

Basin 21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
21-2054B OK	Yes ☒	Yes ☐	21-4174 OK	Yes ☒	Yes ☐
21-4170 OK	Yes ☒	Yes ☐	21-4175 OK	Yes ☒	Yes ☐
21-4171 OK	Yes ☒	Yes ☐	21-12854 OK	Yes ☒	Yes ☐
21-4172 OK	Yes ☒	Yes ☐	21-12938 Disallowed	Yes ☒	Yes ☐
21-4173 OK	Yes ☒	Yes ☐	21-12939 OK	Yes ☒	Yes ☐

2. Previous Owner's Name: David J. Hagenbarth and James F. Hagenbarth
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hagenbarth Land Idaho LP
New owner(s) as listed on the conveyance document
- P.O. Box 1128
Mailing address
(406) 683-2163
Telephone
- Dillon
City
jim@hbmanage.net
Email
- MT
State
- 59725
ZIP
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 29, 2013
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: James F. Hagenbarth Title, if applicable: Pres. Date: 4/5/17
 Signature: David J. Hagenbarth Title, if applicable: Pres. Date: 4/5/17

For IDWR Office Use Only:

Received by: JB Date: 4/11/2017 Receipt No. E042899 Receipt Amt. \$3275.-
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9: _____ Approved by: JB Processed by: JB Date: 10/12/2017

SUPPORT DATA

IN FILE #

21-2054B

Megan K. Marty
Crowley Fleck PLLP
PO Box 2529
Billings, MT 59103-2529

Instrument # 55133

DUBOIS, CLARK, IDAHO

1-29-2013

10:43:56

No. of Pages: 4

Recorded for : D. HAGANBARTH

VELVET KILLIAN

Ex-Officio Recorder Deputy

Index to: CORRECTION DEED

(Fee) 19.00

CORRECTIVE DEED

This instrument is executed this 29 day of January, 2013, by the undersigned, David J. Hagenbarth and James F. Hagenbarth, with mailing address of 126 South Montana Street, P.O. Box 1128, Dillon, Montana 59725 (collectively, the "Grantors").

The purpose of this Corrective Deed is to amend in its entirety the legal description that was set forth in the conveyance from the undersigned unto Hagenbarth Land Idaho LP, a Montana limited partnership, with mailing address of 126 South Montana Street, P.O. Box 1128, Dillon, Montana 59725 (the "Grantee"), by that certain Deed dated December 20, 2012, and recorded on December 28, 2012 in the office of the Clerk and Recorder of Clark County, Idaho, as Instrument No. 55099 (the "Original Deed"), to be effective as of the date and time the Original Deed was recorded.

Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby release, remise and forever quitclaim unto Grantee, and unto its successors and assigns, forever, the real property described on the attached Exhibit A, along with all (a) buildings, fixtures and other improvements on said real property, (b) water rights appurtenant or related to said real property, (c) mineral interests underlying said real property, (d) other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, (e) assignable title insurance policies and rights under title insurance policies affecting title to said real property, and (f) legal warranties (of title and otherwise) with respect to said real property, with full substitution and subrogation in and to all rights and actions of warranty which the Grantors or their predecessors have or may have against any prior owners or vendors of said real property and for any part thereof.

To have and to hold unto the Grantee, and its successors and assigns, forever. This instrument is intended to convey all interests in said real property, now owned or hereafter acquired.

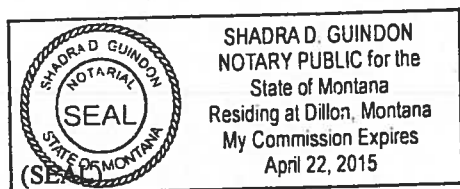
The undersigned have executed this instrument this 29 day of January, 2013.

David J. Hagenbarth
David J. Hagenbarth

James F. Hagenbarth
James F. Hagenbarth

STATE OF MONTANA)
 : ss.
County of Beaverhead)

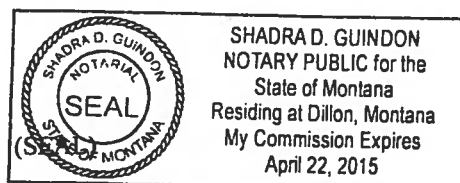
This instrument was signed and acknowledged before me on January 27th, 2013 by David J. Hagenbarth.



Shadra D. Guindon
Print Name: _____
Notary Public for the State of Montana
Residing at _____, Montana
My commission expires _____

STATE OF MONTANA)
 : ss.
County of Beaverhead)

This instrument was signed and acknowledged before me on January 27th, 2013 by James F. Hagenbarth.



Shadra D. Guindon
Print Name: _____
Notary Public for the State of Montana
Residing at _____, Montana
My commission expires _____

EXHIBIT A

Township 10 North, Range 36 East, Clark County, Idaho

- Section 6: Lots 2, 3, 4, 5, and 6; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; also all that portion of Lot 1 and the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying west of Old US Highway 91.
- Section 7: Part E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ East of Old HWY 91
- Section 8: All less Tax 1
- Section 9: Tax 1 (Part west I-15)
- Section 17: All west of I-15
- Section 18: E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ East of Old Hwy 91
- Section 19: E $\frac{1}{2}$ NE $\frac{1}{4}$ East of Old Hwy 91
- Section 20: N $\frac{1}{2}$ West of I-15 and East of Old Hwy 91

Township 12 North, Range 37 East, Clark County, Idaho

- Section 24: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Part of NE East of Spring Creek

Township 12 North, Range 38 East, Clark County, Idaho

- Section 1: Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
- Section 2: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (1 acre), W $\frac{1}{2}$ Lot 1, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ less 1 acre in N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 12: W $\frac{1}{2}$ Except SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 13: SW $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 14: S $\frac{1}{2}$
- Section 15: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
- Section 17: W $\frac{1}{2}$ W $\frac{1}{2}$
- Section 18: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and those portions of Lots 2, 3, 4 & SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of Spring Creek
- Section 19: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1 & 2, Portions of Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, & N $\frac{1}{2}$ SE $\frac{1}{4}$ Lying North of the Spencer-Kilgore Road
- Section 20: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 21: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Parts of SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Lying North of the Spencer-Kilgore Road
- Section 22: That part lying North & West of the Spencer-Kilgore Road
- Section 23: That part lying North of Spencer-Kilgore Road

Township 13 North, Range 38 East, Clark County, Idaho

- Section 25: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 36: S $\frac{1}{2}$ SW, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 13 North, Range 39 East, Clark County, Idaho

- Section 11: W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
-Section 13: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
-Section 14: All except SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$
-Section 24: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

Township 13 North, Range 40 East, Clark County, Idaho

- Section 10: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ south of Route A2, that part of the SE $\frac{1}{4}$ south of Route A2 less 12 acres Hwy A2
Section 11: All of NW $\frac{1}{4}$ SW $\frac{1}{4}$ South of Hwy A2, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
Section 12: W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 14: N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 15: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 3 through 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$
Section 22: S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 23: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 26: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 27: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 28: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 29: Lots 1, 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 21-02054B

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 12 2008

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: DAVID J HAGENBARTH
JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725-1128

SOURCE: SPRING TRIBUTARY: SHERIDAN CREEK

QUANTITY: 3.80 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 09/24/1912

POINT OF DIVERSION: T13N R41E S06 NWSESW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	3.80 CFS
	Stockwater	05-01 TO 10-31	0.24 CFS

PLACE OF USE:	Irrigation	Within Clark County
	T13N R40E S10	SESW 25.0 NWSE 12.0 SESE 40.0
	S11	NESW 40.0 SWSW 40.0 NESE 40.0 SWSE 40.0
	S12	NESW 7.4 ~~SESW 16.0~~
	S14	NENE 9.7 NENW 21.0
	S15	NENE 40.0
	R41E S07 LOT 2 (SWNW) 19.0	
	668.9 Acres Total	

16 acres not included

Stockwater	Within Clark County
T13N R40E S11	NESE SWSE
S12	SESE NWSW
S14	NENE NWNE

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
This right is limited to the irrigation of 190 acres within the
place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

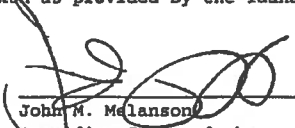
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



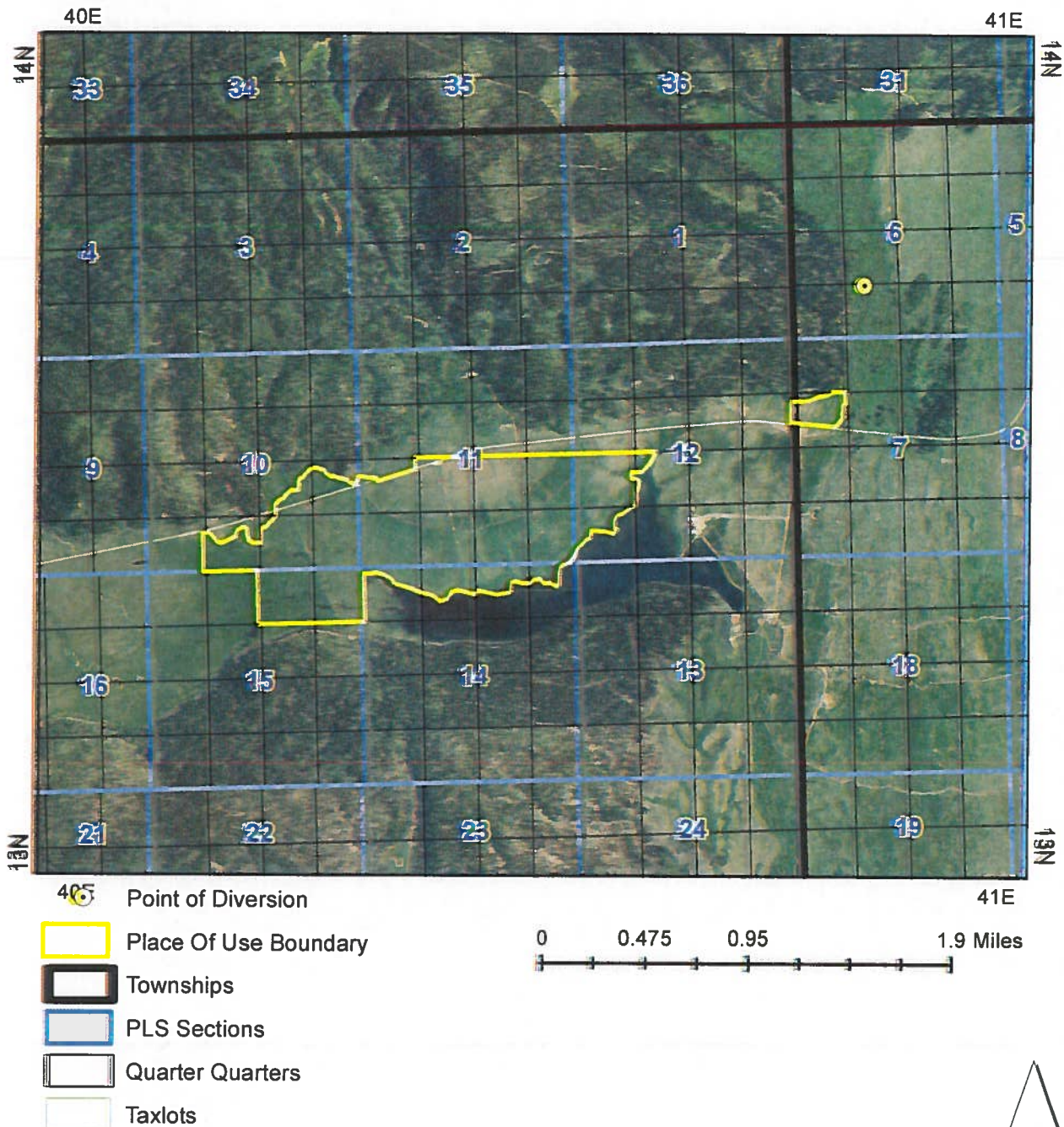
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

State of Idaho
Department of Water Resources

Water Right
21-2054B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

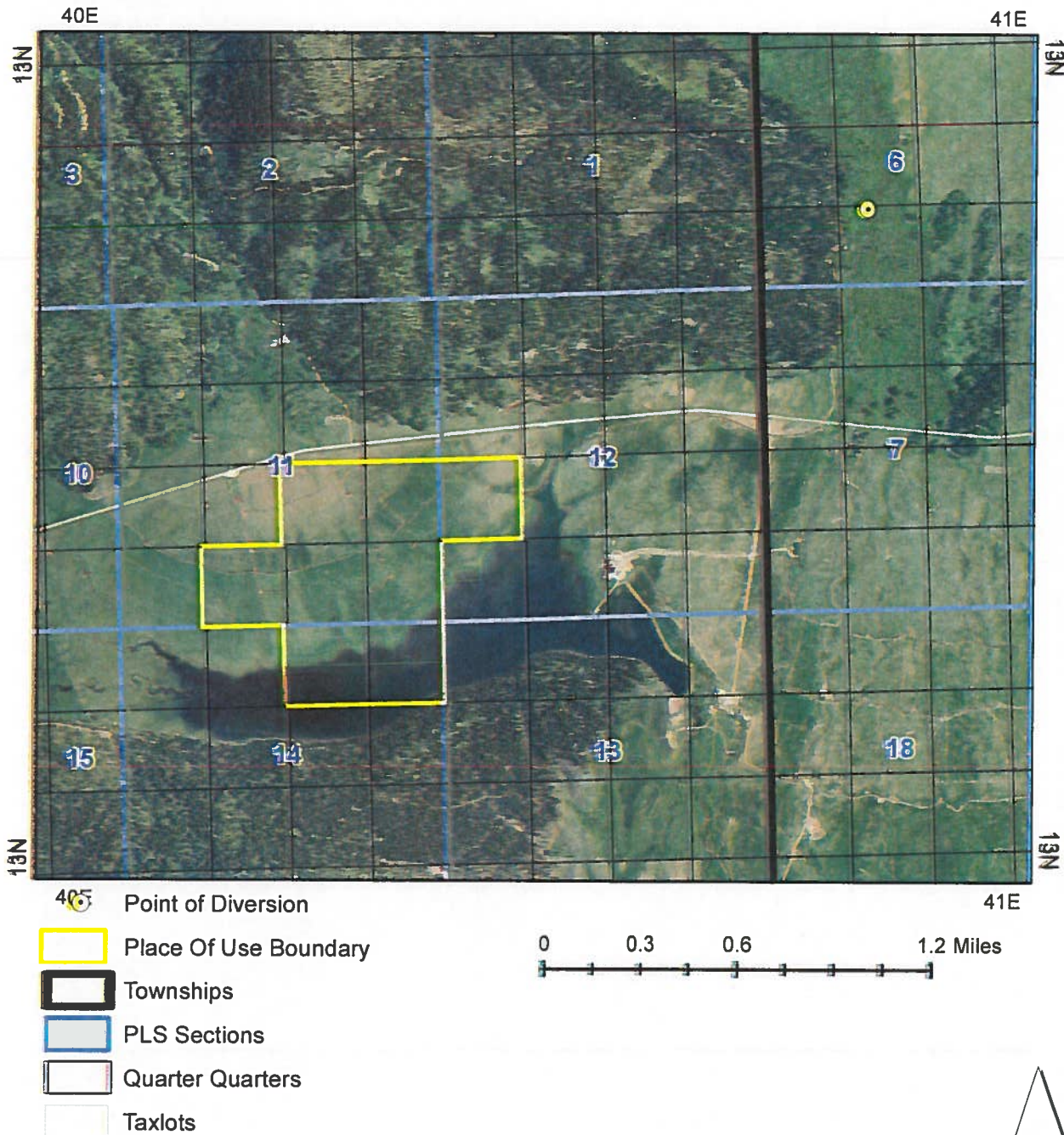


State of Idaho
Department of Water Resources

Water Right
21-2054B

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER:

21-4170

NAME AND ADDRESS: DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE:

Beaver
SPRING

TRIBUTARY: SINKS

QUANTITY:

0.500 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE:

05/01/1894

POINT OF
DIVERSION:

T13N R40E S10 NWNESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

04/01 12/31

0.230 CFS

IRRIGATION

05/01 10/31

0.500 CFS

PLACE OF USE:

IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00✓	T13N R40E S10	NESE	28.00✓
T13N R40E S10	NWSE	12.00✓	T13N R40E S10	SWSE	36.00✓
T13N R40E S10	SESE	40.00✓	T13N R40E S11	NESW	40.00✓
T13N R40E S11	NWSW	27.00✓	T13N R40E S11	SWSW	40.00✓
T13N R40E S11	SESW	40.00✓	T13N R40E S11	NESE	40.00✓
T13N R40E S11	NWSE	40.00✓	T13N R40E S11	SWSE	40.00✓
T13N R40E S11	SESE	39.00✓	T13N R40E S12	NESW	7.40✓
T13N R40E S12	NWSW	40.00✓	T13N R40E S12	SWSW	16.00✓
T13N R40E S14	NENE	9.70✓	T13N R40E S14	NWNE	19.00✓
T13N R40E S14	NENW	21.00✓	T13N R40E S14	NWNW	9.80✓
T13N R40E S15	NENE	40.00✓	T13N R40E S15	NWNE	40.00✓
T13N R41E S07 Lot 2 SWNW		19.00✓			

STOCKWATER in CLARK County

T13N R40E S10	NESE	T13N R40E S11	NWSW
T13N R40E S11	SWSW	T13N R40E S11	SESW
T13N R40E S11	NESE	T13N R40E S11	SWSE
T13N R40E S11	SESE	T13N R40E S12	NWSW

668.9 ACRES TOTAL

Amended Director's Report

21-4170

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

This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

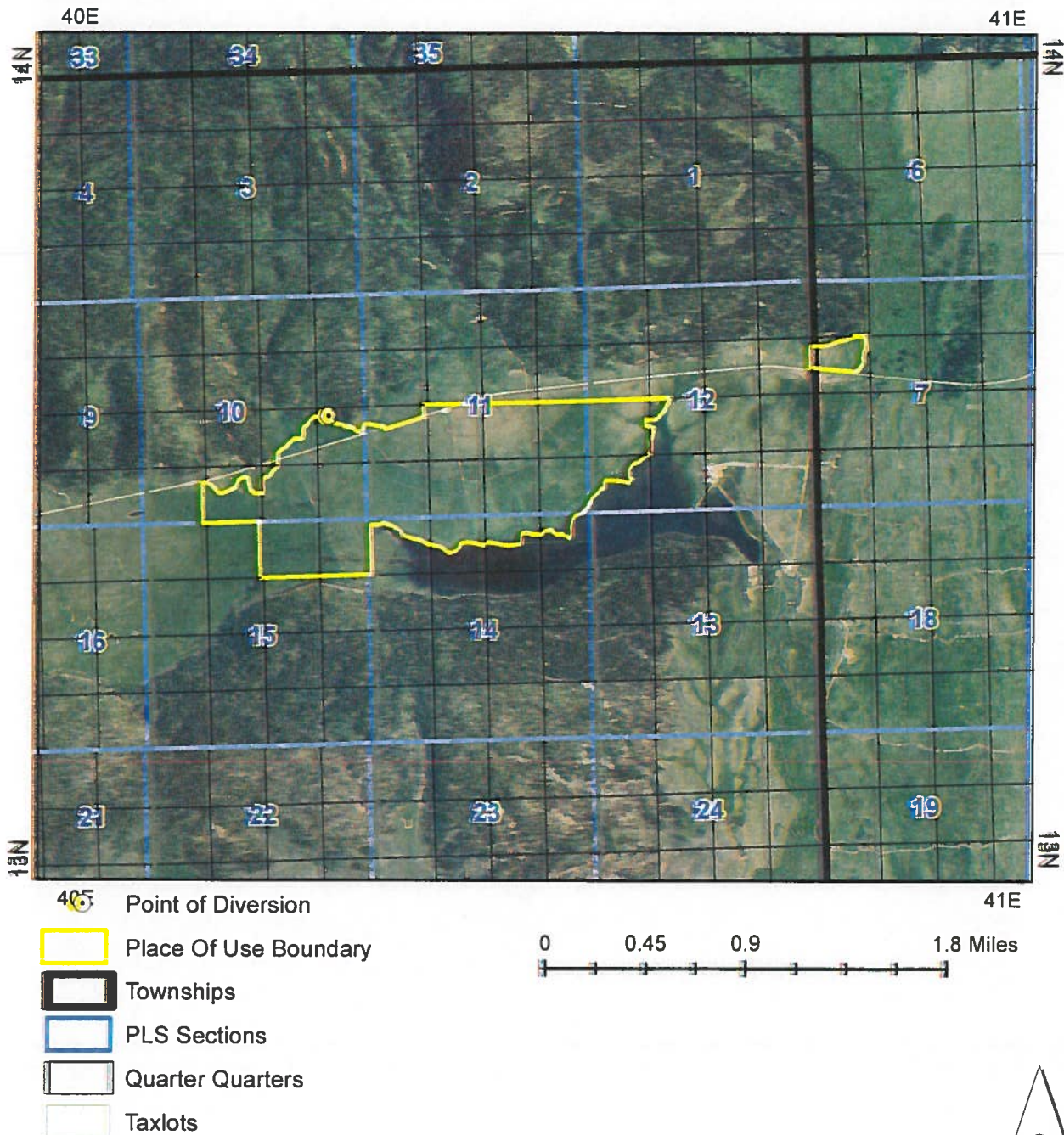
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right
21-4170

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

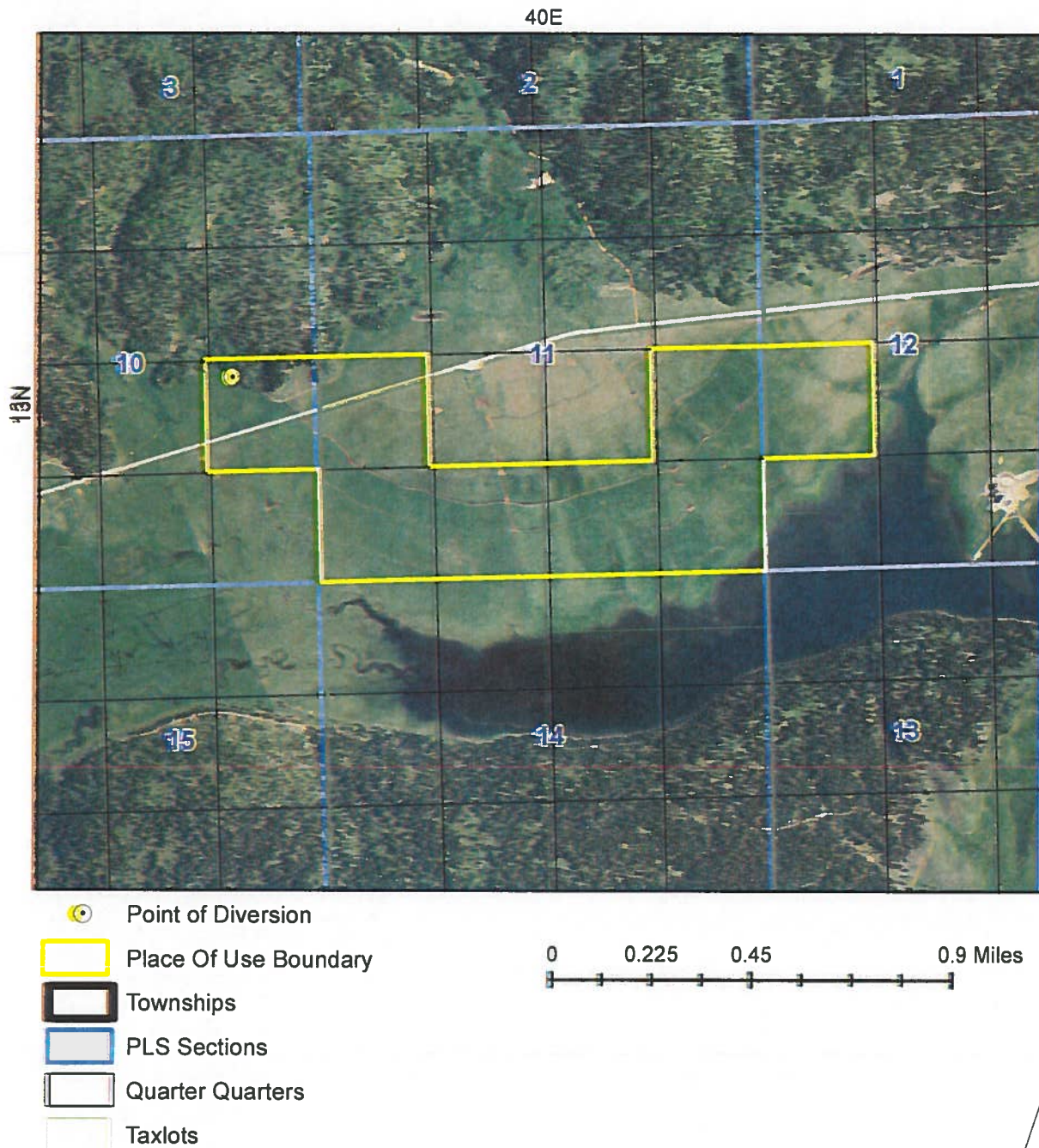


State of Idaho
Department of Water Resources

Water Right
21-4170

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4171

NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.250 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF DIVERSION: T13N R40E S10 NESESW Within CLARK County
T13N R40E S10 NWSESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.250 CFS
STOCKWATER	04/01 12/31	0.230 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE:

<u>IRRIGATION in CLARK County</u>					
T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2 SWNW		19.00			

STOCKWATER in CLARK County

T13N R40E S10	SESW	T13N R40E S10	NESE
T13N R40E S10	NWSE	T13N R40E S10	SWSE
T13N R40E S10	SESE	T13N R40E S11	NWSW
T13N R40E S11	SWSW	T13N R40E S11	SESW
T13N R40E S11	NESE	T13N R40E S11	SWSE
T13N R40E S11	SESE	T13N R40E S12	NWSW

DOMESTIC same as IRRIGATION

668.9 ACRES TOTAL

This right is limited to the irrigation of 326 acres within the place of use described above in a single irrigation season.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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.

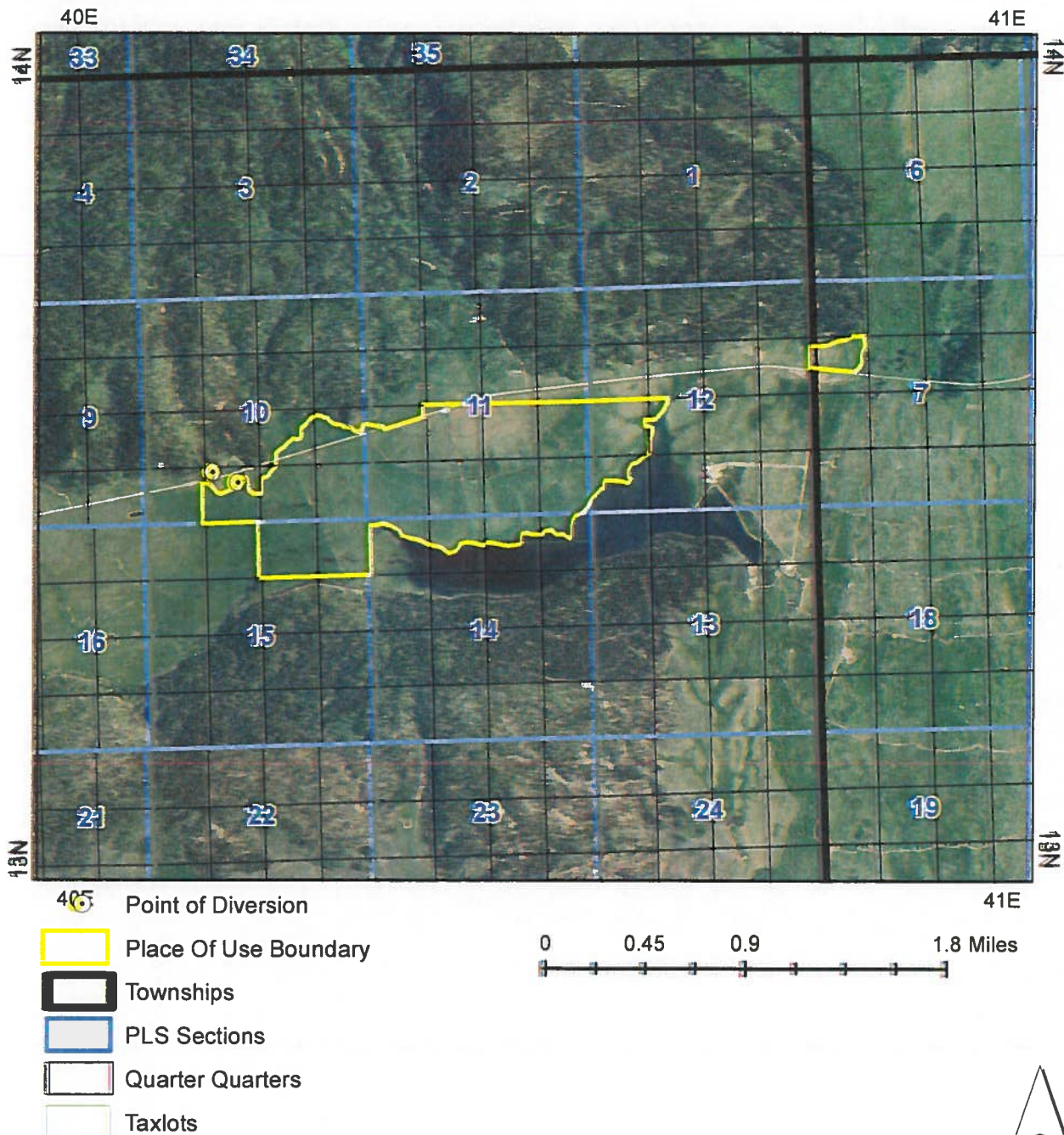
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right
21-4171

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

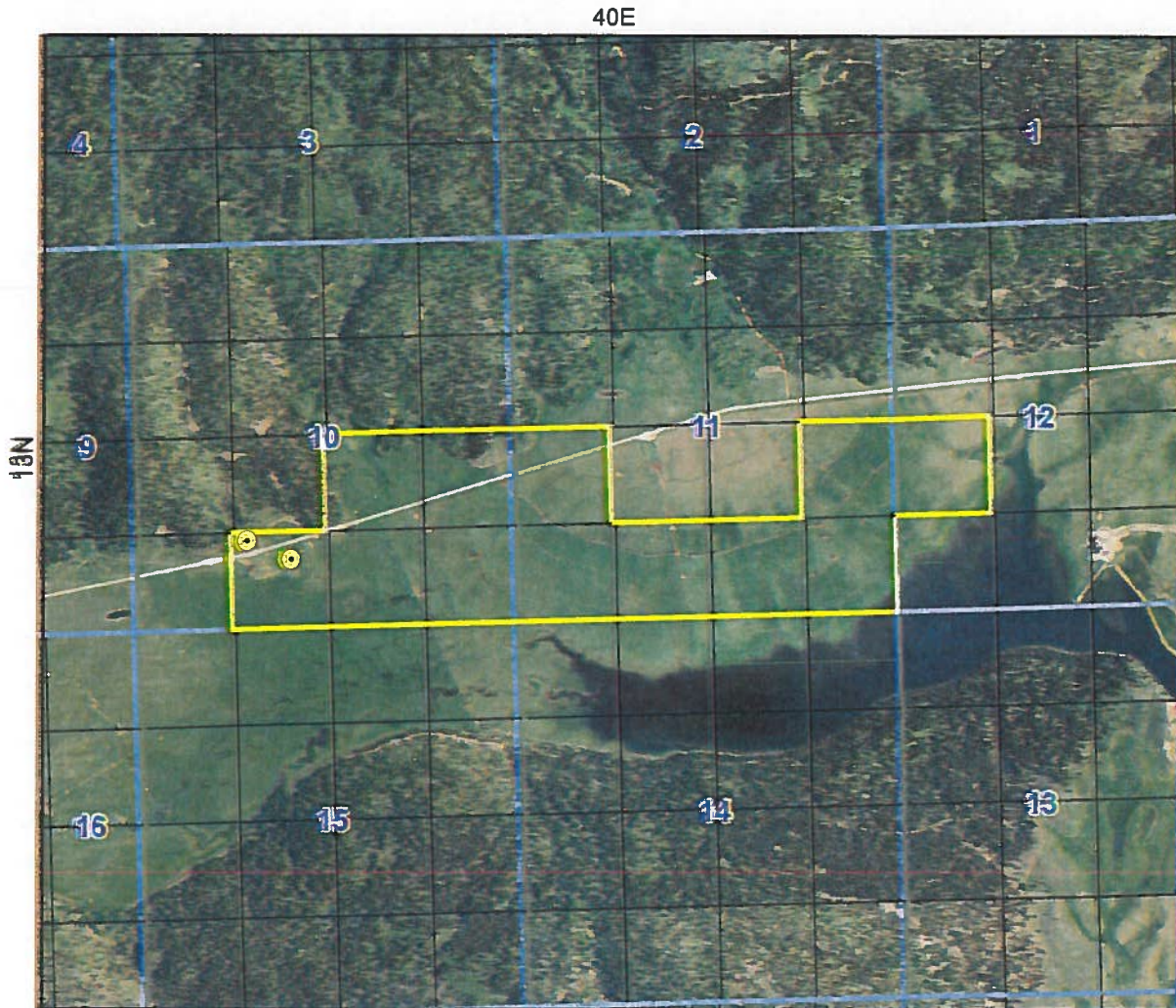


State of Idaho
Department of Water Resources

Water Right
21-4171

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.3 0.6 1.2 Miles



04/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4172

NAME AND ADDRESS: DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: MUD CREEK

TRIBUTARY: SINKS

QUANTITY: 3.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION:

T13N R40E S10 SENWSE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	3.000 CFS
STOCKWATER	04/01 12/31	0.230 CFS

PLACE OF USE: IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2	SWNW	19.00			

STOCKWATER in CLARK County

T13N R40E S10	NESE	T13N R40E S10	NWSE
T13N R40E S10	SWSE	T13N R40E S10	SESE
T13N R40E S11	NWSW	T13N R40E S11	SWSW
T13N R40E S11	SESW	T13N R40E S11	NESE
T13N R40E S11	SWSE	T13N R40E S11	SESE
T13N R40E S12	NWSW		

668.9 ACRES TOTAL

This right is limited to the irrigation of 306 acres within the place of use described above in a single irrigation season.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

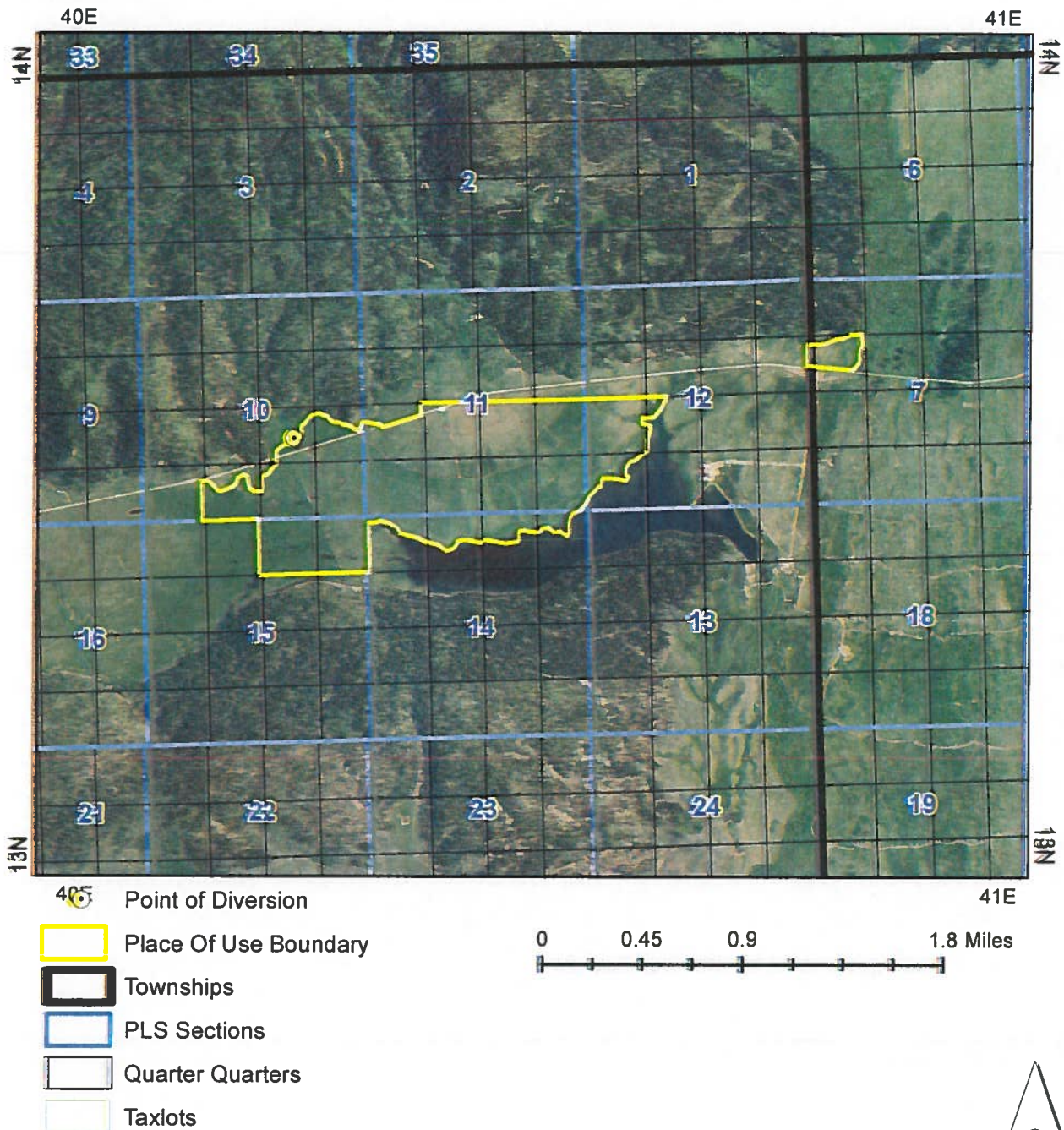
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right 21-4172

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

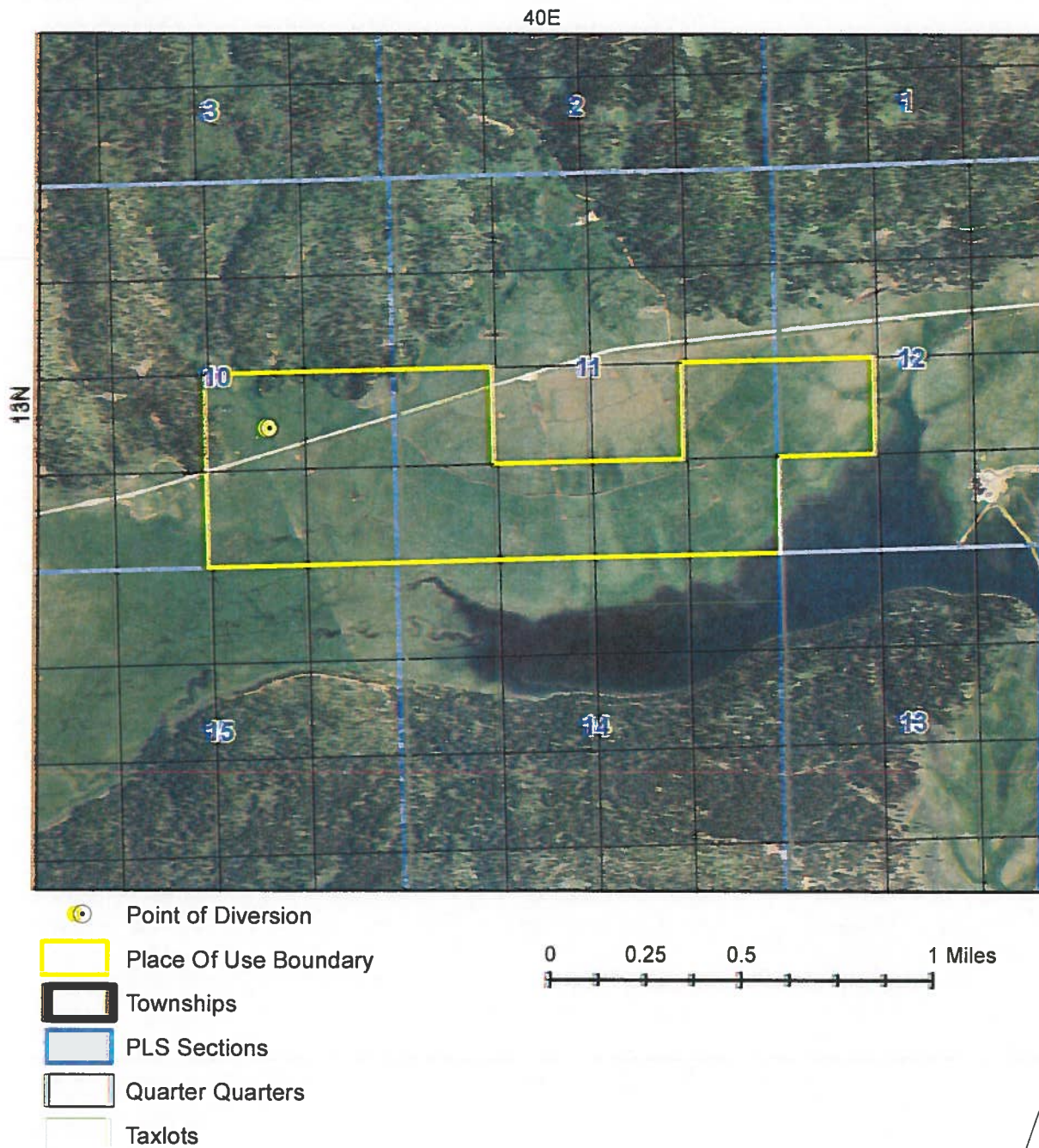


State of Idaho
Department of Water Resources

Water Right
21-4172

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



04/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4173
NAME AND ADDRESS: DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: KICK CREEK TRIBUTARY: SINKS

QUANTITY: 3.500 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION:

T13N R40E S11 NWSWNE Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	3.500 CFS
STOCKWATER	04/01 12/31	0.230 CFS

PLACE OF USE:

IRRIGATION in CLARK County			
T13N R40E S10	SESW	25.00	T13N R40E S10 NESE 28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10 SWSE 36.00
T13N R40E S10	SESE	40.00	T13N R40E S11 NESW 40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11 SWSW 40.00
T13N R40E S11	SESW	40.00	T13N R40E S11 NESE 40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11 SWSE 40.00
T13N R40E S11	SESE	39.00	T13N R40E S12 NESW 7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12 SWSW 16.00
T13N R40E S14	NENE	9.70	T13N R40E S14 NWNE 19.00
T13N R40E S14	NENW	21.00	T13N R40E S14 NWNW 9.80
T13N R40E S15	NENE	40.00	T13N R40E S15 NWNE 40.00
T13N R41E S07 Lot 2	SWNW	19.00	

STOCKWATER in CLARK County

T13N R40E S10	NESE	T13N R40E S11	NWSW
T13N R40E S11	SWSW	T13N R40E S11	SESW
T13N R40E S11	NESE	T13N R40E S11	NWSE
T13N R40E S11	SWSE	T13N R40E S11	SESE
T13N R40E S12	NWSW		

668.9 ACRES TOTAL

This right is limited to the irrigation of 383 acres within the place of use described above in a single irrigation season.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

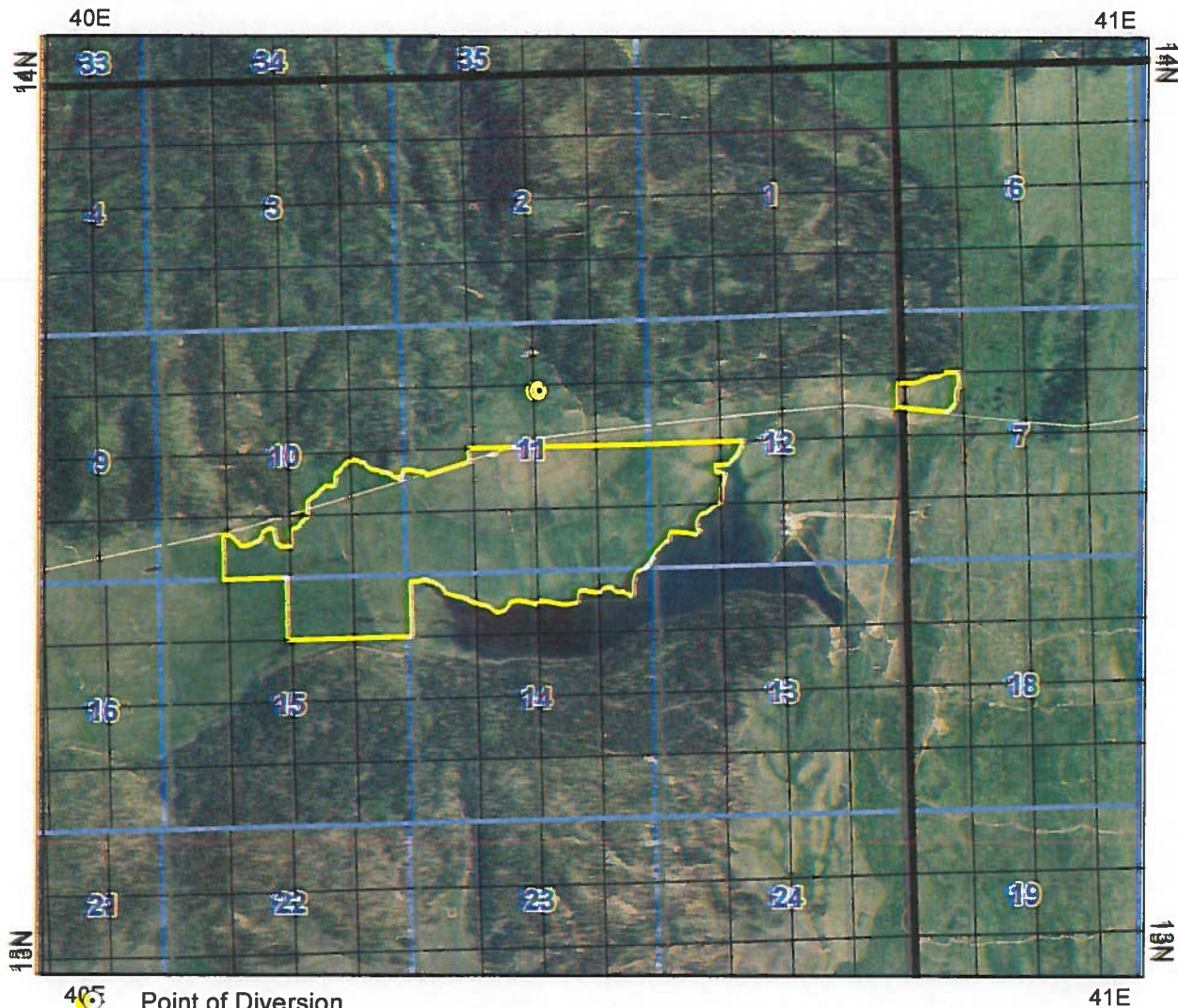
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right
21-4173

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.45 0.9 1.8 Miles

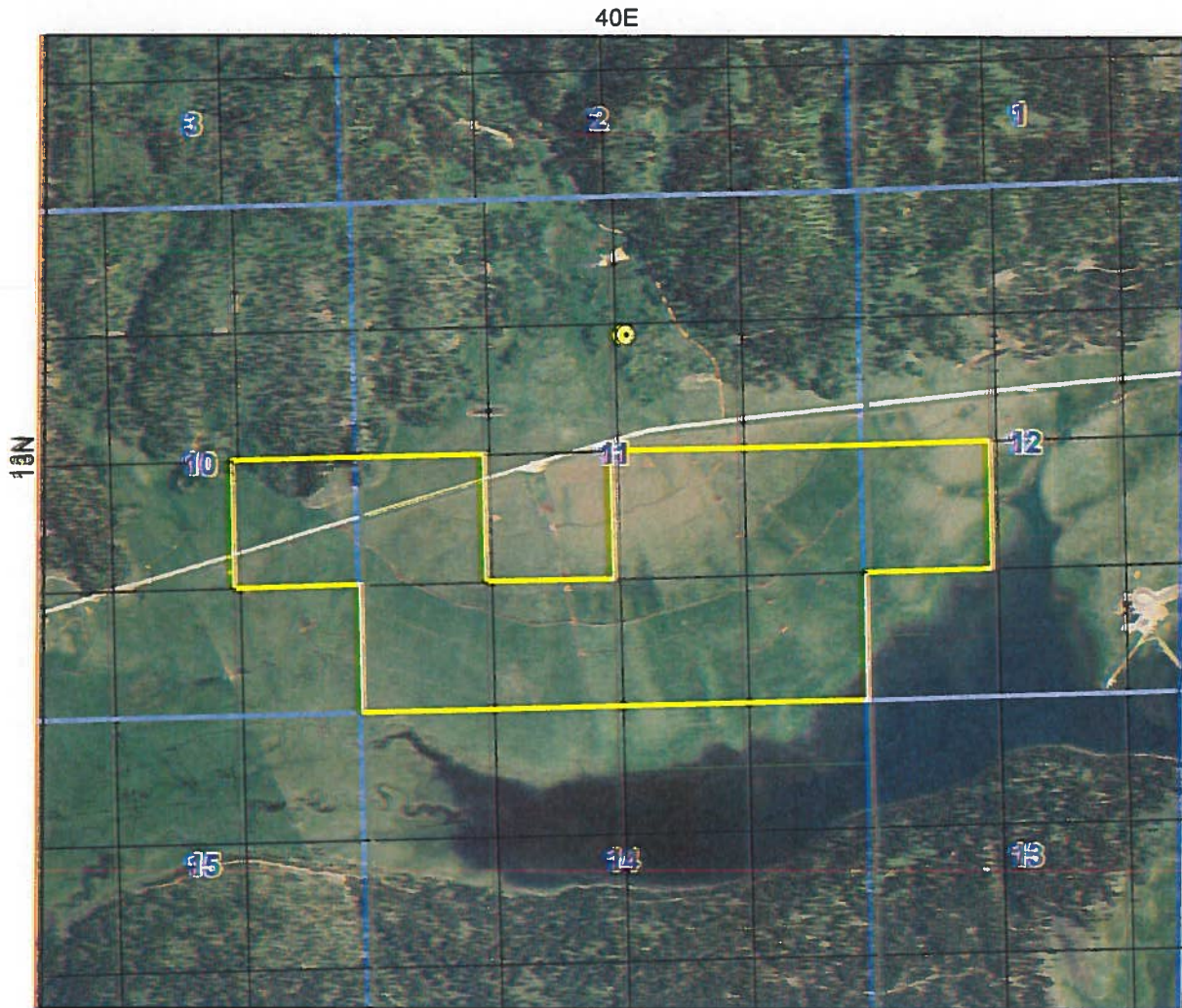


State of Idaho
Department of Water Resources

Water Right
21-4173

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



04/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4174

NAME AND ADDRESS: DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 1.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION:

T13N R40E S9 NWSESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 12/31	0.230 CFS
IRRIGATION	05/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2 SWNW		19.00			

STOCKWATER in CLARK County

T13N R40E S10	SESW	T13N R40E S10	NESE
T13N R40E S10	NWSE	T13N R40E S10	SWSE
T13N R40E S11	NWSW	T13N R40E S11	SWSW
T13N R40E S11	SESW	T13N R40E S11	NESE
T13N R40E S11	SWSE	T13N R40E S11	SESE
T13N R40E S12	NWSW		

668.9 ACRES TOTAL

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

This right is limited to the irrigation of 434 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

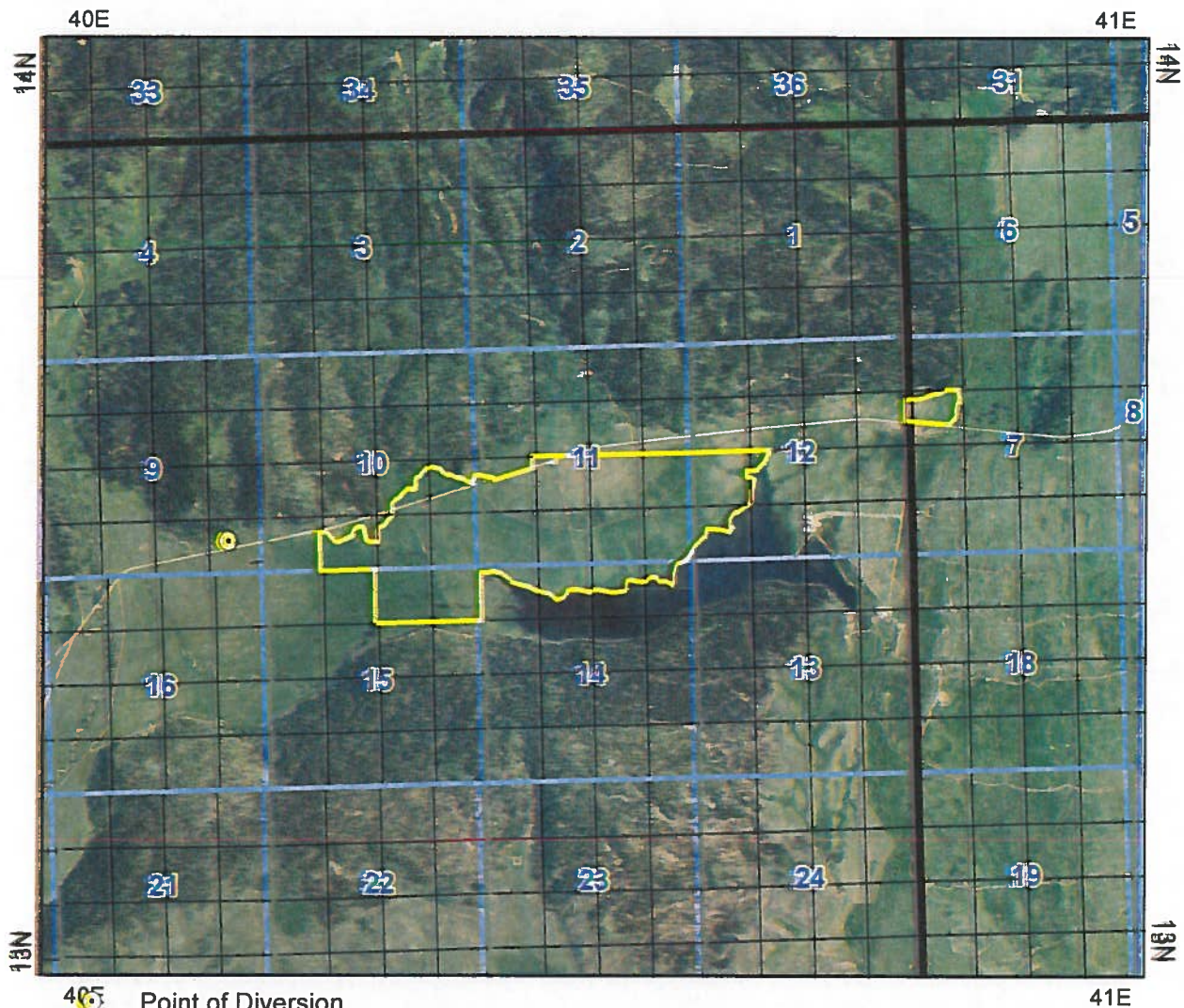
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right
21-4174

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.5 1 2 Miles

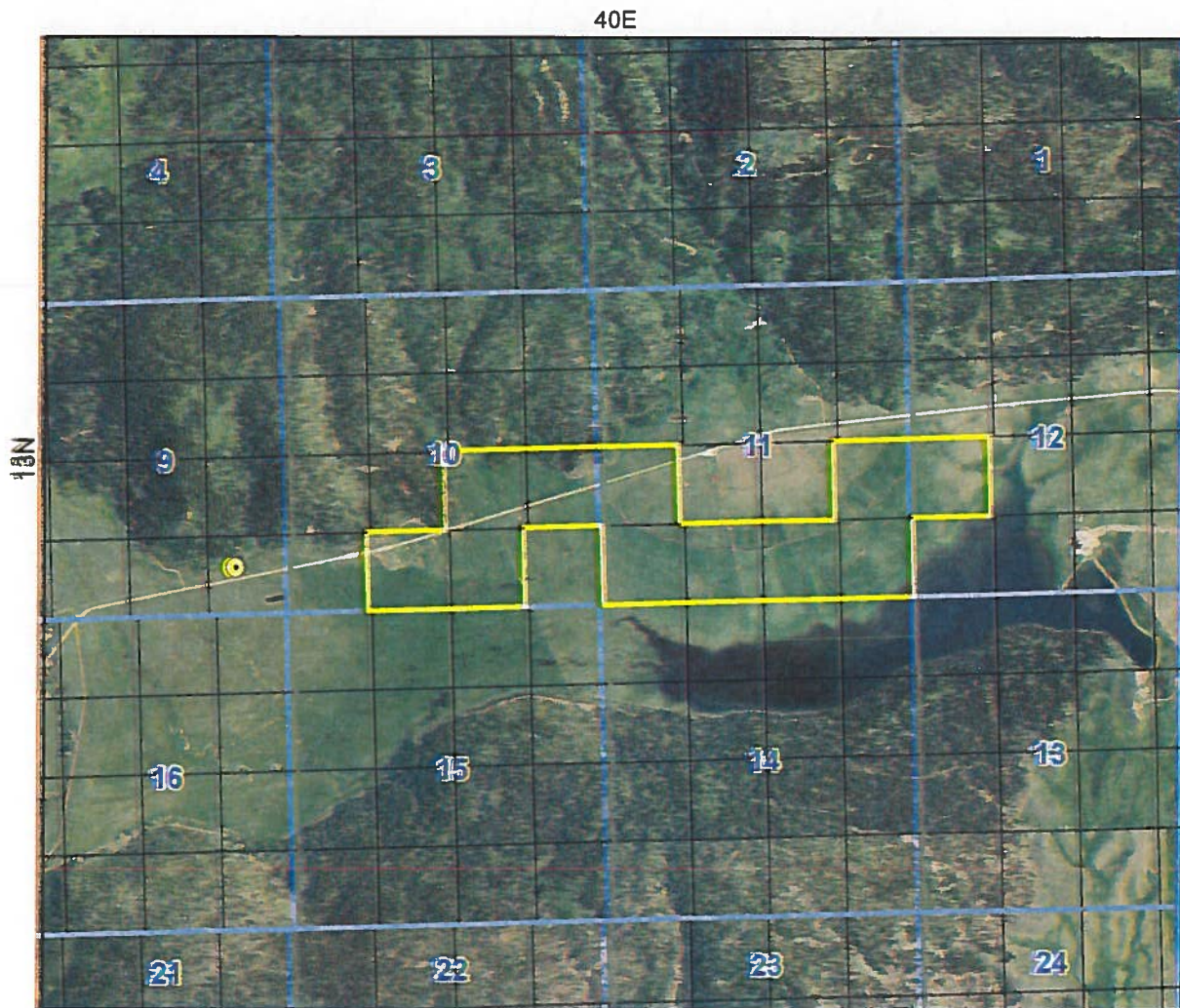


State of Idaho
Department of Water Resources

Water Right 21-4174

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.375 0.75 1.5 Miles



04/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4175

NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 1.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION:

T13N R40E S10 NESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 12/31	0.230 CFS
IRRIGATION	05/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2	SWNW	19.00			

STOCKWATER in CLARK County

T13N R40E S10	SESW	T13N R40E S10	SWSE
T13N R40E S10	SESE	T13N R40E S11	SWSW
T13N R40E S11	SESW	T13N R40E S14	NWNE
T13N R40E S14	NENW	T13N R40E S15	NENE
T13N R40E S15	NWNE		

668.9 ACRES TOTAL

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

The rights listed below are limited to the irrigation of a combined total of 355.8 acres in a single irrigation season. Combined Right Nos.: 21-4170, 21-4171, 21-4172, 21-4173, 21-4174, 21-4175, 21-12854, 21-12939

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

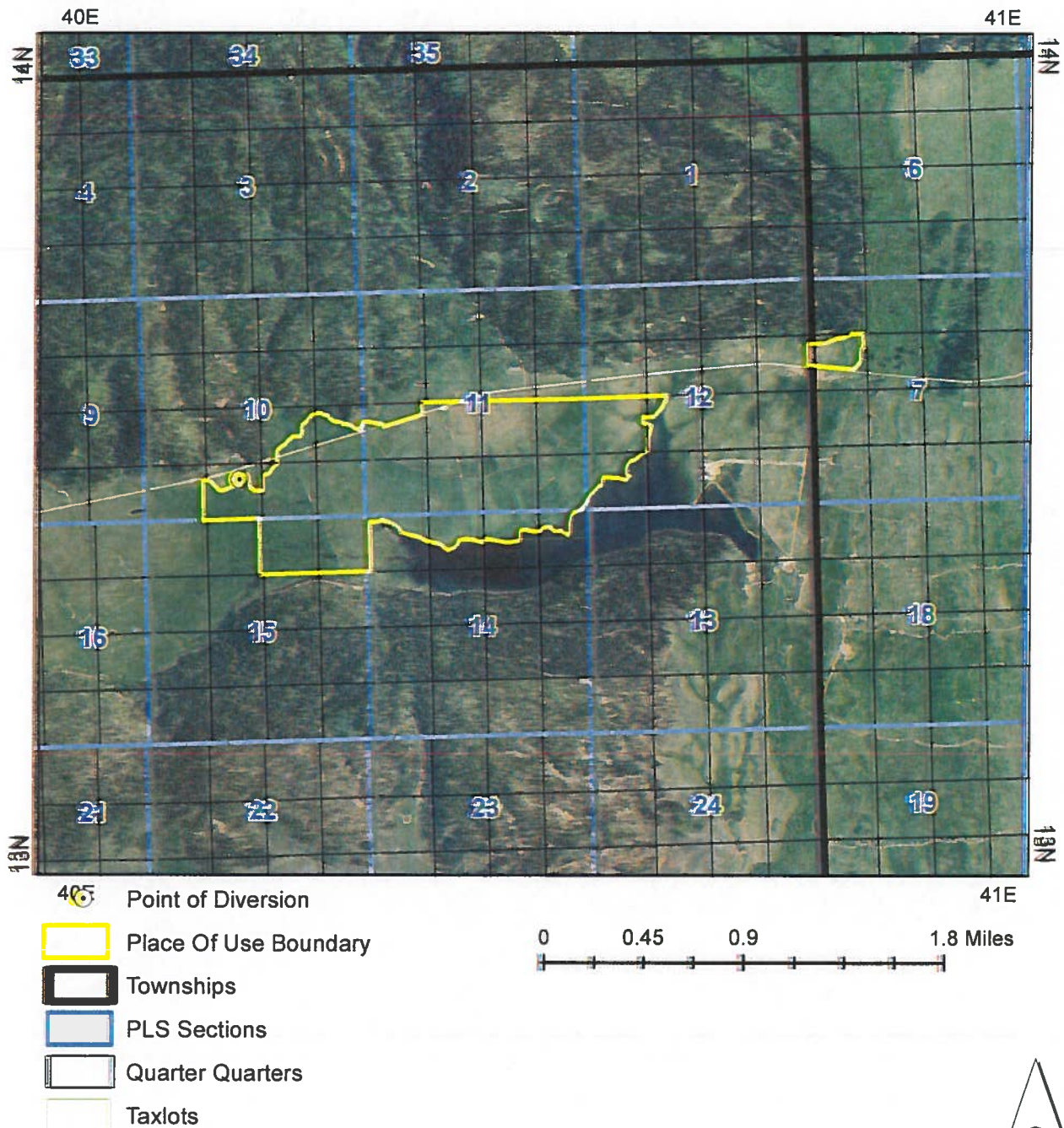
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

State of Idaho
Department of Water Resources

Water Right 21-4175

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

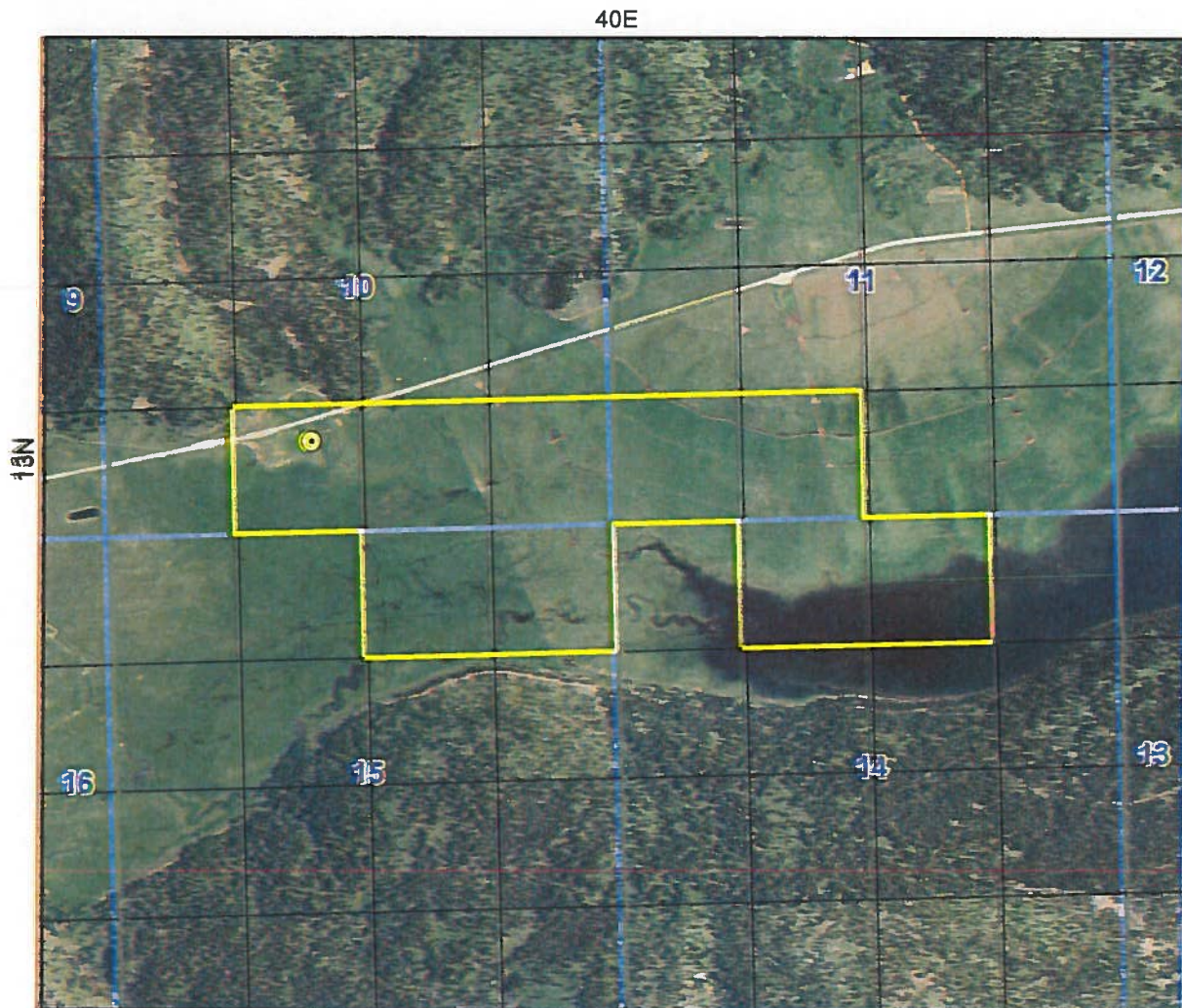


State of Idaho
Department of Water Resources

Water Right
21-4175

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles



04/04/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-12854

NAME AND ADDRESS: DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: SPRING

TRIBUTARY: SHERIDAN CREEK

QUANTITY: 0.400 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION: T13N R41E S6 NWSESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 12/31	0.240 CFS
IRRIGATION	05/01 10/31	0.400 CFS

PLACE OF USE: IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2	SWNW	19.00			

STOCKWATER in CLARK County

T13N R41E S07 SWNW

668.9 ACRES TOTAL

This right is limited to the irrigation of 63 acres within the place of use described above in a single irrigation season.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

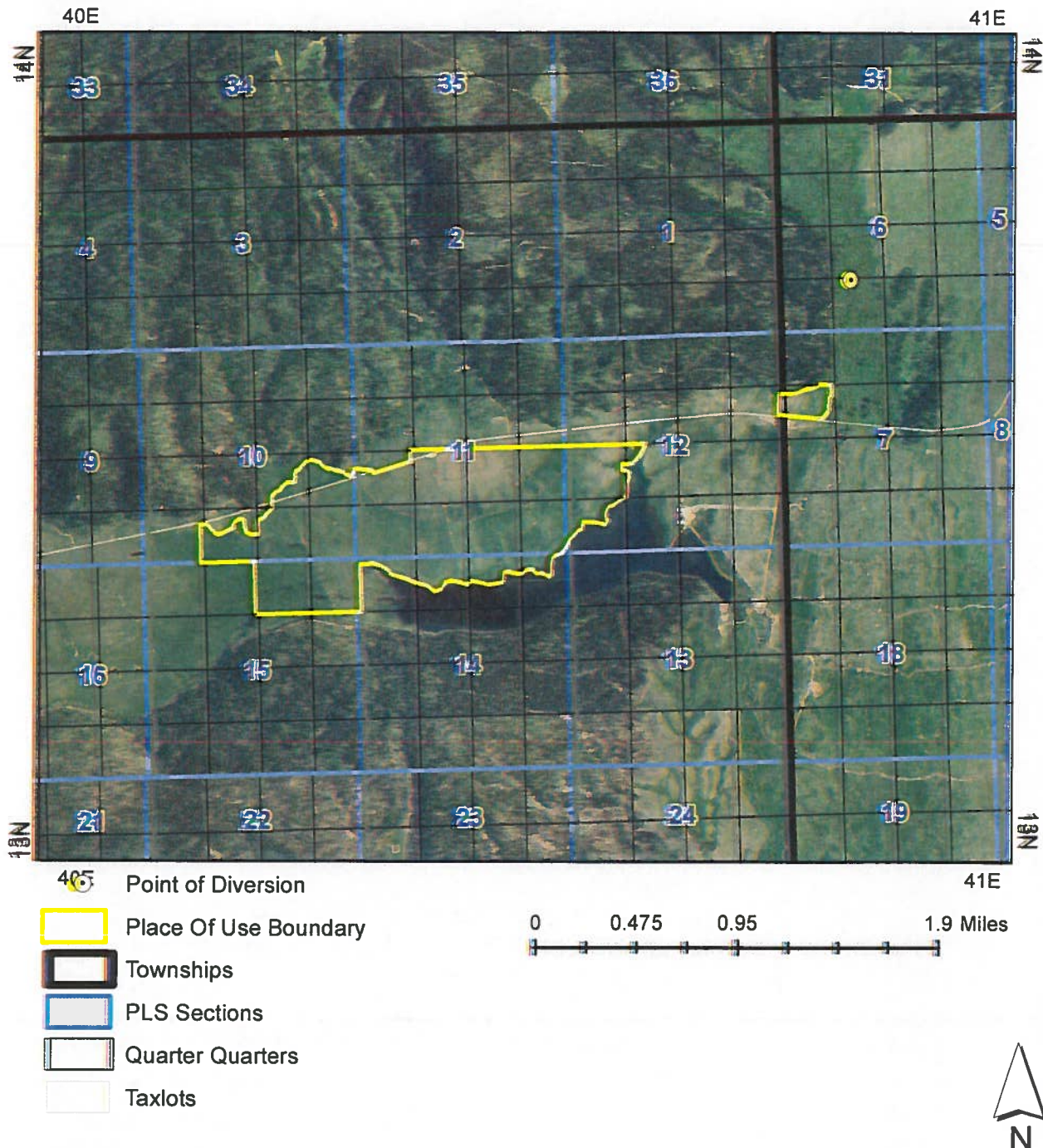
Storage water may be supplemental to this water right (both in and out of priority) when Sheridan Creek natural flow is sufficient to exchange for available Henrys Fork storage.

State of Idaho
Department of Water Resources

Water Right
21-12854

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

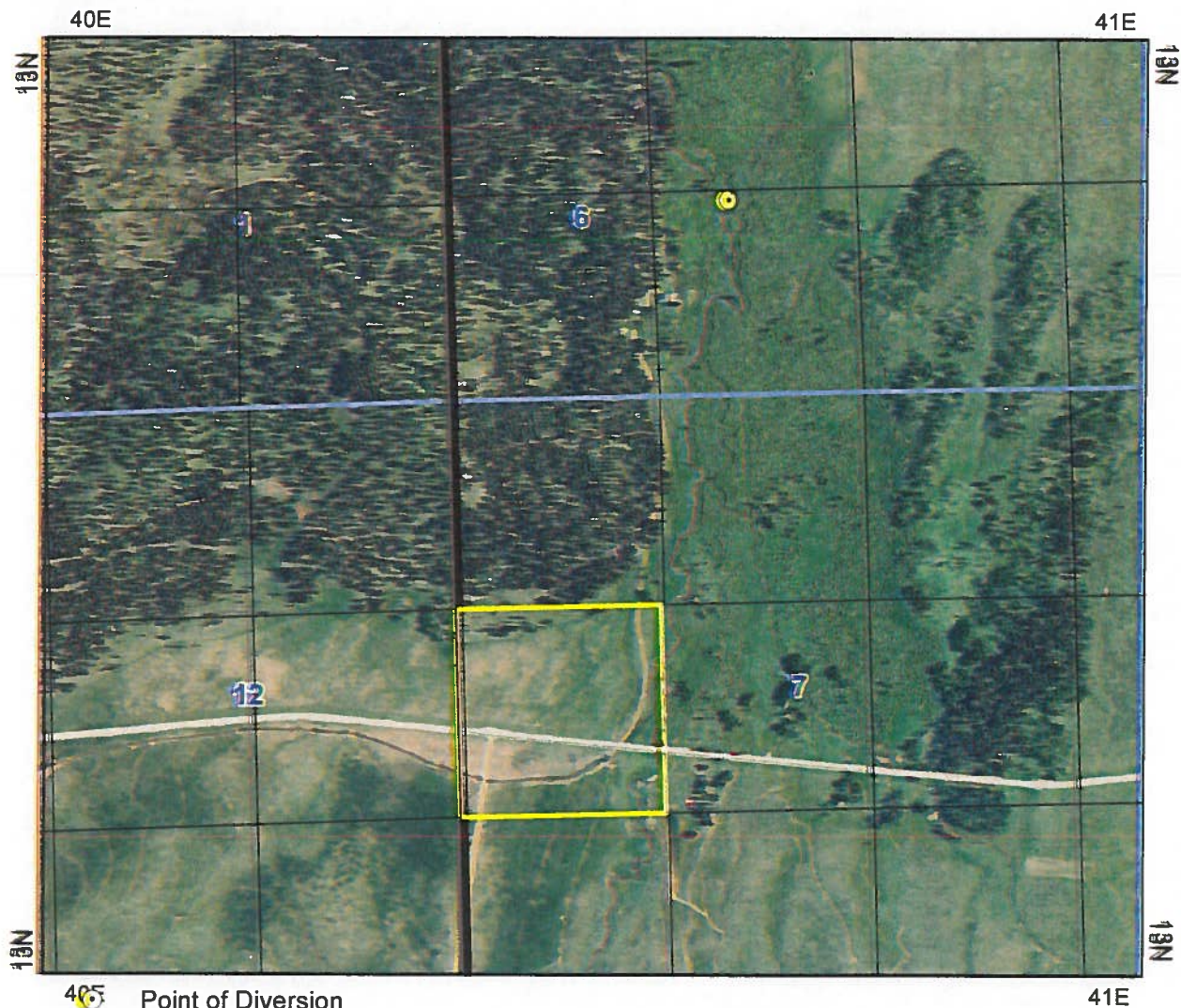


State of Idaho
Department of Water Resources

Water Right
21-12854

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.125 0.25 0.5 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

2/1/2017

WATER RIGHT NO. 21-12938

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID J HAGENBARTH
Current Owner	JAMES F HAGENBARTH
	PO BOX 1128
	DILLON, MT 59725-1128
	(406)683-2163
Original Owner	MARGARET HAGENBARTH
	PO BOX 1128
	DILLON, MT 59725-1128
	(406)683-2163

Priority Date: 07/28/1939

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED SPRING	SHERIDAN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	190 CFS	

Location of Point(s) of Diversion:

UNNAMED SPRING|NWSESW|Sec. 06|Township 13N|Range 41E|CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	40E	11		SESW	14									
				NESE	29		NWSE	5		SWSE	40		SESE	36
		12		NESW	3		NWSW	36		SWSW	5			
		14		NENE	3									
	41E	7		SWNW	19									

Total Acres: 190

Conditions of Approval:

1. SEE ATTACHEMENT A ON SYSTEM OPERATION
2. RENUMBERED FROM 01-2068A

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

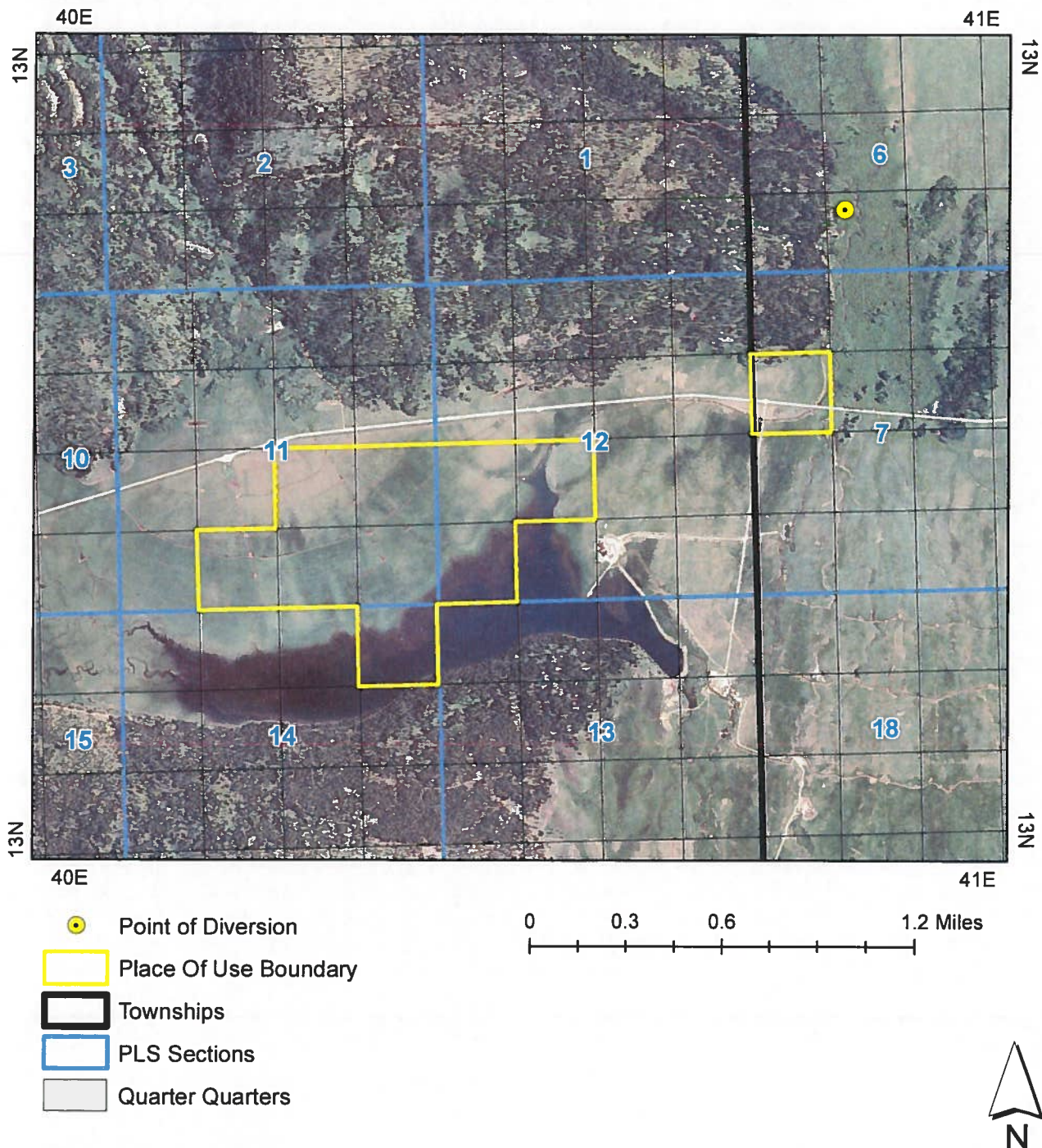
Mitigation Plan: False

Close

State of Idaho
Department of Water Resources
Adjudication Claim
21-12938

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



04/04/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-12939

NAME AND ADDRESS: JAMES F HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

DAVID J HAGENBARTH
PO BOX 1128
DILLON MT 59725-1128

SOURCE: SPRING

TRIBUTARY: SHERIDAN CREEK

QUANTITY: 3.270 CFS

PRIORITY DATE: 04/01/1939

POINT OF

DIVERSION: T13N R41E S6 NWSESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

05/01 10/31

3.270 CFS

PLACE OF USE:

IRRIGATION in CLARK County

T13N R40E S10	SESW	25.00	T13N R40E S10	NESE	28.00
T13N R40E S10	NWSE	12.00	T13N R40E S10	SWSE	36.00
T13N R40E S10	SESE	40.00	T13N R40E S11	NESW	40.00
T13N R40E S11	NWSW	27.00	T13N R40E S11	SWSW	40.00
T13N R40E S11	SESW	40.00	T13N R40E S11	NESE	40.00
T13N R40E S11	NWSE	40.00	T13N R40E S11	SWSE	40.00
T13N R40E S11	SESE	39.00	T13N R40E S12	NESW	7.40
T13N R40E S12	NWSW	40.00	T13N R40E S12	SWSW	16.00
T13N R40E S14	NENE	9.70	T13N R40E S14	NWNE	19.00
T13N R40E S14	NENW	21.00	T13N R40E S14	NWNW	9.80
T13N R40E S15	NENE	40.00	T13N R40E S15	NWNE	40.00
T13N R41E S07 Lot 2 SWNW		19.00			

668.9 ACRES TOTAL

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

This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

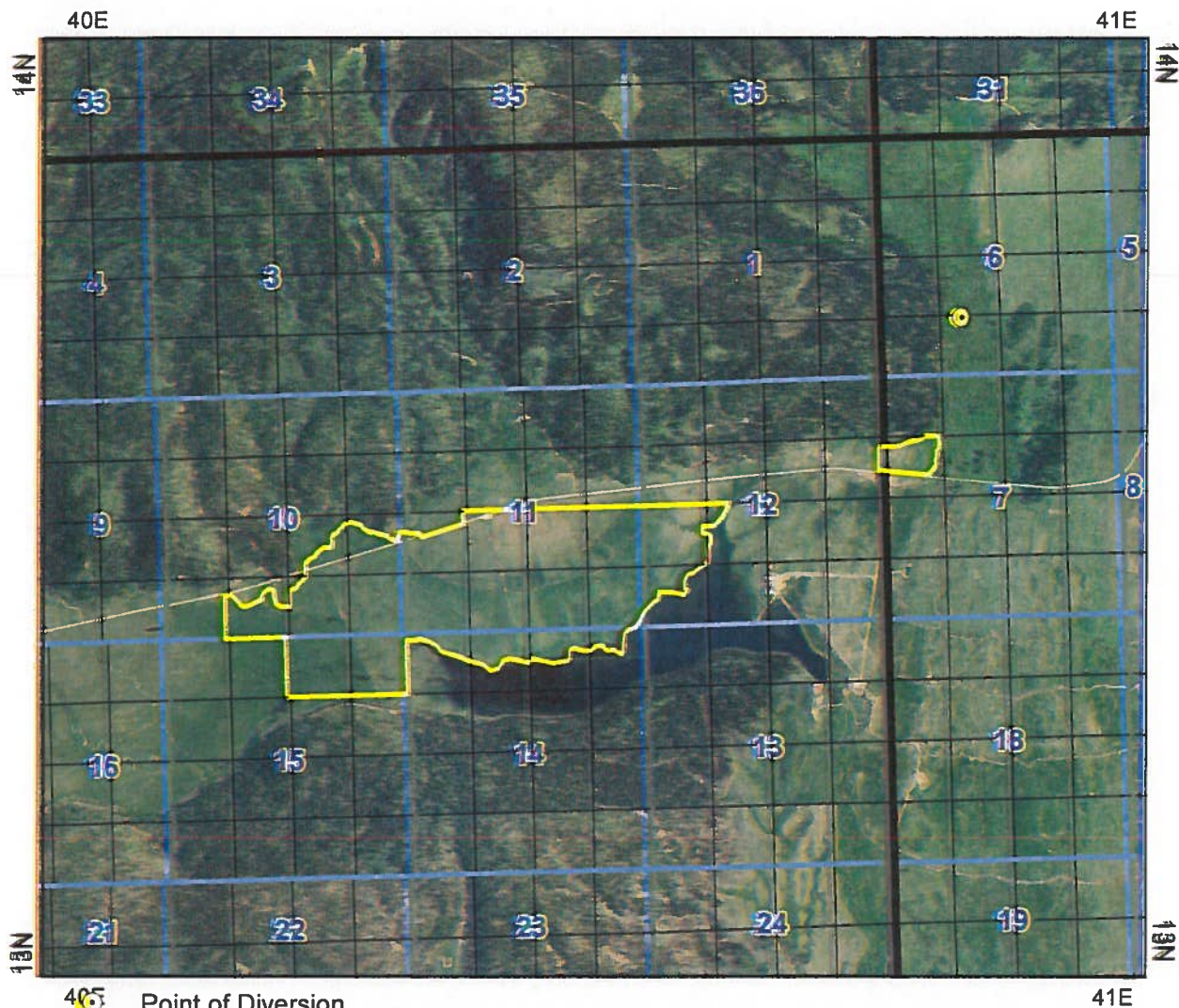
Storage water may be supplemental to this water right (both in and out of priority) when Sheridan Creek natural flow is sufficient to exchange for available Henrys Fork storage.

State of Idaho
Department of Water Resources

Water Right 21-12939

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.475 0.95 1.9 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2017

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 April of this year you filed a collection of ownership changes for Hagenbarth Land Idaho LP ("Hagenbarth Land") and Dip Vat LLC ("Dip Vat"). As an initial matter, please let me apologize that it has taken so long to complete the ownership changes. Our water right agents strive to provide timely service to water users in Eastern Idaho. Taking six months to complete a set of ownership changes does not meet that standard. Ownership updates have been completed for the following water rights.

Ownership Updated to Hagenbarth Land (no split necessary)

21-10111, 31-66C, 31-67C, 31-306, 31-7501, 31-7649, 31-7653, 31-10160,
31-10161, 31-10162, 31-10163, 31-10255, 31-10257, 31-10259, 31-11735,
31-2274, 31-2275, 31-10245 and 31-10740

Ownership Split between Hagenbarth Land and Dip Vat

Original Right	Hagenbarth Land	Dip Vat
31-67A	31-67A	31-12400
31-67B	31-67B	31-12401
31-324	31-324	31-12402
31-373	31-373	31-12403
31-374	31-374	31-12404
31-11789	31-11789	31-12405
31-11790	31-11790	31-12406
31-10256	31-10256	31-12407

Ownership Split between Hagenbarth Land and David / James Hagenbarth

Original Right	Hagenbarth Land	David / James Hagenbarth
21-2054B	21-13226	21-2054B
21-4170	21-13227	21-4170
21-4171	21-13228	21-4171
21-4172	21-13229	21-4172
21-4173	21-13230	21-4173
21-4174	21-13231	21-4174
21-4175	21-13232	21-4175
21-12854	21-13233	21-12854
21-12939	21-13234	21-12939

Reports for all of the updated rights are enclosed for your records. Let me provide a few comments on the ownership changes completed. One of your ownership changes indicated that water rights 31-2274, 31-2275, 31-10245 and 31-10740 were to be split. Based on the legal description set forth in the 2013 Corrective Deed, it does not appear that these water rights should be split. All four of the rights were updated to Hagenbarth Land, without a split. Therefore, \$300 of your filing fee (\$75 per water right) should be refunded. Further, one of your ownership changes included water right 21-12938 which was disallowed in the Snake River Basin Adjudication and is no longer a valid water right. You had proposed to split water right 21-12938. Therefore, an additional \$100 of your filing fee should be refunded. In total, \$400 of your original filing fee will be refunded. A check should arrive from the state of Idaho in a couple of weeks.

Please be aware, I have not yet completed the ownership changes for one group of water rights (31-253, 31-254, 31-2077, 31-2125, 31-4027, 31-10208 and 31-10261). As I was reviewing these rights, I discovered some errors and inconsistencies in the water right conditions. For example, water right 31-4027 authorizes 574 acres of irrigation. Water right 31-253, which was decreed at a later date than water right 31-4027, authorizes the irrigation of 193 acres and includes the following condition: "Use of this right with the rights listed below is limited to the irrigation of a combined total of 193 acres in a single irrigation season. Combined right nos.: 31-253, 31-254, 31-4027, 31-10208."

I have notified our adjudication staff of the inconsistent conditions on the water rights. They are currently evaluating whether the issues can be addressed within the adjudication error correction process. I will let you know when the adjudication staff determines the best path forward for your clients. Please feel free to contact me with any questions you may have about the completed ownership changes or those that are still pending.

Sincerely,


James Cefalo
(208) 525-7161

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

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, October 12, 2017 2:26 PM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E042899.pdf

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E042899
Amount: \$25.00
Payable to: Hagenbarth Management Co
Po Box 1128
Dillon MT 59725

Reason: Total filing fee received \$3275.00 for ownership change applications. One of the water rights was disallowed in the SRBA, because the water right is no longer a valid an ownership change was not complete. Therefore the applicant is entitled to a partial refund of \$25.00

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

BLOOMQUIST LAW FIRM, P.C.

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3355 Colton Drive, Suite A
Helena, MT 59602
(406) 502-1244

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www.helenalaw.com

Patti L. Rowland
Calli J. Michaels
220 South Pacific Street
P.O. Box 1418
Dillon, MT 59725-1418
(406) 683-8795

April 6, 2017

RECEIVED
APR 10 2017

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Notice of Change in Water Right Ownership

Dear IDWR:

Please find enclosed several *Notices of Change in Water Right Ownership* for filing with the Idaho Department of Water Resources (IDWR). A check for \$3,275.00 is included for the filing fees. Each notice has associated attachments. The IDWR website has been reviewed and the water rights and maps appear today as they appear in the associated attachments.

We are including the following:

1) David and James Hagenbarth conveyance to Dip Vat, LLC

This ownership change includes 8 split water rights in Basin 31 to Dip Vat. We have calculated the filing fee for this ownership change as \$800.00.

2) David and James Hagenbarth split conveyance to Hagenbarth Land Idaho, LP

One form has 10 split water rights in Basin 21 with a filing fee for this ownership change of \$1,000.00.

A second form includes 19 splits in Basin 31 of which 8 water rights involve previous splits to the Dip Vat, LLC. This filing fee is calculated as \$1,100.00 since the splits are being filed together.

In summary, I have marked those claims with an asterisk (*). The final ownership of these claims will be a split between the Dip Vat, LLC and the Hagenbarth Land Idaho, LP. The claims **not** marked with an *, will appear as split between David and Jim Hagenbarth and the Hagenbarth Land Idaho, LP.

3) David and James Hagenbarth undivided conveyance to Hagenbarth Land Idaho, LP

These changes in water right ownership are undivided to the Hagenbarth Land Idaho, LP. One water right is in Basin 21. There are 14 undivided claims in Basin 31. The filing fee included for this ownership change is \$375.00.

April 6, 2017
IDWR / Eastern Regional Office
Re: Notice of Change in Water Right Ownership
Page 2

Please let me know if you have any questions or if the filing fees are not accurate. I can be reached at 1-406-683-8795.

Sincerely,



Patti L. Rowland

PLR/sdg

Enclosures

C: Dave and Jim Hagenbarth
John Marshall, Attorney w/out attachments