

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2018

Water Right 31-2077 (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: 8/23/1911

Basis: Decreed

Status: Active

Source
MOOSE 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	0.210 CFS	
	<u>Total Diversion</u>		0.210 CFS	

Source and Point(s) of Diversion

MOOSE CREEK	NWSESW	Sec. 2, Twp 13N, Rge 39E, CLARK County
MOOSE CREEK	SWSESW	Sec. 2, Twp 13N, Rge 39E, CLARK County

Place Of Use

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	39E	11														12.0			12.0
13N	39E	13	19.0	0.8			0.2												20.0
13N	39E	14	5.0																5.0
13N	39E	23		11.0															11.0
13N	39E	24						1.5											1.5

Right Acre Limit: 10.3

POU Total Acres: 49.5

Conditions of Approval:

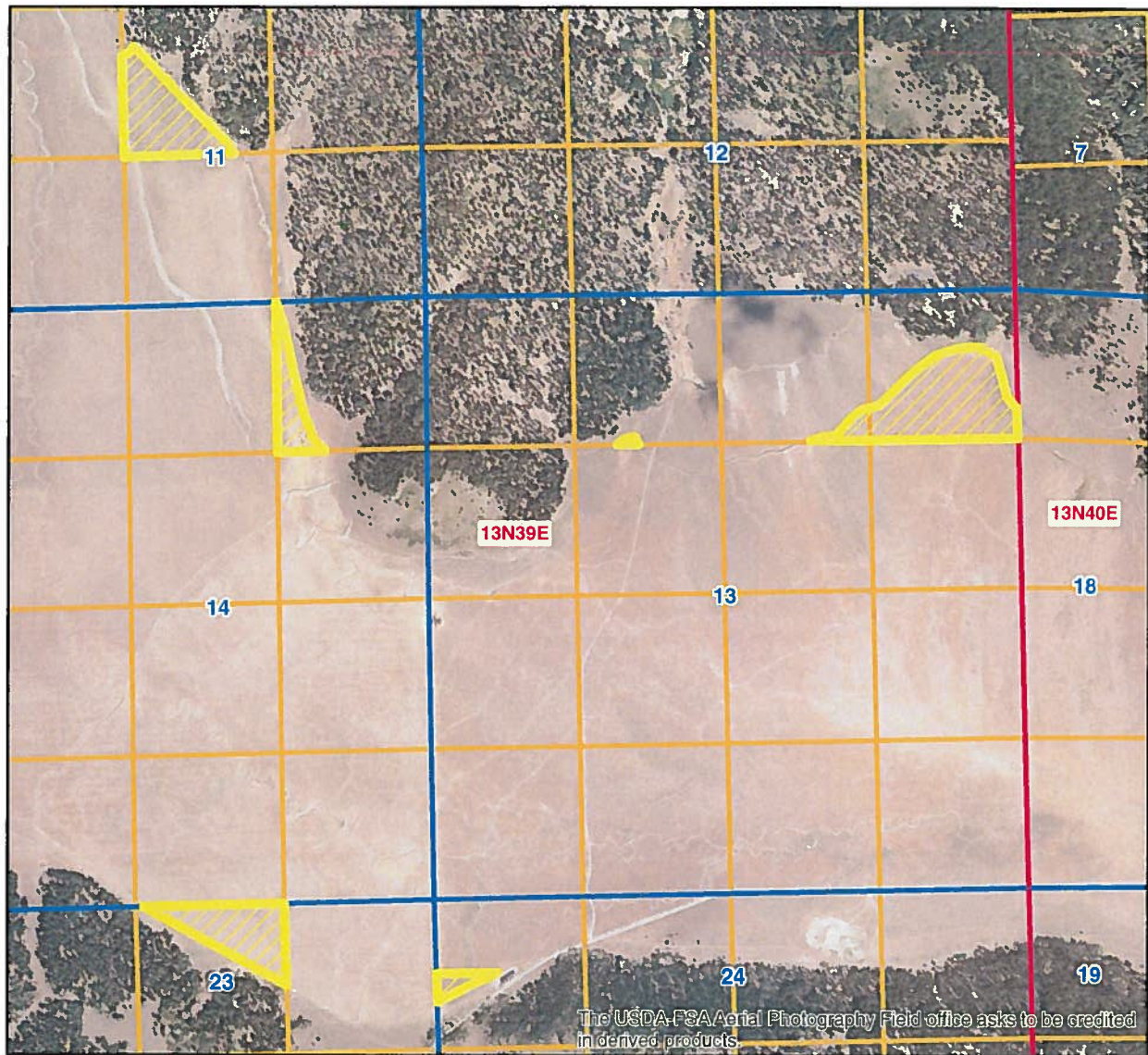
1. K06 This right is limited to the irrigation of 10.3 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-253, 31-254, 31-2077, 31-2125, 31-4027 and 31-10208 when combined shall not exceed a total diversion rate of 0.99 cfs and the irrigation of 49.5 acres.
3. E62 Water rights 31-253, 31-254, 31-2077, 31-2125, 31-4027 and 31-10208 when combined shall provide no more than 0.02 cfs per acre.
4. C02 Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

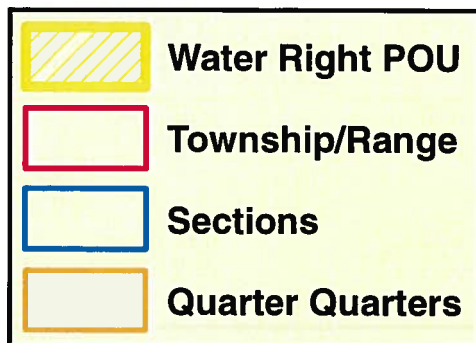
3/16/2018

5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. P02 Right not claimed in prior adjudication.
8. 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.

Water Rights 31-2077, 31-2125, 31-4027 and 31-10208



2013 Aerial Photo



0 1,500 3,000 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/13/2018

Water Right 31-2077 (Before 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: 8/23/1911

Basis: Decreed

Status: Active

Source
MOOSE 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	2.400 CFS	
	<u>Total Diversion</u>		2.400 CFS	

Source and Point(s) of Diversion

MOOSE CREEK	NWSESW	Sec. 2, Twp 13N, Rge 39E, CLARK County
MOOSE CREEK	SWSESW	Sec. 2, Twp 13N, Rge 39E, CLARK County

Place Of Use

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	39E	11														12.0	37.0		49.0
13N	39E	13	19.0	0.8			0.2		13.0			40.0	40.0	40.0					153.0
13N	39E	14	5.0	40.0	40.0	24.0					23.0			25.0	40.0	40.0	40.0	40.0	317.0
13N	39E	23	29.0	11.0															40.0
13N	39E	24						15.0											15.0

Right Acre Limit: 120.0

POU Total Acres: 574.0

Conditions of Approval:

1. 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.
2. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/13/2018

3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.48 CFS. COMBINED RIGHT NOS.: 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 574 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.
9. P02 RIGHT NOT CLAIMED IN PRIOR ADJUDICATION.