



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 19, 2018

Patti Rowland
Bloomquist Law Firm, PC
220 South Pacific Street
PO Box 1418
Dillon, MT 59725-1418

RE: Hagenbarth Land / Dip Vat Ownership Changes

Dear Ms. Rowland:

In October 2017, I completed a number of ownership changes for Hagenbarth Land Idaho LP and Dip Vat LLC. On February 7, 2018, you sent a letter on behalf of David and James Hagenbarth, identifying certain errors in the water right splits. Specifically, the water right splits did not account for irrigated acres north of Highway A2 retained by David and James Hagenbarth. In addition the water rights associated with the Dip Vat splits did not properly designate points of injection.

I apologize for the errors. I should have noticed the language in the deed describing the property ownership around Highway A2. Enclosed are water right reports showing the corrected splits. The water rights involved in the Dip Vat splits have also been updated to properly designate points of injection. Because David Hagenbarth and James Hagenbarth retained the irrigated acres north of Highway A2, water rights 31-2274, 31-2275, 31-10245 and 31-10740 were also split. Those rights were split as follows:

<u>Original Right</u>	<u>Hagenbarth Land</u>	<u>David / James Hagenbarth</u>
31-2274	31-12429	31-2274
31-2275	31-12430	31-2275
31-10245	31-12431	31-10245
31-10740	31-12432	31-10740

When I originally reviewed the proposed ownership changes, I held off on completing the ownership splits for certain water rights in the area identified as the Antelope Valley system. In my previous letter to you, I identified some inconsistencies in the partial decrees for the Antelope Valley water rights. Our adjudication staff have advised me that any adjustments to the partial decrees would have to be initiated by the water right holder. I have decided to forge ahead with the ownership splits. If you decide to initiate some sort of error correction process with the SRBA court, the rights can easily be adjusted to reflect the amended partial decrees. The Antelope Valley water rights were split as follows:

<u>Original Right</u>	<u>Hagenbarth Land</u>	<u>David / James Hagenbarth</u>
31-253	31-12435	31-253
31-254	31-12436	31-254
31-2077	31-12437	31-2077
31-2125	31-12438	31-2125
31-4027	31-12439	31-4027
31-10208	31-12440	31-10208

I also split and updated the ownership records for stockwater right 31-10261, which describes a stockwater pond that is located on the boundary line between the David and James Hagenbarth property and Hagenbarth Land property. The right was split evenly between David and James Hagenbarth (31-10261) and Hagenbarth Land (31-12441).

Water right reports are enclosed for all of the affected water rights. Thank you for being so diligent in reviewing the water right reports. Please feel free to contact me if you notice any other errors or with any other concerns.

Sincerely,



James Cefalo
(208) 525-7161

Cc: David Hagenbarth and James Hagenbarth
John Marshall (w/o enclosures)

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>STRate</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