

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/9/2018

Water Right 21-4170 (After Split)

Owner Type **Name and Address**
Current Owner JAMES F HAGENBARTH
 PO BOX 1128
 DILLON, MT 59725-1128

Current Owner DAVID J HAGENBARTH
 PO BOX 1128
 DILLON, MT 59725-1128

Priority Date: 5/1/1894

Basis: Decreed

Status: Active

Source
SPRING

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/31	0.030 CFS	
STOCKWATER	04/01	12/31	0.020 CFS	
	Total Diversion		0.030 CFS	

Source and Point(s) of Diversion

SPRING NWNESE Sec. 10, Twp 13N, Rge 40E, CLARK County

Place Of Use

STOCKWATER within CLARK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	40E	10													X				

IRRIGATION within CLARK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	40E	10													12.0	8.0			20.0
13N	41E	7							19.0										19.0
									L2										

Right Acre Limit: 14.1

POU Total Acres: 39.0

Conditions of Approval:

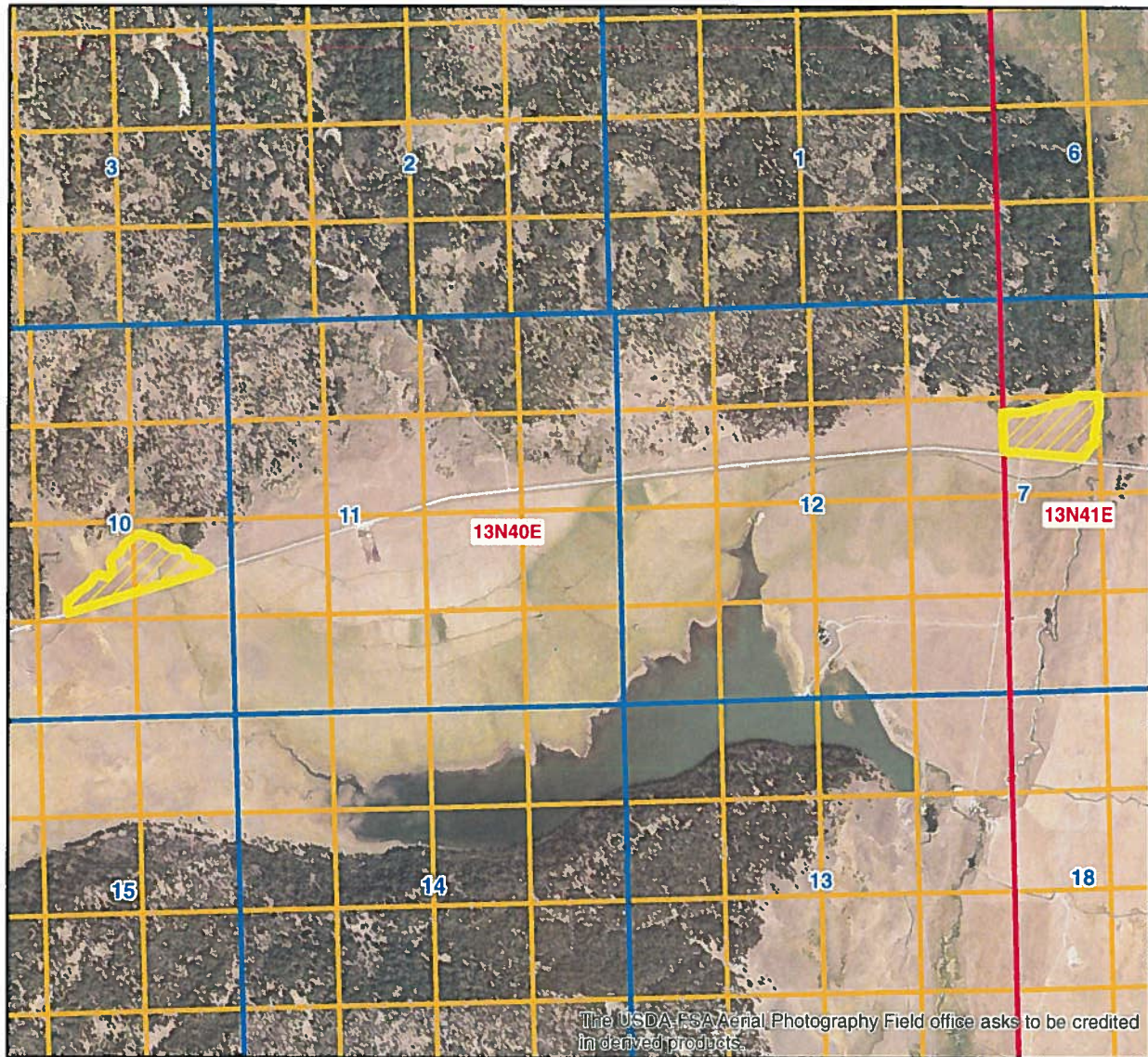
1. K06 This right is limited to the irrigation of 14.1 acres within the place of use described above in a single irrigation season.
2. X35 Rights 21-2054B, 21-4170, 21-4171, 21-4172, 21-4173, 21-4174, 21-4175, 21-12854, 21-12939, 31-2274, 31-3375, 31-10245 and 31-10740 when combined shall not exceed the irrigation of 39 acres.
3. N05 The quantity of water under this right for stockwater use shall not exceed 1,000 gallons per day.

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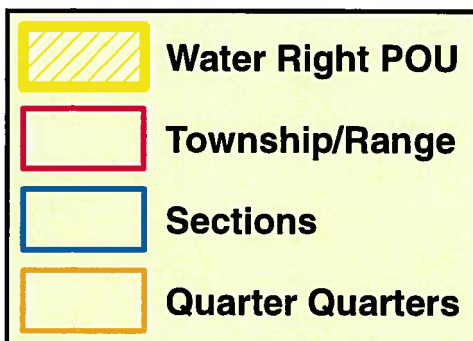
3/9/2018

4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. C18 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.

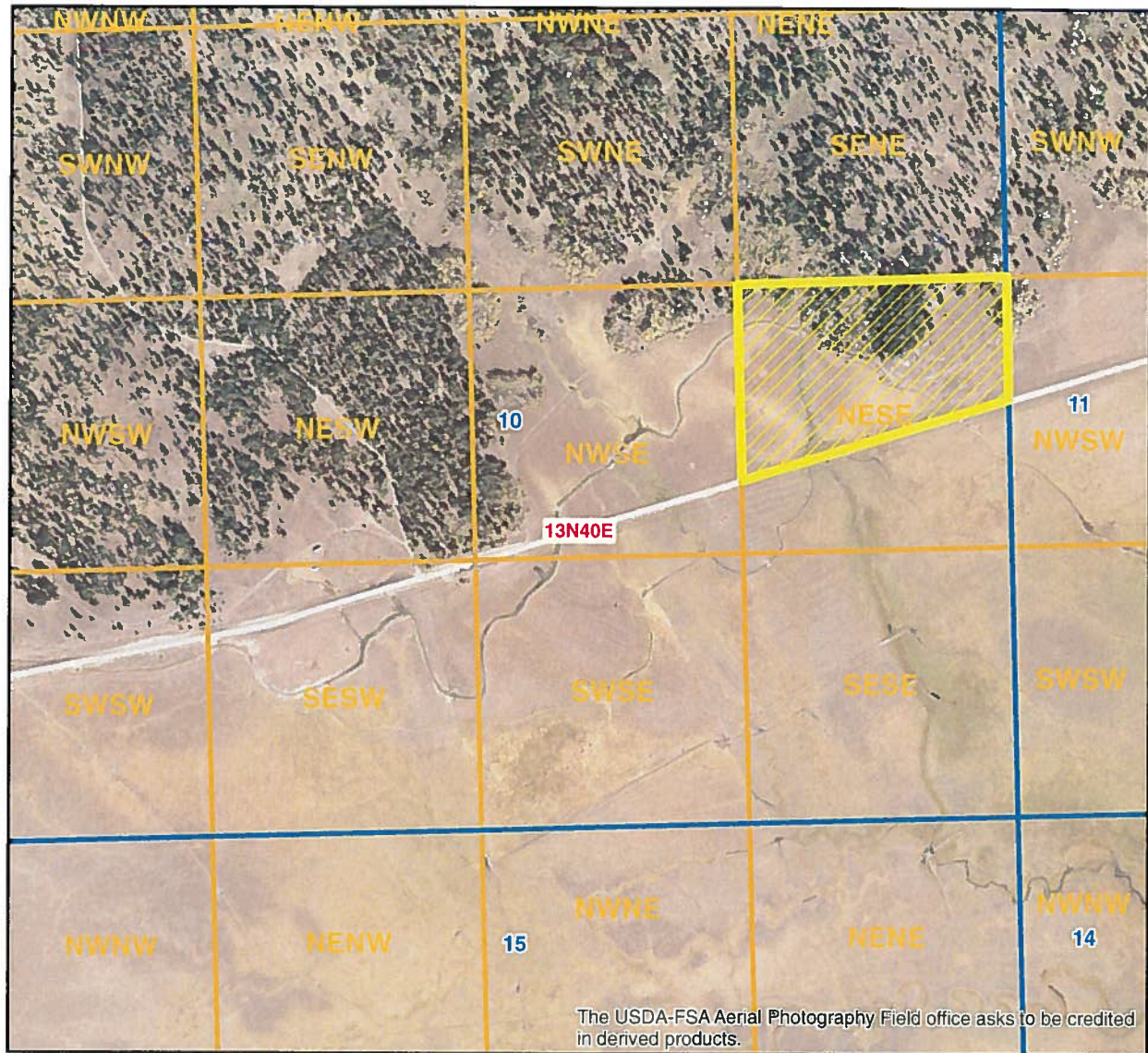
Irrigation POU for Water Rights 21-2054B, 21-4170, 21-4171, 21-4172, 21-4173, 21-4174, 21-4175, 21-12854 and 21-12939



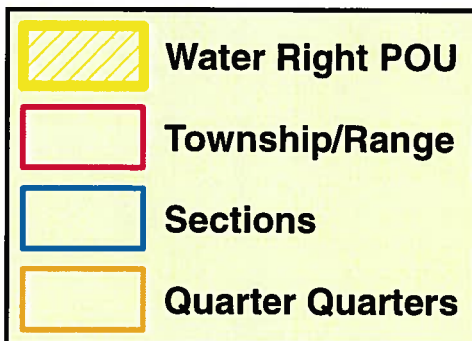
2013 Aerial Photo



Stockwater Place of Use for Water Right 21-4170



2013 Aerial Photo



0 0.2 0.4 Miles



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9/29/2017

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Priority Date: 5/1/1894

Basis: Decreed

Status: Active

Source
SPRING

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/31	0.500 CFS	
STOCKWATER	04/01	12/31	0.230 CFS	
	<u>Total Diversion</u>		0.500 CFS	

Source and Point(s) of Diversion

SPRING NWNESE Sec. 10, Twp 13N, Rge 40E, CLARK County

Place Of Use

IRRIGATION within CLARK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	40E	10												25.0	28.0	12.0	36.0	40.0	141.0
13N	40E	11									40.0	27.0	40.0	40.0	40.0	40.0	40.0	39.0	306.0
13N	40E	12									7.4	40.0	16.0						63.4
13N	40E	14	9.7	19.0			21.0	9.8											59.5
13N	40E	15	40.0	40.0															80.0
13N	41E	7							19.0										19.0
									L2										

Right Acre Limit: 241.0

POU Total Acres: 668.9

STOCKWATER within CLARK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	40E	10													X				
13N	40E	11										X	X	X	X		X	X	
13N	40E	12										X							

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9/29/2017

Conditions of Approval:

1. E56 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
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. K06 This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
5. C18 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.

Decreed Date: 2/13/2008

Water Right Splits

David Hagenbarth & James Hagenbarth > Hagenbarth Land LLC

David H & James H Rights						Hagenbarth Land LLC Rights						
<u>Right #</u>	<u>Rate</u>	<u>Acres</u>	<u>Right #</u>	<u>ST Rate</u>	<u>ST Vol</u>	<u>Rate</u>	<u>Acres</u>	<u>Right #</u>	<u>STRate</u>	<u>STVol</u>	<u>Rate</u>	<u>Acres</u>
21-2054B	3.80	190.0	21-2054B	0.00	0	0.22	11.1	21-13226	0.24	13,000	3.58	178.9
21-4170	0.50	241.0	21-4170	0.02	1,000	0.03	14.1	21-13227	0.21	12,000	0.47	226.9
21-4171	0.25	326.0	21-4171	0.02	3,000	0.02	19.0	21-13228	0.21	10,000	0.23	307.0
21-4172	3.00	306.0	21-4172	0.02	1,000	0.17	17.8	21-13229	0.21	12,000	2.83	288.2
21-4173	3.50	383.0	21-4173	0.02	1,000	0.20	22.3	21-13230	0.21	12,000	3.30	360.7
21-4174	1.00	434.0	21-4174	0.02	1,000	0.06	25.3	21-13231	0.21	12,000	0.94	408.7
21-4175	1.00	668.9	21-4175	0.02	1,000	0.06	39.0	21-13232	0.21	12,000	0.94	629.9
21-12854	0.40	63.0	21-12854	0.02	13,000	0.02	3.7	21-13233	0.00	0	0.38	59.3
21-12939	3.27	240.0	21-12939			0.19	14.0	21-13234			3.08	226.0
Combined		668.9					39					629.9
w/o 21-2045B (only on 21-4175)		355.8					20.7					335.1
31-2274	5.70	285.0	31-2274	0.02	100 cws	0.10	5.2	31-12429	0.22	1000 cws	5.60	279.8
31-2275	12.80	706.0	31-2275	0.02	100 cws	0.23	13.0	31-12430	0.22	1000 cws	12.57	693.0
31-10245	8.00	400.0	31-10245			0.15	7.3	31-12431			7.85	392.7
31-10740	8.68	434.0	31-10740	0.02	1,000	0.16	8.0	31-12432	0.21	12,000	8.52	426.0
Combined	21.79	1089.6				0.40	20.0				21.39	1069.6
All Rights Combined							39					629.9