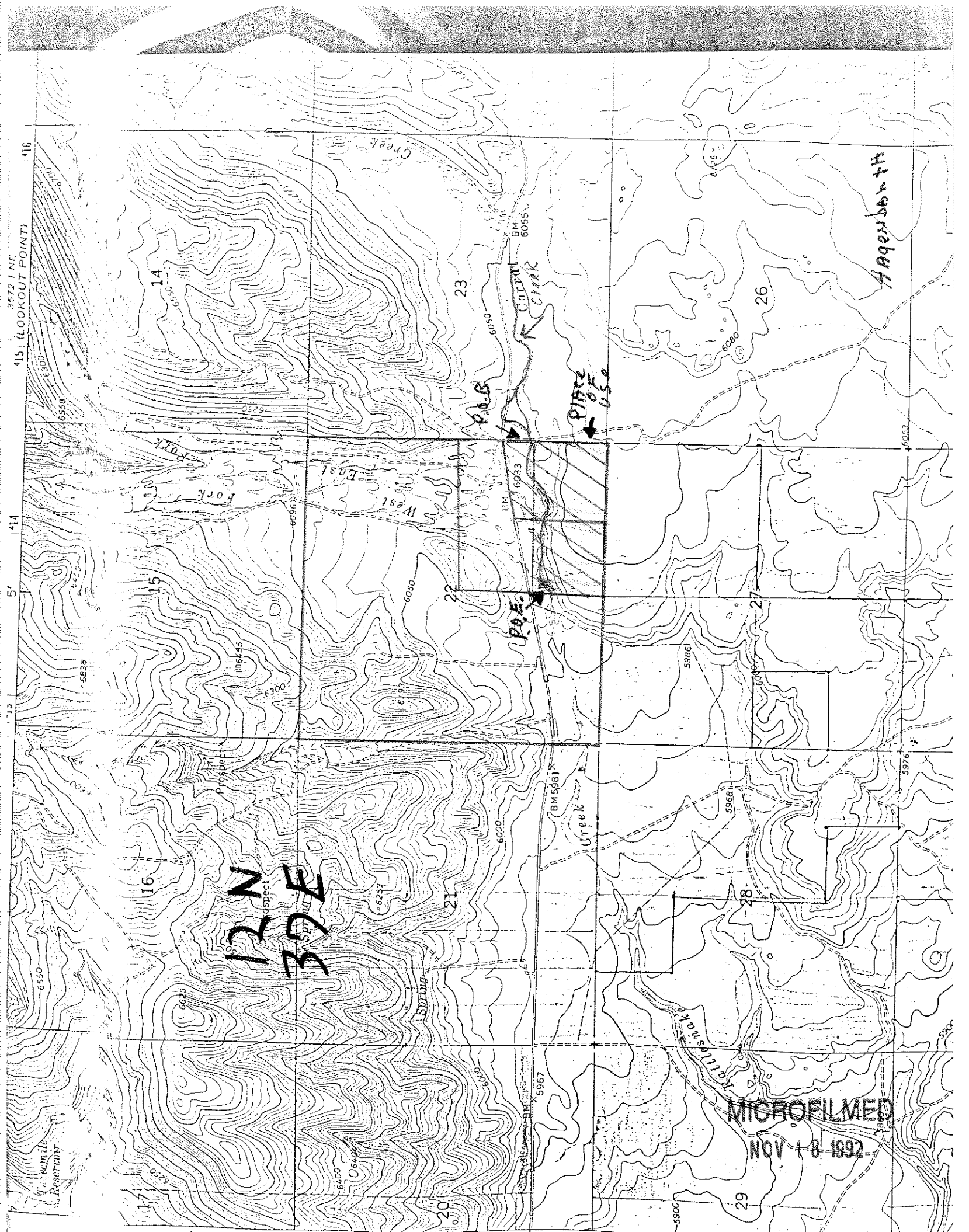
Date: 07/26/90

MICROFILMED

NOV 18 1992

A3110739





3572 1 NE

415 (LOOKOUT POINT)

5'

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12N
39E

POB

PLACE
OF
USE

Hagenben TH

MICROFILMED
NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	37E	22	NE	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	

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:
NONE

14. Remarks:
THE PRIORITY FOR THIS NOTICE IS BASED ON RIGHT A31-00302.

15. Basis of Claim: BENEFICIAL USE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

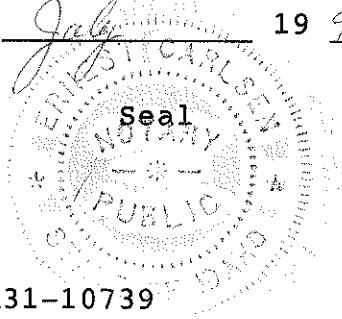
Signature of Claimant(s): James F. Nagel Date: 2/26/90
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 26 day

of July 19 90

Ernest Carlson
Notary Public



Residing at Albion Falls, ID

My Commission Expires 6-14-1994

BOARD DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A21-10729

NO CONDITIONS OF APPROVAL FOUND.
NO CONDITIONS OF APPROVAL FOUND.
NO DECREE DEFENDANT
NO DECREE DATE
00/00/0000

AUDIT FIELDS - 07/20/90 CARLSEN

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA
CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

RP 12N27E 226010 A

DATA ENTRY
ENTERED 10/19/93
CHECKED

Verified By:
Investigator
Map
Field
Project
Whom
Project
ICWA

VERIFIED
OCT 14 1992

CERTIFIED
MAY 13 1993
WATER EXAMINER

MICROFILMED
APR 15 1994

ADJUDICATION CLAIMS PROOF READING REPORT

ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - 431-10139
ADJUDICATION CLAIMS PROOF READING REPORT

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OCT-09-1997
0055

RIGHT NUMBER:

31-10739

NAME AND ADDRESS:

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

SOURCE:

CORRAL CREEK

TRIBUTARY: RATTLESNAKE CREEK

QUANTITY:

0.23 CFS

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

PRIORITY DATE:

06/10/1900

POINT OF DIVERSION:

T12N R37E S22

SENESE (B) Within CLARK County
NWSWE (E)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
04-01 12-31

QUANTITY
0.23 CFS

PLACE OF USE:

STOCKWATER
T12N R37E S22

Within CLARK County
NESE

SWSE

SESE

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

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP12N37E226010A
STOCKWATER, 1000 RANGE CATTLE

1
5/8

ECUR

12/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10739

Owner Type Name and Address
Current Owner DAVID J HAGENBARTH
Current Owner JAMES F HAGENBARTH
 PO BOX 1128
 DILLON, MT 59725
 (406)683-2163

*change
5/1 to 10/31
per Allen*

Priority Date: 06/10/1900
Basis: Beneficial Use
Status: Valid

Source Tributary to
CORRAL CREEK RATTLESNAKE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	4/01	12/31	0.23 CFS		
Total Diversion			0.23 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	37E	22	SE	NE	SE	0	CLARK
12N	37E	22	NW	SW	SE	0	CLARK

Place(s) of use:

Place of Use Legal Description: STOCKWATER CLARK County

<u>Townsh</u>	<u>Rang</u>	<u>Secki</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>on</u>	<u>t</u>			<u>t</u>			<u>t</u>			<u>t</u>		
12N	37E	22		NESE			SWSE			SESE				

Conditions of Approval:

- ~~N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.~~
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

per Emric & Allen

(C18)

Remarks:

- Explanatory PARCEL NO. RP12N37E226010A STOCKWATER, 1000 RANGE CATTLE

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
DUNN1	10/11/93	COPIED FROM REMARKS	THE PRIORITY FOR THIS NOTICE IS BASED ON RIGHT A31-00302.
AJU5-ECA	9/30/97	AJU5 STOCK ONLY UPDATE	USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Dates:

*d.e. due
JC
12/28/00*

Licensed Date:
Claim Received Date: 07/26/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: OR
Overall Max Diversion Rate: 0.23
Overall Max Diversion Volume: 0
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries



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: 31-10739

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):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X 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