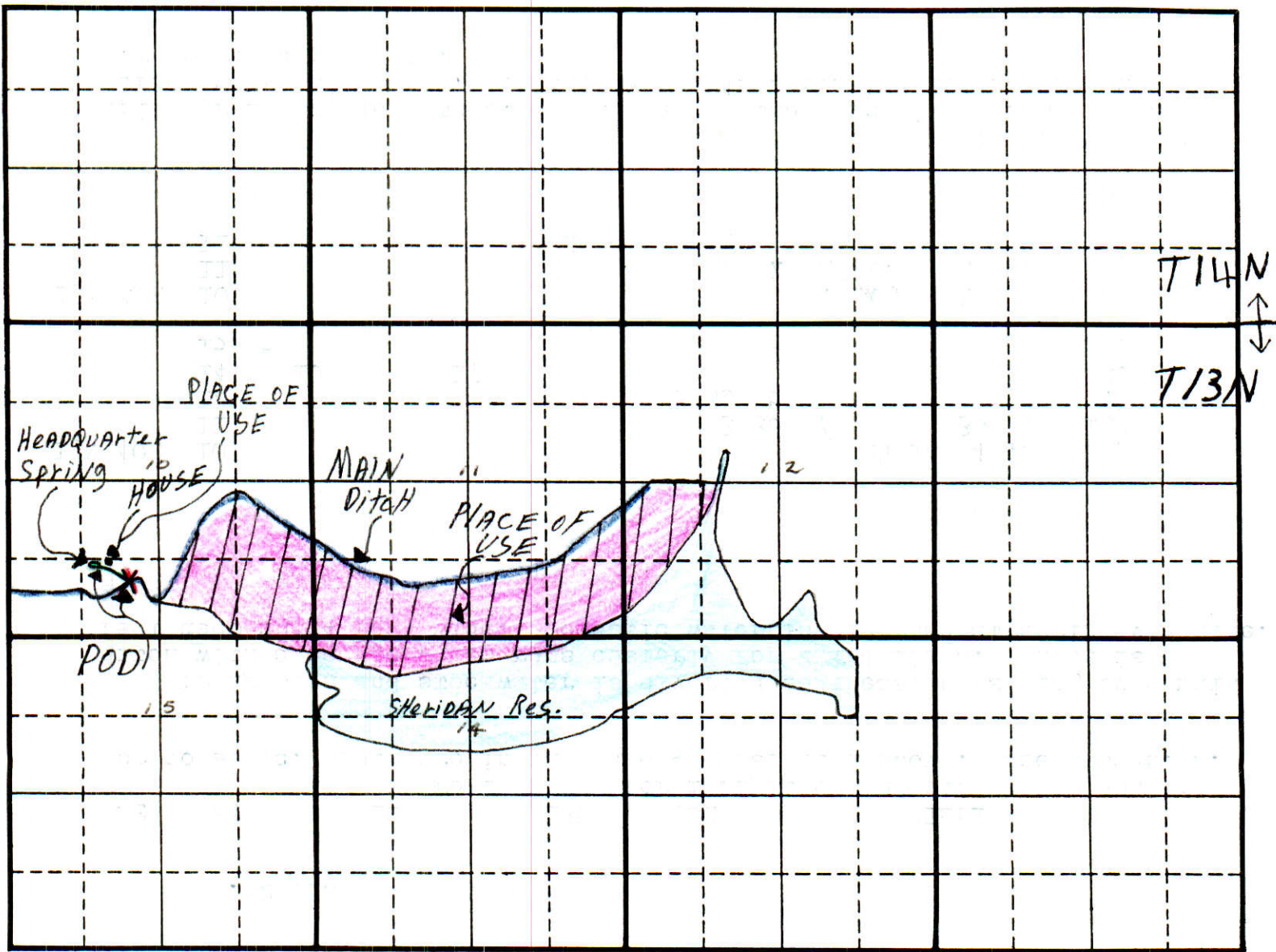


(8) Remarks See Attachments A, B, and C.



Scale: 2 inches equal 1 mile.

R40E ← → R41E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Montana  
State of ~~Idaho~~ )  
County of Beaverhead ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

*Margaret Macgiberty*  
*David Proogenbach*  
*James F. Maginhardt*  
(Claimant)

Sworn to before me this 2nd day of March, 1984.

*Candy Lailano*  
Notary Public  
Residing at DeLeon, Montana

My commission expires May 20, 1986

**FOR DEPARTMENT USE ONLY**

|                                      |                     |                     |              |      |
|--------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>JK</u>                | Date <u>4-19-84</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>JK</u>           | Date <u>4-20-84</u> |                     | claimant by: |      |
| \$20.00 fee received by <u>JK</u>    | Date <u>4-19-84</u> | # <u>33519</u>      |              |      |
| Published in <u>Standard Journal</u> |                     |                     |              |      |
| Dates <u>May 3 + 10, 1984</u>        |                     |                     |              |      |



The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

RECEIVED  
JUN 26 1984  
Department of Water Resources  
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }  
County of Madison } ss.

I, Terry Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE REXBURG

Journal, a newspaper printed and  
published weekly at Rexburg, Madison  
County, Idaho; and I do solemnly swear  
that the

Notice of Claims

a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not in

any supplement issue thereof for two  
consecutive issues, the first publication hav-

ing been made on May 3, 1984  
and the last publication having been made

on May 10, 1984

Further, that said newspaper is one of  
general circulation in said county; that it  
is a legal newspaper, conforming to legal  
specifications under the Idaho Statutes; that  
it has at least two hundred bona fide sub-  
scribers living within the county of publica-  
tion; and that it has been continuously and  
uninterruptedly published in said county dur-  
a period of seventy-eight consecutive weeks  
prior to the first publication of the said not-  
ice.

*Terry Weatherston*



Subscribed to and sworn to before me

this 11 May 1984

*Jeri Garner*

(SEAL)

Notary Public.

My commission expires

Life

NOTICE OF CLAIMS  
TO WATER RIGHTS

The following claim(s) have been filed on  
water right(s) created by diversion and  
beneficial use:

31-4132

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT. 59725

Source: KICK CREEK trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: SWNE Sec 11 T 13N R 40E

Use: IRRIGATION (3.50 CFS) STOCK-  
WATER (0.05 CFS)

In: NESE Sec 10 T 13N R 40E NESW  
NWSW SWSW SESW NESE SWSE SESE  
Sec 11 T 13N R 40E NESW NWSW,  
SWSW Sec 12 T 13N R 40E NENE NWNE  
NENW NWNW Sec 14 T 13N R 40E FOR  
383 ACRES.

31-4131

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT 59725

Source: MUD CREEK trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: NWSE Sec 10 T 13N R 40E

Use: IRRIGATION (3.00 CFS) STOCK-  
WATER (0.05 CFS)

In: NESE NWSE SWSE SESE Sec 10 T  
13N R 40E NWSW SWSW SESW NESE  
SWSE SESE Sec 11 T 13N R 40E NESW  
NWSW SWSW Sec 12 T 13N R 40E NENE  
NWNE NENW NWNW Sec 14 T 13N R 40E  
NENE Sec 15 T 13N R 40E FOR 306  
ACRES

31-4130

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT 59725

Source: HEADQUARTERS SPRING trib. to  
SINKS

Priority Date: 10/01/1943

Diversion Pt: SESW Sec 10 T 13N R 40E

Use: IRRIGATION (0.25 CFS) STOCK-  
WATER (0.05 CFS) DOMESTIC (0.02 CFS)

In: NESE NWSE SWSE SESE Sec 10 T  
13N R 40E NWSW SWSW SESW NESE  
SWSE SESE Sec 11 T 13N R 40E NESW  
NWSW SWSW Sec 12 T 13N R 40E NENE  
NWNE NENW NWNW Sec 14 T 13N R 40E  
NENE Sec 15 T 13N R 40E FOR 326  
ACRES.

31-4129

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. Box 1128, DILLON, MT 59725

Source: SPRING trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: NESE Sec 10 T 13N R 40E

Use: IRRIGATION (0.50 CFS) STOCK-  
WATER (0.05 CFS)

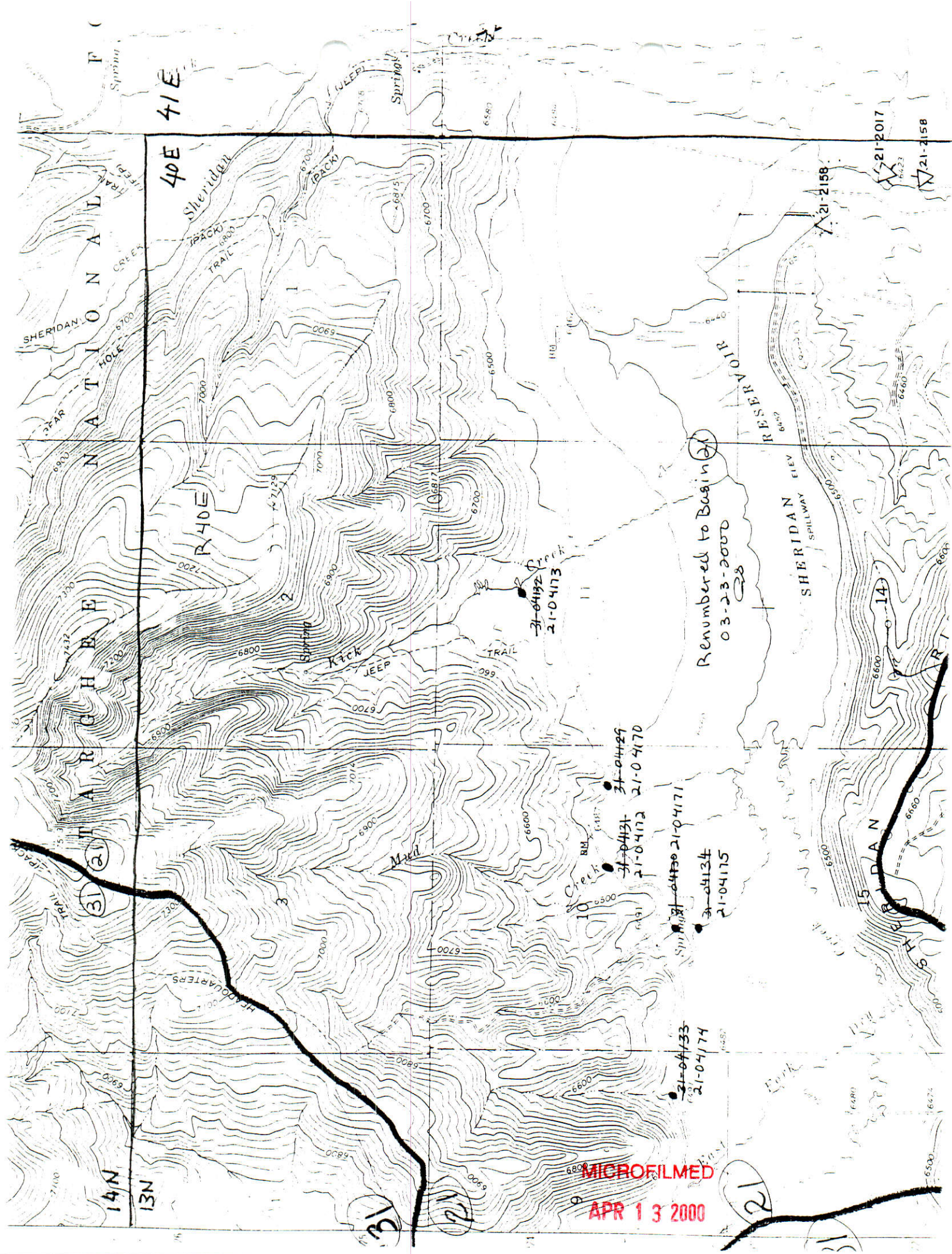
In: NESE SESE Sec 10 T 13N R 40E  
NWSW SWSW SESW NESE SWSE SESE  
Sec 11 T 13N R 40E NESW NWSE SWSW  
Sec 12 T 13N R 40E NENE NWNE NENW  
NWNW Sec 14 T 13N R 40E FOR 241  
ACRES.

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 150  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402.

KEN DUNN  
Director

Publ. May 3 and 10, 1984J

MICROFILMED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Margaret Hagenbarth, David J. Hagenbarth, James F. Hagenbarth  
(Name of Claimant)

P. O. Box 1128 Dillon, MT 59725 Telephone No. 406 683-2163  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) October 1, 1943

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
Headquarters Spring tributary to sinks

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| (cfs, gpd, AFA) |                | (Domestic, Irrigation, Stock, Etc.) |                   | (Both dates inclusive)        |                 |
|-----------------|----------------|-------------------------------------|-------------------|-------------------------------|-----------------|
|                 |                |                                     |                   | (Mo., Day)                    | (Mo., Day)      |
| Quantity        | <u>.25 cfs</u> | Use                                 | <u>Irrigation</u> | Period of Use From <u>5/1</u> | To <u>10/31</u> |
| Quantity        | <u>.05 cfs</u> | Use                                 | <u>Stockwater</u> | Period of Use From <u>6/1</u> | To <u>11/30</u> |
| Quantity        | <u>.02 cfs</u> | Use                                 | <u>Domestic</u>   | Period of Use From <u>5/1</u> | To <u>11/30</u> |
| Quantity        |                | Use                                 |                   | Period of Use From            | To              |
| Quantity        |                | Use                                 |                   | Period of Use From            | To              |

(4) .32 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE ¼ SW ¼, Sec. 10 Twp. 13N Rge. 40E B.M., County of Clark

Additional points of diversion: There is a POD for irrigation and stockwater and one for domestic. Both are in the same 40 described above. See Attach. A.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Irrigation and stockwater is diverted southeast of spring by a main ditch with a course which runs easterly for 2 1/4 miles. Ditch is 5 feet deep and 4 feet wide. Domestic water is diverted at spring via pipe.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T   | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 13N | 40E | 10   |     |     |     |     |     |     |     |     |     |     |     |     | 25  | 14  | 24  | 40  | 103   |
|     |     | 11   |     |     |     |     |     |     |     |     | 3   | 36  | 27  | 9   |     | 30  | 34  |     | 139   |
|     |     | 12   |     |     |     |     |     |     |     |     | 3   | 33  | 5   |     |     |     |     |     | 41    |
|     |     | 14   | 3   | 10  |     |     | 17  | 8   |     |     |     |     |     |     |     |     |     |     | 38    |
|     |     | 15   | 5   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 5     |
| 13N | 40E | 10   |     |     |     |     |     |     |     |     |     |     |     | X   | X   | X   | X   |     |       |
|     |     | 11   |     |     |     |     |     |     |     |     | X   | X   | X   | X   |     | X   | X   |     |       |
|     |     | 12   |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |       |

No. of acres 326

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The flows from this spring supplements stockwater along the main ditch in the 40's marked above with an X. In the SESW this spring's flow is also use for domestic purposes.

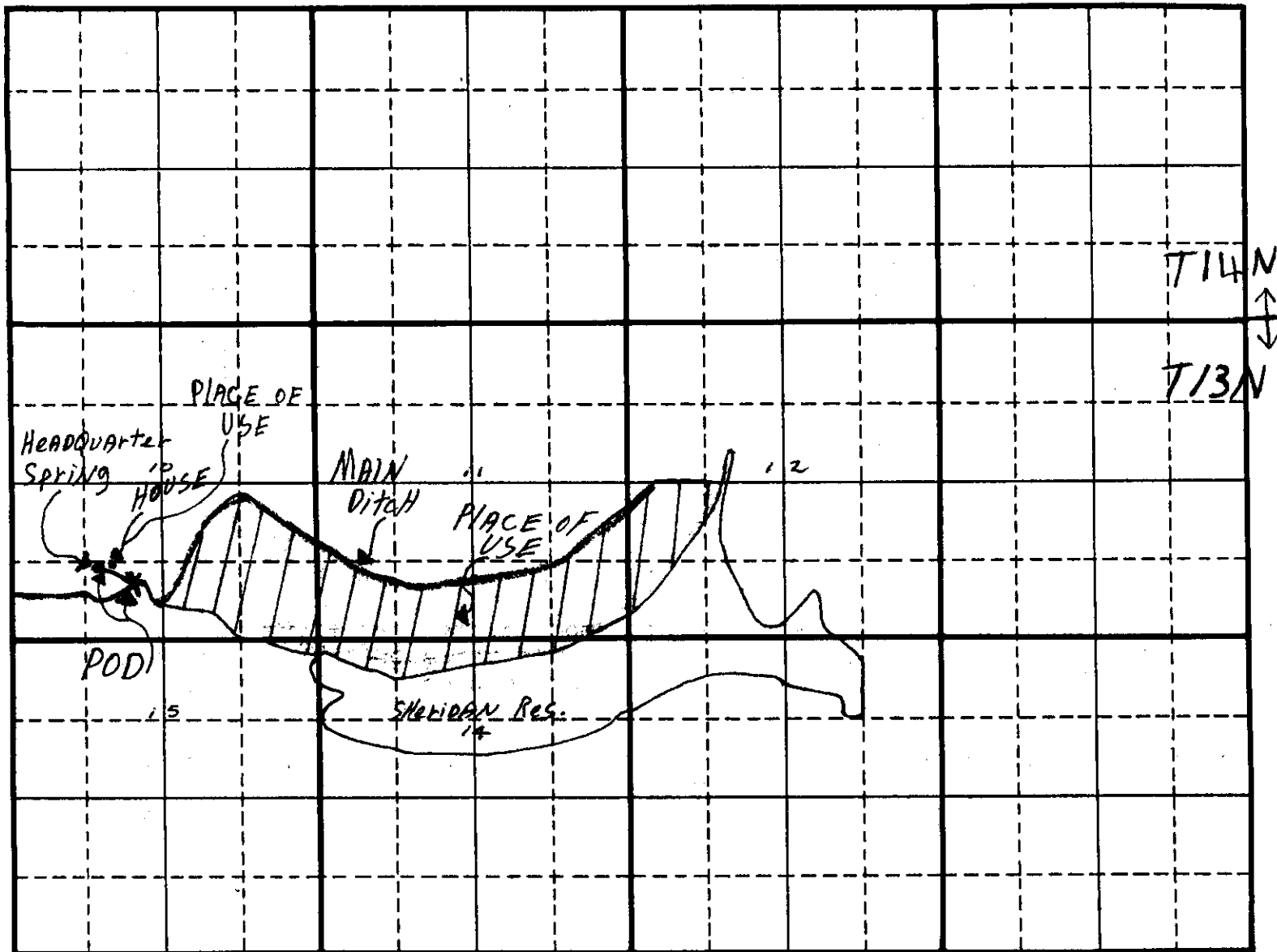
NOTE: Include here the type and number of stock watered: 1000 head yearlings or pairs-cattle

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

01/10/2011

UNRECORDED

(8) Remarks See Attachments A, B, and C.



Scale: 2 inches equal 1 mile.

R40E ← → R41E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Montana  
State of Idaho )  
County of Beaverhead ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Margaret Macgregor  
David Macgregor with  
James F. Macgregor  
(Claimant)

Sworn to before me this 2nd day of March, 1984.

Candy Harlano  
Notary Public  
Residing at Dulon, Montana

My commission expires May 20, 1986

FOR DEPARTMENT USE ONLY

Received by JK Date 4-19-84 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JK Date 4-20-84  
\$20.00 fee received by JK Date 4-19-84 # 33519  
Published in Standard Journal  
Dates May 3 + 10, 1984

## Attachment A

A F F I D A V I T

STATE OF MONTANA)  
County Of Beaverhead) ss.

James F. Hagenbarth, being first duly sworn upon oath,  
deposes and says:

That I am of legal age and a landowner in Clark County, Idaho. Under Idaho Law (Idaho Code 42-243) I am required to record any surface water put to a beneficial use by me or my predecessors before May 20, 1971, if said use is unrecorded. It is my intention in the affidavit to claim a water right which was established by my predecessor, D. V. Hagenbarth. As a claimant of this water right and also the person completing the required form, I will attest to and explain the proof presented.

A brief history of the water and the land on which it is beneficially used is vital to understanding the evidence presented to substantiate this claim. In the late 1930's, my Father, D. V. Hagenbarth, began acquiring land throughout Clark County. He put together a livestock operation that was based in Clark County, Idaho in the summer and Beaverhead County, Montana in the winter. In the early 1940's Mr. Hagenbarth began to improve

undeveloped rangelands in the Sheridan Creek and Antelope Flat Areas of Clark County (T13N,R39E & T13N,R40E). This improvement consisted of eradicating sagebrush and wyethia and developing an irrigation system which would put the available water to beneficial use irrigating these reseeded rangelands.

In the above described area of Clark County, the snow pack is quite heavy as is the spring run-off. During the spring run-off, every draw carries a flow of water, some flows larger than others. This early water lasts only for a few days. In this area there are only two creeks that maintain a yearlong flow to downstream users, Sheridan Creek on the east and Ching Creek on the west. The distance between these two creeks is 9.5 miles. Between the Sheridan Creek and Ching Creek drainages, the only creek of record which delivers water to the downstream users is Dry Creek. Dry Creek supplies high water to the Camas Creek drainage in District #31. Said right ceases when Dry Creek no longer flows into Spring Creek. Dry Creek usually ceases to flow into Spring Creek by mid June. Other than Dry Creek, several small streams lie between Sheridan Creek and Ching Creek. These streams are Scalp Creek, Moose Creek, Mud Creek, and Kick Creek. Scalp and Moose Creek are in the Camas Creek drainage and have filings on their flows belonging to me. Mud Creek and Kick Creek are in the Sheridan drainage and there are no filings of record on their flows. Except for a few days in the spring during peak run-off, the flows of these named streams never are tributaries to either Sheridan or Camas Creek on a regular basis. Several small springs lie between Sheridan Creek and Dry Creek and these spring's flows are ~~never~~ tributaries to Sheridan Creek. The fact that the flows from these small streams and springs never reach a live stream on a regular basis is very common in this area because of the porous soils and the vast lava fields. Consequently, with the exception of Dry Creek, all the sources of water between Sheridan Creek and Ching Creek are tributaries to sinks. I own two recorded rights on Dry

MICROFILMED  
1987

Creek, #31-2274 and #31-2275. The water used under License #31-2275 supplements water claimed in this filing.

The water being claimed in this filing is put to beneficial use by a sub-flood irrigation system installed by my Father in the early 1940's. This system is centered around a large heavily diked low gradient ditch which begins at a diversion on Dry Creek in Section 9, T13N,R40E and meanders easterly through Sections 9, 10, 11, and 12 in Township 13 North, Range 40 East. Several secondary low gradient dikes and ditches were constructed to further disperse the water throughout the lands serviced by this system. The slow moving water in these ditches, along with several permanent and temporary dams or dikes, forces the system's water out onto the surrounding lands in a sub-flood combination. This system was designed to handle both large and small flows of water efficiently and with little labor or maintenance. When the spring run-off ceases, this system combines small flows from several sources and uses them more efficiently than if each source was used by itself.

In Attachment B of this filing (Paul Gneiting Affidavit), Mr Gneiting attests to the fact that he helped Mr. Hagenbarth construct this system in 1942 and 1943, and that the system was completed in September of 1943. It becomes obvious that the unrecorded sources of water diverted and used by this system were diverted no later than October 1, 1943. Therefore October 1, 1943 is the date of first use or priority date in this filing.

In Attachment B, Mr. Gneiting also explains the system and how it works. He mentions further that the sources of water used by the system decrease in flow radically after spring run-off and barely reach the system. This would substantiate that these flows of water are absorbed by the surrounding lands and are therefore tributaries to sinks.

The water which flows into this irrigation system is not only put to beneficial use for irrigation, but also stockwater. The main ditch crosses several pastures and the livestock use this water.

The use right claimed in this filing is for water which flows from Headquarters Spring which lies in the NWSESW of Section 10, T13N,R40E. This spring's flow has three uses, domestic, stockwater, and irrigation. The point of diversion for the domestic use is located at the spring's head in the NWSESW of Section 10. This water is used via a 100 foot pipeline to supply domestic water for a cowcamp. The water used for irrigation and stockwater flows southeasterly in a natural channel for 500 feet before it is diverted by the irrigation system's main ditch. The POD lies in the NESESW of Section 10, T13N,R40E.

For years Headquarters Spring's location has been confused with Woody Headquarters Spring which lies due West 2600 feet in the NWSESE of Section 9, T13N,R40E. The Forest Service is responsible for this. Fred Woody was a foreman for the Wood Live Stock Company and headquartered out of Woody Headquarters Spring. My Father had his sheep headquarters at Headquarters Spring. Thus, two springs, two names, and the confusion.

The flows from Headquarters Spring supplement the other sources of water for the entire system and are used to irrigate and supply stockwater to lands below the main ditch. Lands lying east of the spring. The place of use is clearly identified on the claim form and on Attachment C (map). The places of use are owned by the claimants. Attachment C was included to give a better understanding of how the system is geographically laid out and works. This map enables one to more accurately describe the entity of the system. The flows claimed for irrigation are the maximum early spring flows used by the system. These flows decrease considerably after high water, as indicated previously.

After careful analysis of the above mentioned attachments and an understanding of the history and use described, it becomes obvious that Headquarters Spring's flow was put to a beneficial use by D. V. Hagenbarth via the sub-flood irrigation

system described above. The use of this water began on October 1, 1943 and has continued on into the present. As successors in interest to D. V. Hagenbarth, the claimants, Margaret Hagenbarth, David J. Hagenbarth, and James F. Hagenbarth, have the right to use and claim this water for irrigation, stockwater, and domestic uses as provided for under Idaho State Law.

James F. Hagenbarth  
James F. Hagenbarth

Subscribed and sworn to before me this 2 day of March,  
1984.

Candy Harrison  
Notary Public for State of Montana

Residing at Dillon, Montana

My Commission expires May 20, 1986

178856

INDEXED

BOOK 236 , 0550

STATE OF MONTANA—COUNTY OF BEAVERHEAD ss

Recorded on the 2 day of MarA. D. 1984 at 10:40o'clock 2:30 Book 236 Page 550-2W. J. [Signature]

County Recorder

W. J. [Signature]Deputy Recorder 750

Attachment B

A F F I D A V I T

STATE OF MONTANA)  
 ss.  
 County of Beaverhead)

Paul Gneiting, being first duly sworn upon oath, deposes and says:

That I am sixty-nine (69) years of age and now a resident of Silver Bow County, Montana, and make this affidavit at the request of the Hagenbarth Family relative to the history and use of irrigations waters in the Sheridan Area, Clark County, Idaho. On September 26, 1983 I made an inspection trip to the Sheridan Area to ensure that the facts addressed in this affidavit are accurate in relation to the irrigation system I helped install in the early 1940's.

In the spring of 1938 I came to Glen, Montana and was employed by D. V. Hagenbarth, who at that time was managing Consolidated Farms in the Glen Area and also owned lands in Clark County, Idaho. The first years of my employment were spent in the general operation and development of Mr. Hagenbarth's ranches in Montana and in Idaho. During the 1950's and until 1959, I assumed management of Mr. Hagenbarth's ranches in Montana. I was employed by Mr. Hagenbarth until the spring of 1959 when I purchased a ranch north of Melrose in Silver Bow County, Montana. I still own and operate this ranch.

During the spring, summer, and fall of 1942 and 1943, I assisted Mr. Hagenbarth in developing an irrigated pasture system in the Sheridan Area. This development work included reseeding and installing a sub-flood irrigation system in Sections 10, 11, 12, 14, and 15 in Township 13 North, Range 40 East, B.M.. The

I-4

irrigation system was designed to handle the heavy spring run-off and also the waters which flow from Dry Creek, Mud Creek, Kick Creek, and several springs which lie in Sections 10 and 11 in Township 13 North, Range 40 East. The construction of this system was completed in September of 1943 and the sources of water were turned into the system.

A heavily diked slow moving ditch was used to carry the majority of the water from its sources. This main ditch began in Section 9 at a diversion on Dry Creek and had a course which ran easterly across Sections 9, 10, 11, and 12 in Township 13 North, Range 40 East. Below this main ditch several dikes and secondary slow moving ditches were constructed to spread these waters throughout the pasture system. On Kick Creek I constructed a dike and diverted Kick Creek's flow into ditches which irrigated lands lying above the main ditch in Section 11, T13N, R40E. The waste water then flowed into the main ditch and throughout the remainder of the system.

This irrigation system was designed to spread the available water in slow moving ditches throughout the pasture system. The water in these ditches would sub-irrigate the surrounding lands, especially when dams were installed at various locations to slow the flow and make the ditches bank full. This sub-flood system was designed to handle large or small amounts of water with a minimum of labor or maintenance. After the spring run-off, the amount of water available from the various sources sharply declined, and the system picked up those small amounts and pooled them so they could be used effectively.

It was my observation while working in the Sheridan Area in the 1940's, that the sources of water used by this irrigation system, especially Mud Creek and Kick Creek, radically decreased in flow shortly after the spring run-off. The flows of Kick Creek and Mud Creek barely made it to the main ditch by summer's end.

After my trip to the Sheridan Area in the fall of 1983, it was evident to me that the system is still being used as

I constructed it in the early 1940's. There are a few minor changes because of the construction of a new road through the area, but these changes are insignificant.

Paul Gneiting  
Paul Gneiting

Subscribed and sworn to before me this 1<sup>st</sup> day of March,  
1984.

Candy Gaskauro  
Notary Public for State Of Montana

Residing at Dulon, Montana

My Commission expires May 20, 1986

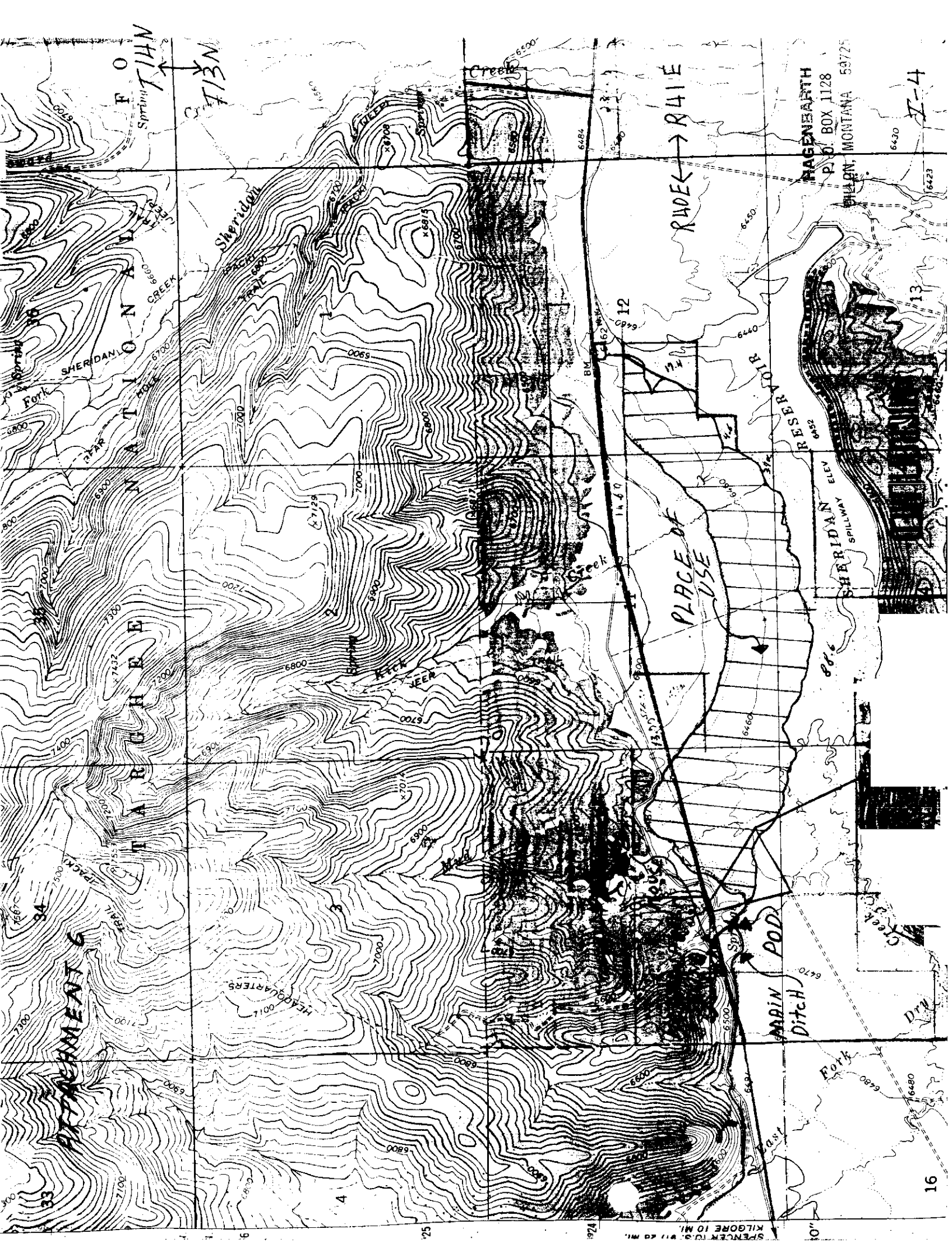
STATE OF MONTANA }  
County of Beaverhead } ss.

I, the undersigned County Clerk and Recorder of said county, hereby certify the annexed and foregoing to be a full, true and correct copy of the original instrument as the same appears on record in my office in Bk. 236, pg 550-2 of the records of said county. WITNESS my hand and the seal of said county affixed this 2 day of Mar, 1984

Margaret L. Thompson  
County Clerk and Recorder

By Diane Scatena  
Deputy

RECORDED



F O 7/13N

R40E ← R41E

HAGENBARTH  
P.O. BOX 1128  
SHERIDAN, MONTANA 59725

I-4

PLACE OF USE

SHERIDAN  
DITCH

The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO } ss.  
County of Madison }

I, Terry Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE REXBURG

Journal, a newspaper printed and  
published weekly at Rexburg, Madison  
County, Idaho; and I do solemnly swear  
that the

Notice of Claims

a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not in

any supplement issue thereof for two  
consecutive issues, the first publication hav-

ing been made on May 3, 1984  
and the last publication having been made

on May 10, 1984

Further, that said newspaper is one of  
general circulation in said county; that it  
is a legal newspaper, conforming to legal  
specifications under the Idaho Statutes; that  
it has at least two hundred bona fide sub-  
scribers living within the county of publica-  
tion; and that it has been continuously and  
uninterruptedly published in said county dur-  
ing a period of seventy-eight consecutive weeks  
prior to the first publication of the said not-  
ice.

*Terry Weatherston*

Subscribed to and sworn to before me  
this 11 May 1984

(SEAL)

Notary Public.

My commission expires

Life

NOTICE OF CLAIMS  
TO WATER RIGHTS

The following claim(s) have been filed on  
water right(s) created by diversion and  
beneficial use:

31-4132

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT. 59725

Source: KICK CREEK trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: SWNE Sec 10 T 13N R 40E

Use: IRRIGATION (2.50 CFS) STOCK-

WATER (0.05 CFS)

In: NESE Sec 10 T 13N R 40E NESW  
NWSW SWSW SESW NESE SWSE SESE  
Sec 11 T 13N R 40E NESW NWSE  
SWSW Sec 12 T 13N R 40E NENE NWNE  
NENW NWNW Sec 14 T 13N R 40E FOR  
383 ACRES.

31-4131

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT. 59725

Source: MUD CREEK trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: NWSE Sec 10 T 13N R 40E

Use: IRRIGATION (3.00 CFS) STOCK-  
WATER (0.05 CFS)

In: NESE NWSE SWSE SESE Sec 10 T  
13N R 40E NWSE SWSW SESW NESE  
SWSE SESE Sec 11 T 13N R 40E NESW  
NWSW SWSW Sec 12 T 13N R 40E NENE  
NWNE NENW NWNW Sec 14 T 13N R 40E  
NENE Sec 15 T 13N R 40E FOR 306  
ACRES

31-4120

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT. 59725

Source: HEADQUARTERS SPRING trib. to  
SINKS

Priority Date: 10/01/1943

Diversion Pt: SESE Sec 10 T 13N R 40E

Use: IRRIGATION (0.25 CFS) STOCK-  
WATER (0.05 CFS) DOMESTIC (0.02 CFS)

In: NESE NWSE SWSE SESE Sec 10 T  
13N R 40E NWSE SWSW SESW NESE  
SWSE SESE Sec 11 T 13N R 40E NESW  
NWSW SWSW Sec 12 T 13N R 40E NENE  
NWNE NENW NWNW Sec 14 T 13N R 40E  
NENE Sec 15 T 13N R 40E FOR 328  
ACRES.

31-4129

HAGENBARTH, MARGARET &/or DAVID  
J. &/or JAMES F.

P.O. Box 1128, DILLON, MT. 59725

Source: SPRING trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: NESE Sec 10 T 13N R 40E

Use: IRRIGATION (0.50 CFS) STOCK-  
WATER (0.05 CFS)

In: NESE SESE Sec 10 T 13N R 40E  
NWSW SWSW SESW NESE SWSE SESE  
Sec 11 T 13N R 40E NESW NWSE SWSW  
Sec 12 T 13N R 40E NENE NWNE NENW  
NENW Sec 14 T 13N R 40E FOR 241  
ACRES.

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 100  
Sheep Ave., Suite 15, Idaho Falls, Idaho  
83402.

KEN DUNN  
Director

Publ. May 3 and 10, 1984J

## Keen, Shelley

**From:** Keen, Shelley  
**Sent:** Wednesday, March 22, 2000 8:32 AM  
**To:** Carlsen, Ernie  
**Subject:** RE: Renumbering Basin 31 claims

Ernie,

We'll renumber on our side. I'll send you the new numbers as soon as we're done.

Shelley

-----Original Message-----

**From:** Carlsen, Ernie  
**Sent:** Tuesday, March 21, 2000 9:44 AM  
**To:** Keen, Shelley  
**Cc:** Ruberry, Allen; Carlsen, Ernie  
**Subject:** Renumbering Basin 31 claims

Hello Shelley,

Allen Ruberry has identified several 4000 series SRBA claims that are in the wrong basin. They were initially given Basin 31 numbers and are actually in Basin 21. The numbers are:

|           |        |                   |          |
|-----------|--------|-------------------|----------|
| A31-04129 | Pod is | 13N 40E 10 NWNESE | 21-04170 |
| A31-04130 |        | 13N 40E 10 SESW   | 21-04171 |
| A31-04131 |        | 13N 40E 10 NWSE   | 21-04172 |
| A31-04132 |        | 13N 40E 11 SWNE   | 21-04173 |
| A31-04133 |        | 13N 40E 09 SESE   | 21-04174 |
| A31-04134 |        | 13N 40E 10 SESW   | 21-04175 |

Renumbered to Basin (21)  
03-23-2000  
JL

We can assign these claims 10,000 numbers unless you prefer to have your section assign them new 4000 series numbers.

Ernie

Richard,

Please pull these files and map the points of diversion from the claim forms on a map showing the basin boundary. Thanks.

Shelley

MICROFILMED

MAR 24 2000



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

MAY 21, 1984

MARGARET HAGENBARTH  
DAVID J. HAGENBARTH  
JAMES F. HAGENBARTH  
P.O. BOX 1128  
DILLON

MT 59725

RE: Claim No. 31-4130

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON  
Eastern Region Supervisor

Enclosure

RECEIVED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evaris  
Governor

A. Kenneth Dunn  
Director

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

May 22, 1984

RE: Claims to Water Rights No. 31-4129, 31-4130, 31-4131, 31-4132  
HAGENBARTH

Standard Journal  
P.O. Box 10  
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on May 3 and 10, 1984.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

RECEIVED  
MAY 24 1984

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

G. F. RAMSEY

INITIAL REVIEW BY: APR 20 1984

Right Number 31 41.0 Applicant HAGEN BRIGHT et al

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

*May 21-1984*

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date 6-27-84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 7/6/84

*RECEIVED*

**RECEIVED**  
JUL 06 1984

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

APRIL 25, 1984

The Standard Journal  
P. O. Box 10  
Rexburg, Idaho 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 21, 1984.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

RECEIVED  
APR 27 1984

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 5/03 & 5/10/84.

Idaho Falls  
May 10 1984

31-4130

HAGENBARTH, MARGARET &/or DAVID J. &/or JAMES F.

P.O. BOX 1128, DILLON, MT 59725

Source: HEADQUARTERS SPRING trib. to SINKS

Priority Date: 10/01/1943

Diversion Pt: SESW Sec 10 T 13N R 40E

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.25 CFS) |
| STOCKWATER      | (0.05 CFS) |
| DOMESTIC        | (0.02 CFS) |

In: NESE NWSE SWSE SESE Sec 10 T 13N R 40E NWSW SWSW SESW NESE SWSE SESE  
Sec 11 T 13N R 40E NESW NWSW SWSW Sec 12 T 13N R 40E NENE NWNE NENW NWNW  
Sec 14 T 13N R 40E NENE Sec 15 T 13N R 40E FOR 326 ACRES