

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

21-13288
Ident. No. 84602
RECEIVED
NOV 23 2020
Department of Water Resources
Department of Water Resources
Eastern Region

1. Name of applicant(s) James F. Hagenbarth, David J. Hagenbarth Phone 406 683-2163
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address P.O. Box 1128 City Dillon
 State Montana ZIP 59725 Email jim@hbmanage.net
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Taylor Creek which is a tributary of sinks
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
13N	41E	5		NW	NW	SW	Clark	Taylor Creek	

5. Water will be used for the following purposes:
- Amount .02 for Stockwater purposes from 05/01 to 11/30 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Upright buried 36 " collection culvert with a headwall with a 4 foot throat to backup water when water system is in use
- b. Height of storage dam 2 feet feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☒ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 25.00 Receipted by CHH Receipt No. E046468 Date 11/23/2020
\$75.00 **21-13288** E046535 12/27/2020

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. 600 beef cattle
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	41E	6	xS	xS	xS	xS									xS	xS	xS	xS	

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 21-10109 instream stockwater from a small unnamed stream that is a tributary to Taylor Creek
11. a. Who owns the property at the point of diversion? Natural Guardian LLC
- b. Who owns the land to be irrigated or place of use? James F. Hagenbarth, David J. Hagenbarth
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Tenants in Common
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Upright 36 inch galvanized culvert offstream sump with a 4 foot throat headwall in stream. Headwall would use boards to back water up 2 feet in elevation when in use. 2 inch plastic pipe from sump buried 2 feet for 1,000 feet to 12 foot diameter rubber tire trough with a 2 inch float valve. Water would only flow when cattle are drinking, except in late fall when 2 gpm would be allowed to flow to keep line and trough from freezing.
13. Time required for completion of works and application of water to proposed beneficial use is 4 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

James F. Hagenbarth
 Signature of Applicant
 James F. Hagenbarth
 Print Name (and title, if applicable)

David J. Hagenbarth
 Signature of Applicant
 David J. Hagenbarth
 Print Name (and title, if applicable)

21-13288

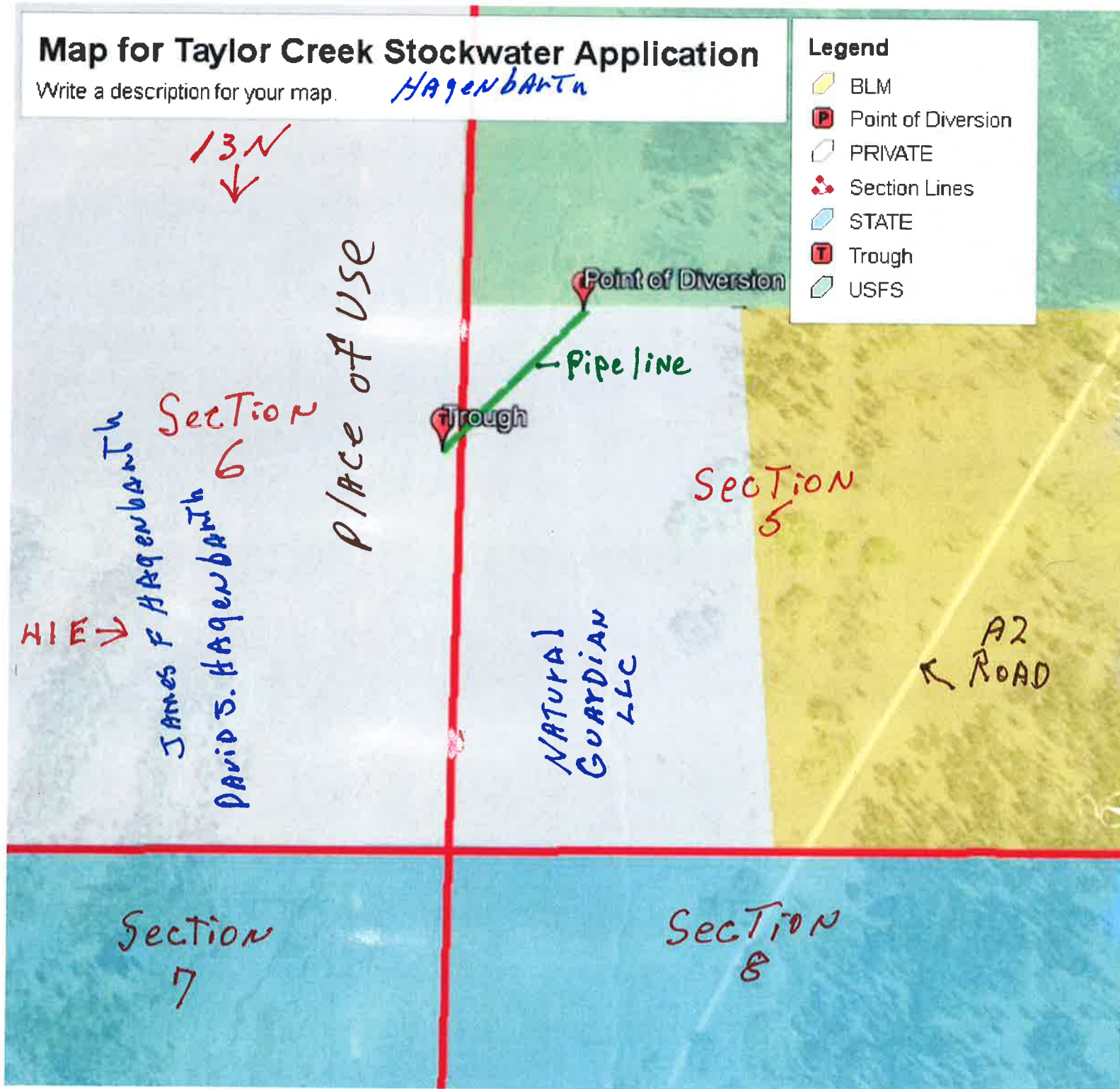
Map for Taylor Creek Stockwater Application

Write a description for your map.

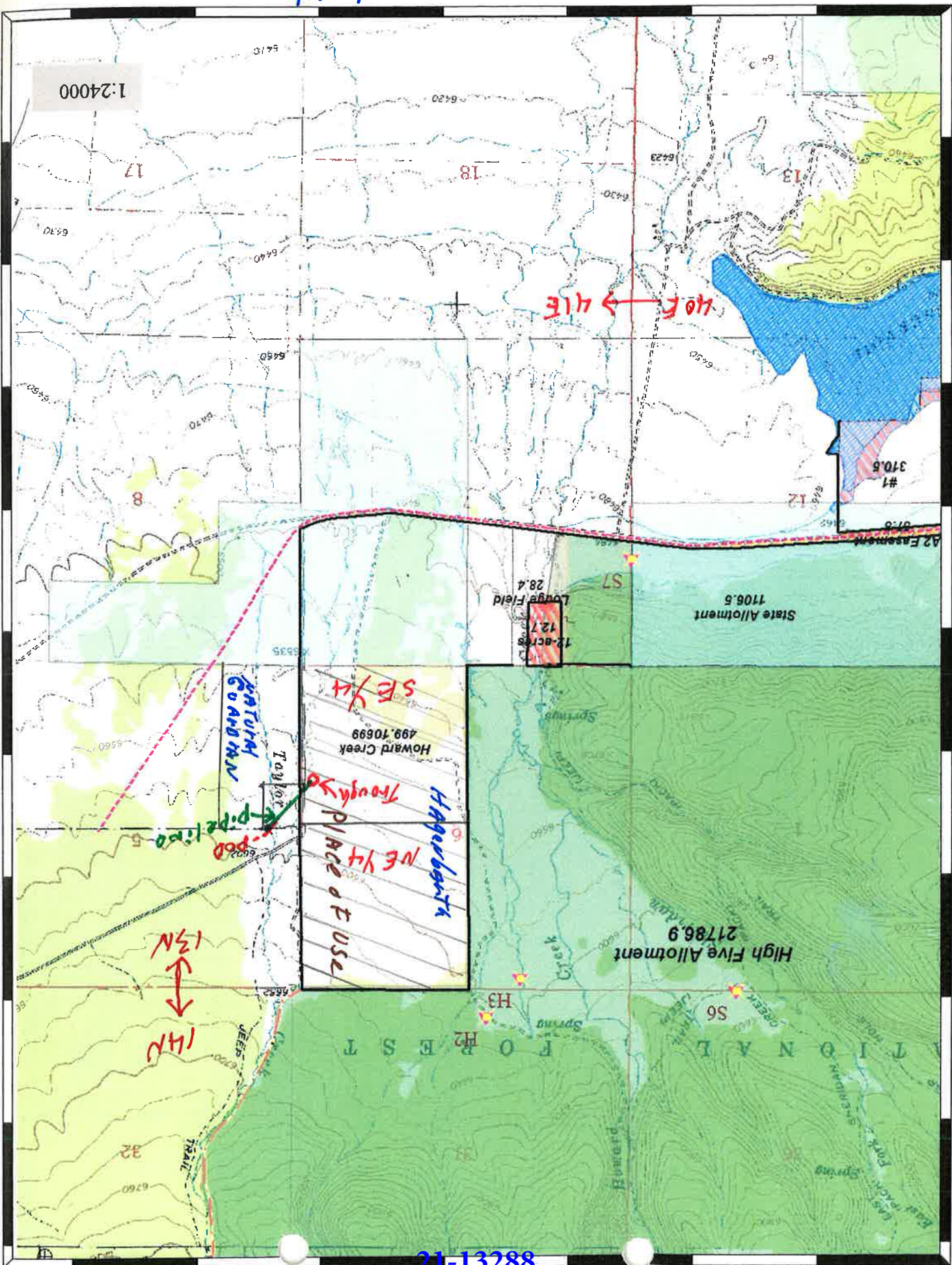
HAGENBARTH

Legend

- BLM
- Point of Diversion
- PRIVATE
- Section Lines
- STATE
- Trough
- USFS



Hagerbath





State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 31, 2020

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

RE: Application for Permit No. 21-13288

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER on 1/6/2021 and 1/13/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
NATURAL GUARDIAN LLC
PO BOX 50277
IDAHO FALLS, ID 83405-0277

Henman, Christina

From: Henman, Christina
Sent: Thursday, December 31, 2020 11:32 AM
To: Olenichak, Tony
Subject: Application for Permit of 21-13288
Attachments: RecommendationForm New Appropriation5.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Henman, Christina

From: Henman, Christina
Sent: Thursday, December 31, 2020 1:46 PM
To: 'Taylor Winger'
Subject: Legal Notice for Post Register
Attachments: 21-13288 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Application for Permit No. 21-13288

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 1/25/2021. Your cooperation is appreciated.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
21-13288

JAMES F HAGENBARTH

PO BOX 1128

DILLON, MT 59725-1128

DAVID J HAGENBARTH

PO BOX 1128

DILLON, MT 59725-1128

Point of Diversion NWNWSW S5 T13N R41E CLARK County

Source TAYLOR CREEK Tributary SINKS

Use: STOCKWATER

05/01 to 11/30

0.02 CFS

Total Diversion:

0.02 CFS

Date Filed: 12-29-2020

Place Of Use: STOCKWATER

T13N R41E S6

L1(NENE),L2(NWNE),SWNE,SENE,NESE,NWSE,SWSE,SESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 1/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/6/2021 and 1/13/2021

Olson, Aaron

From: Olson, Aaron
Sent: Tuesday, December 22, 2020 9:49 AM
To: 'jim@hbmanage.net'
Subject: IDWR Water Right Application for Permit

Hello James and David,

I am an agent with the Idaho Department of Water Resources who has been assigned to review and prepare your Application for Permit submitted on November 23rd. I have just encountered a roadblock while entering this application into the system regarding the associated fee. Based on the fee schedule per [Idaho Code 42-221](#), an application for a diversion with a rate of 0.2 cubic feet per second requires a \$100 fee to be submitted. Since there is a receipt associated with this application for \$25 already, an additional \$75 will be required before I can continue processing this application.

If you have any questions or concerns feel free to send me a message or give me a phone call at the number down below, I would be glad to help.

Thanks, Aaron

Aaron Olson - Water Resource Agent
Idaho Dept. of Water Resources
900 N Skyline Dr Ste A
Idaho Falls, ID 83402
(208) 497-3783