

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/9/2018

Water Right 31-2275 (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: 3/31/1944

Basis: Decreed

Status: Active

Source
DRY CREEK

Tributary
SPRING CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/31	0.230 CFS	
STOCKWATER	05/01	11/30	0.020 CFS	
	<u>Total Diversion</u>		0.230 CFS	

Source and Point(s) of Diversion

DRY CREEK NWNWSW Sec. 9, 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	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

Right Acre Limit: 13.0

POU Total Acres: 20.0

Conditions of Approval:

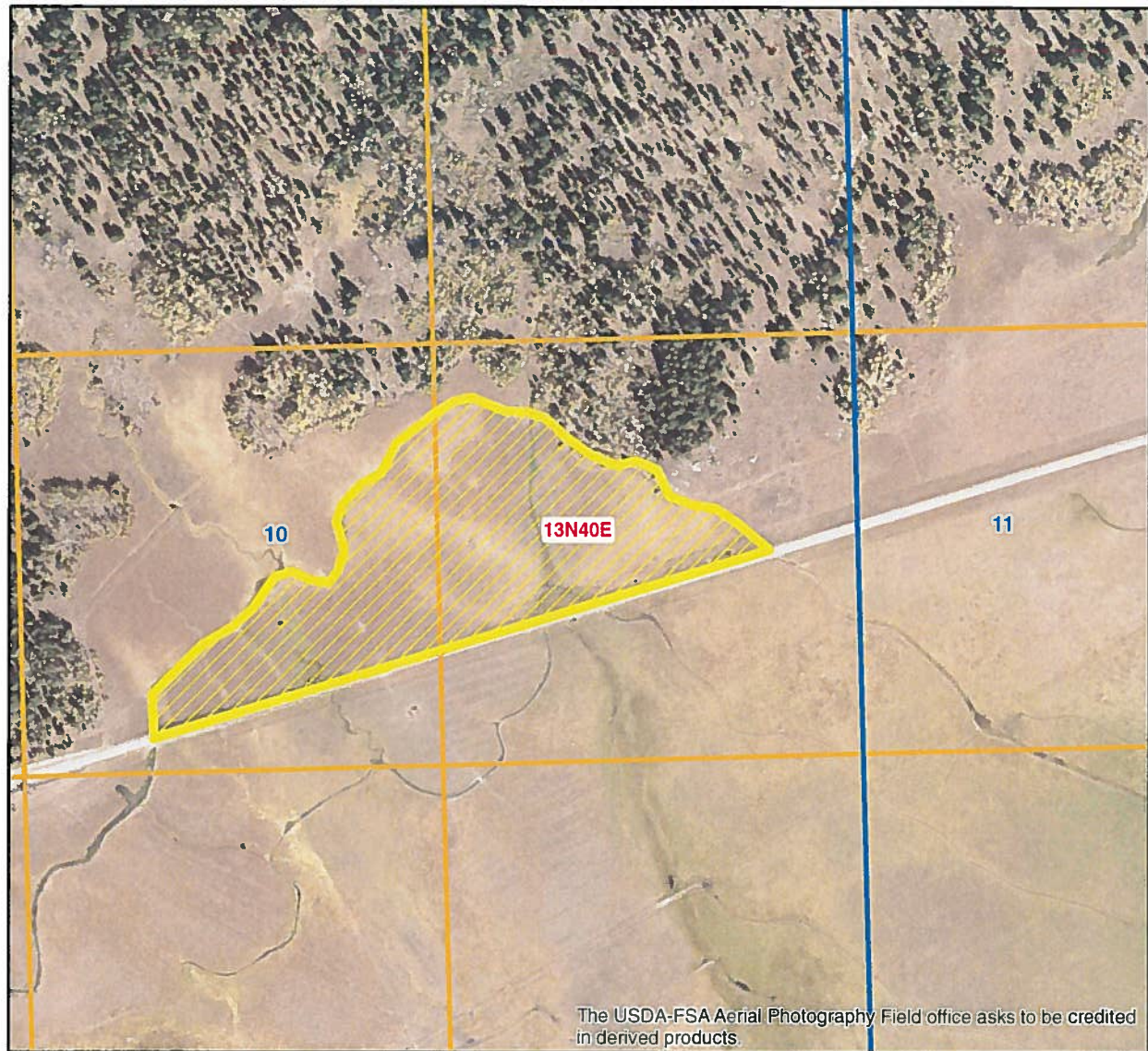
1. K06 This right is limited to the irrigation of 13.0 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-2274, 31-2275, 31-10245 and 31-10740 when combined shall not exceed a total diversion rate of 0.40 cfs and the irrigation of 20 acres.
3. X35 Rights 21-2054B, 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.
4. X02 Stockwater use is for 100 range cattle.

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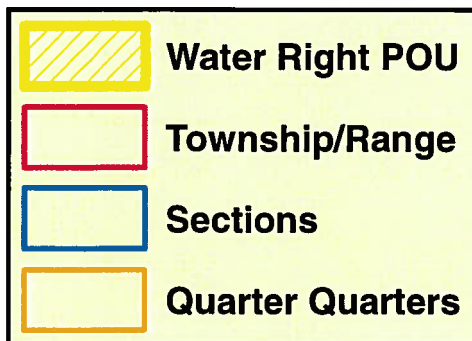
3/9/2018

5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. E62 This right when combined with Right No. 31-2274, 31-10245 and 31-10740 shall provide no more than 0.02 cfs per acre.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. C10 Right includes accomplished change in period of use pursuant to Section 42-1425, Idaho Code.
9. 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.

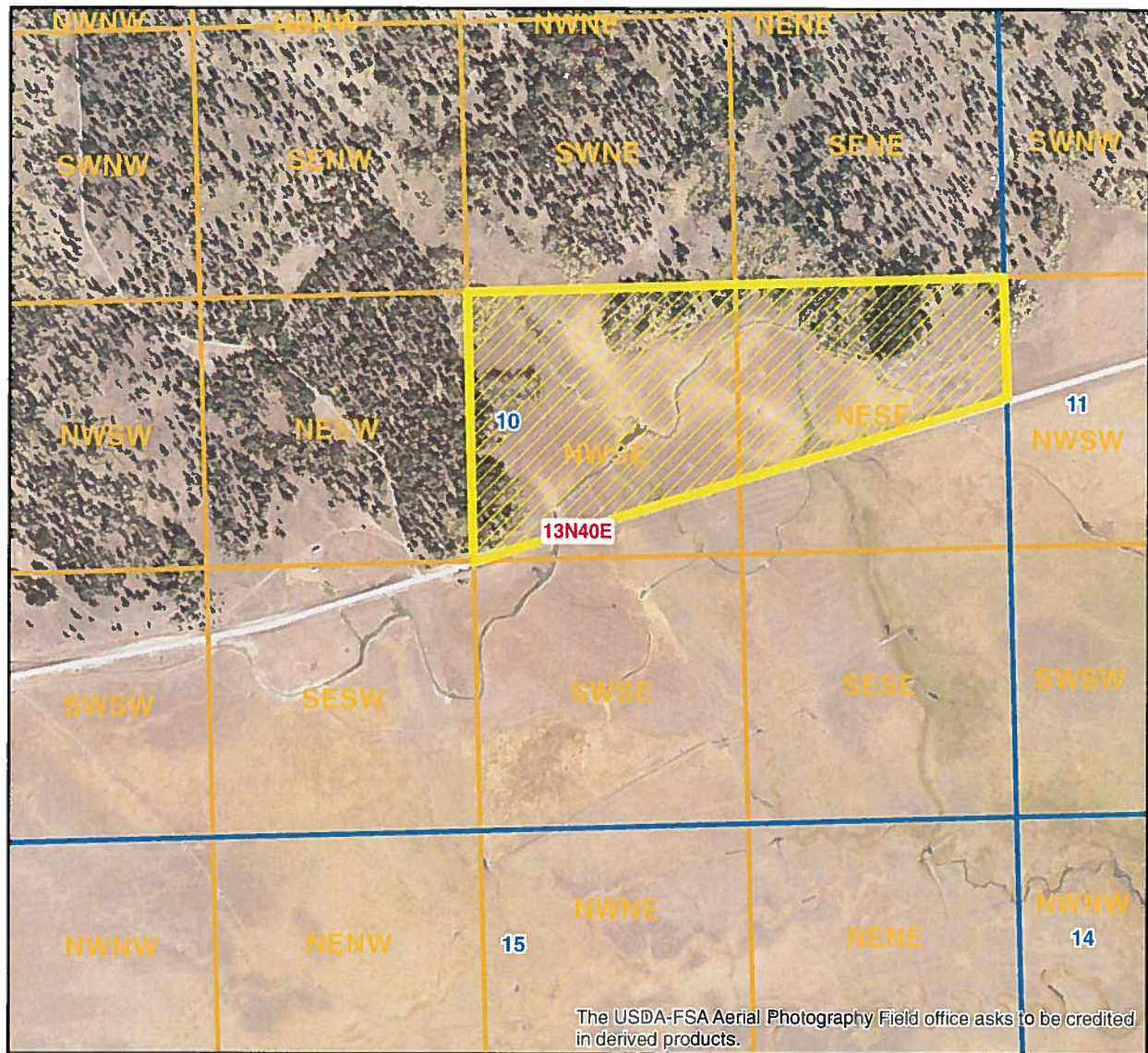
Irrigation Place of Use for Water Rights 31-2274, 31-2275, 31-10245 and 31-10740



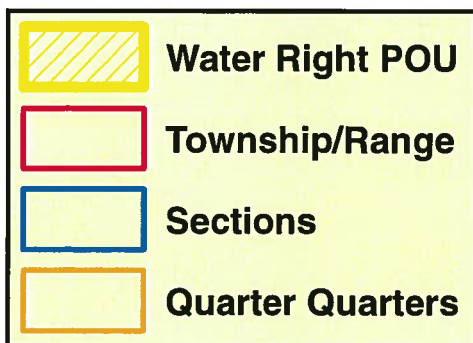
2013 Aerial Photo



Stockwater Place of Use for Water Rights 31-2274, 31-2275 and 31-10740



2013 Aerial Photo



0 0.2 0.4 Miles



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3/2/2018

Conditions of Approval:

1. C10 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE FOR STOCKWATER PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 706 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. 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.
5. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.79 CFS. COMBINED RIGHT NOS.: 31-02274, 31-02275, 31-10245, 31-10740.
6. STOCKWATER 1100 CATTLE SAME POU AS IRRIGATION
7. F07 RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 21 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 21 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 21 RIGHTS.
8. U42 PLACE OF USE IN T13N R40E S11 NWSW DOES NOT INCLUDE ANY STATE PUBLIC SCHOOL ENDOWMENT LAND.
9. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-02274, 31-02275, 31-10245, 31-10740 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
10. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1089.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02274, 31-02275, 31-10245, 31-10740.

Water Right Splits

David Hagenbarth & James Hagenbarth > Hagenbarth Land LLC

David H & James H Rights

Hagenbarth Land LLC Rights

Right #	Rate	Acres	Right #	ST Rate	ST Vol	Rate	Acres	Right #	STRate	STVol	Rate	Acres
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