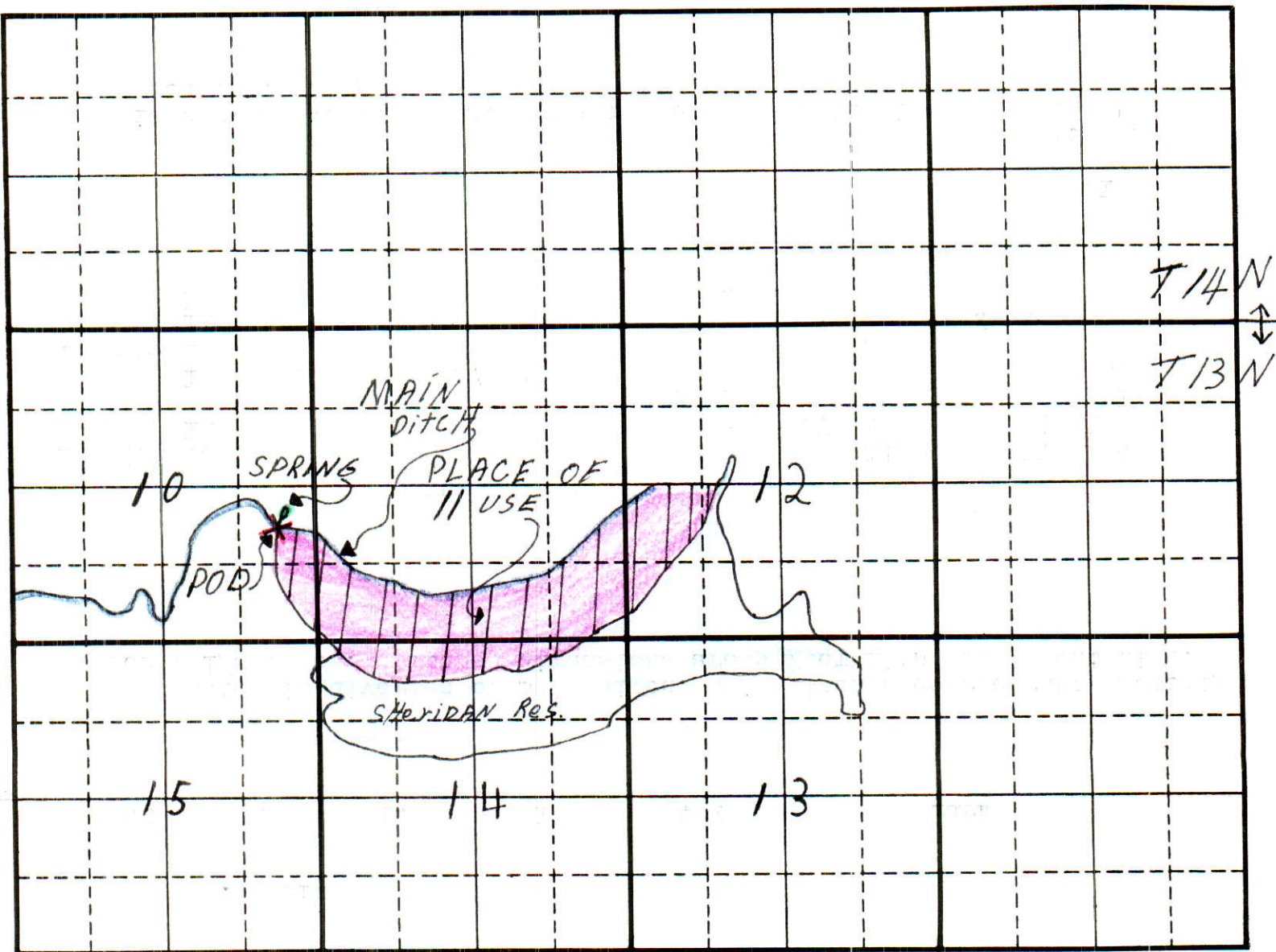


RECEIVED

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



Scale: 2 inches equal 1 mile.

R4DE ↔ R4IE

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 Hagenborth
David F. Hagenborth
James F. Hagenborth
(Claimant)

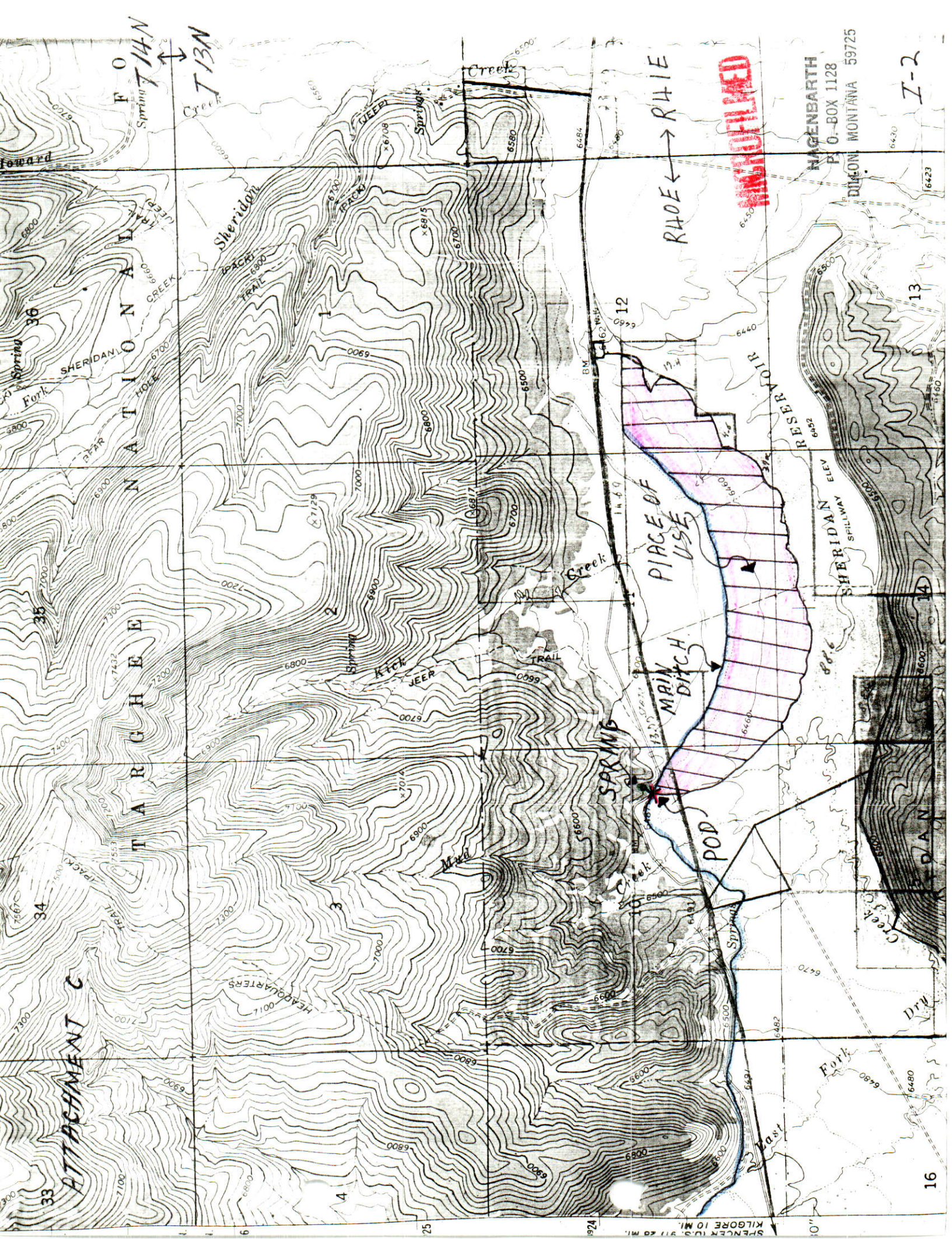
Sworn to before me this 2nd day of March, 1984.

Candy Garbano
Notary Public
Residing at Dillon, Montana

My commission expires May 20, 1986

FOR DEPARTMENT USE ONLY

Received by JK Date 4-19-84 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date _____
\$20.00 fee received by JK Date 4-19-84 # 33519
Published in Standard Journal _____
Dates 5/13 & 5/14/84 _____



F 0
Spring 14N
T 13N
Creek

R40E ← R41E

RECEIVED

HAGENBARTH
P.O. BOX 1128
DULON MONTANA 59725

I-2

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



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 Correction

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 2
consecutive issues, the first publication hav-

ing been made on July 5, 1984
and the last publication having been made

on July 12, 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 July 13, 1984

Jerri Garner
(SEAL)

Notary Public.

My commission expires life

RECEIVED

JUL 16 1984

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that claim to a water
right No. 31-4129 in the name of Margaret
&/r David J. &/or James F. Hagenbarth was
advertised incorrectly on May 3 and 10,
1984. The place of use was advertised as
being within the 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.

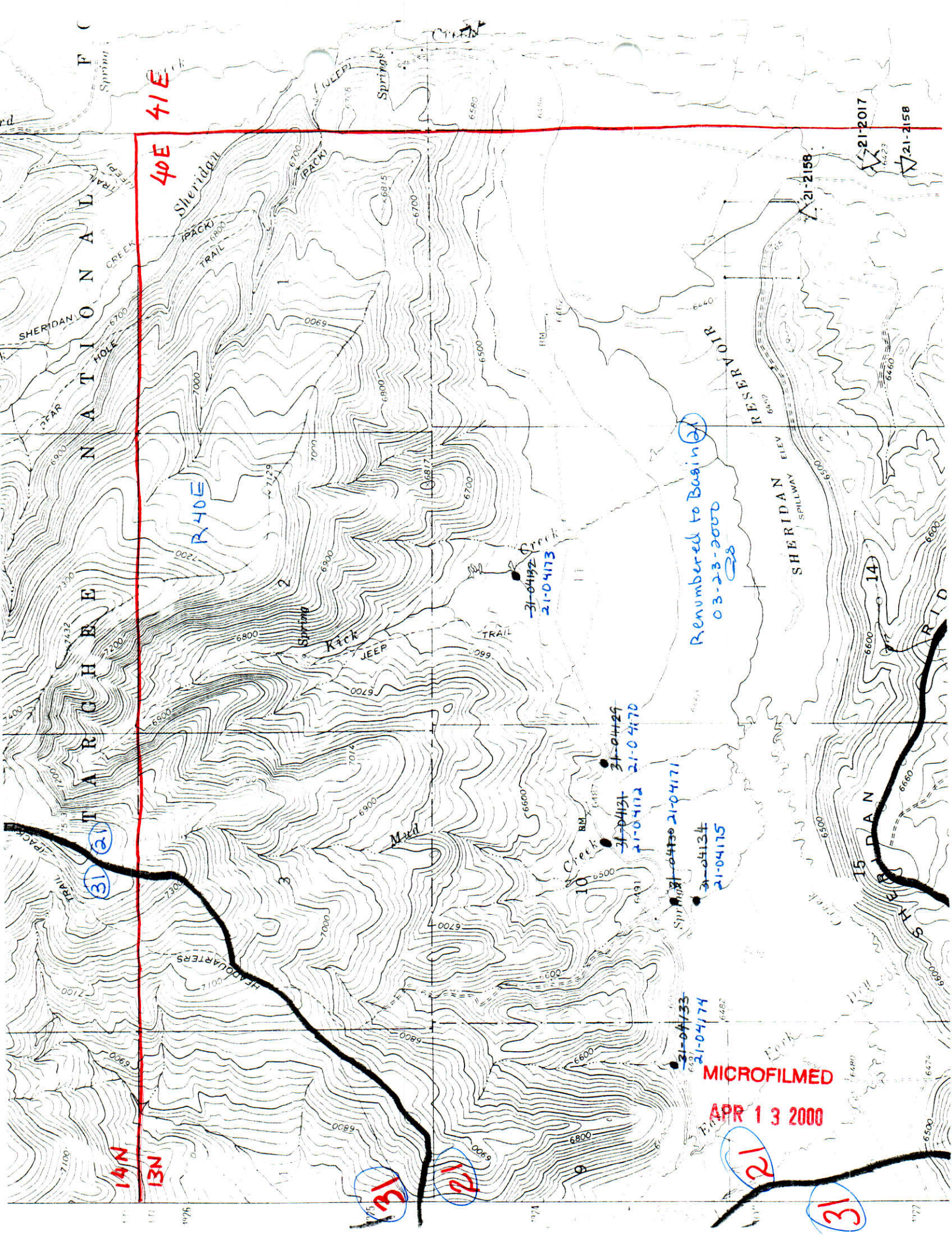
WHEREAS, the actual place of use is
within the NESE SESE Sec 10 T 13N R 40E
NWSW SWSW SESW NESE SWSE SESE
Sec 11 T 13N R 40E NESW NWSW SWSW
Sec 12 T 13N R 40E NENE NWNE NENW
NWNW Sec 14 T 13N R 40E for 241
ACRES.

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

R. KENNETH DUNN
Director

Publ. July 5, 1984J

REPRODUCED



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)
Unnamed 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>.50 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		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .55 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

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. Water is diverted by main ditch. Said ditches course runs easterly for 1 1/2 miles. Ditches dimensions are 5 feet high and 4 feet wide.

(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													14			11	25
		11										3	35	27	9		30	34	138
		12									3	33	5						41
		14	3	10			17	7											37
13N	40E	10													X				
		11										X	X	X	X		X	X	
		12										X							

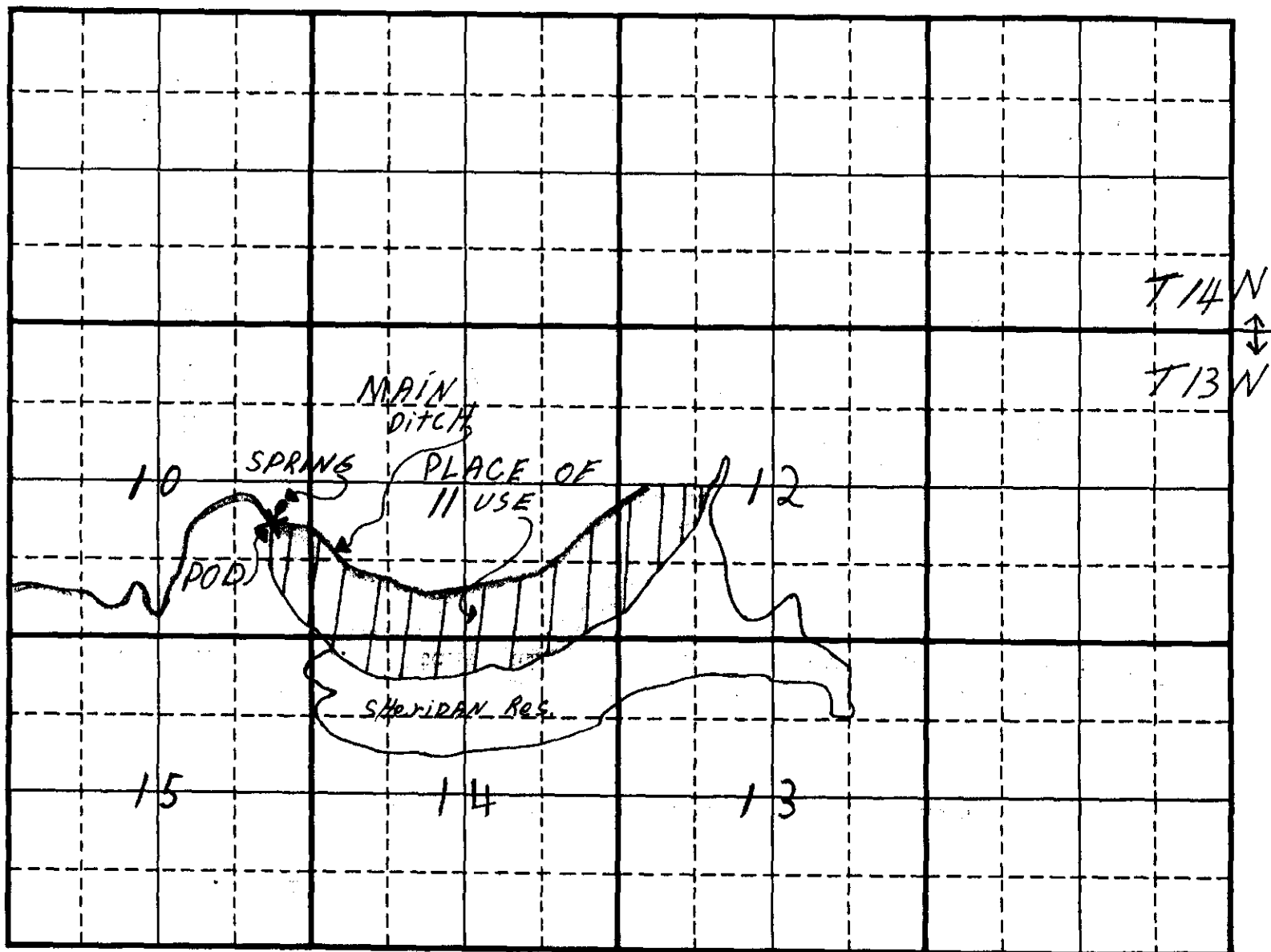
No. of acres 241

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The flows from this spring supplement stockwater along the main ditch in the 40's marked above with a X.

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

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

(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 ~~Texas~~)
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.

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

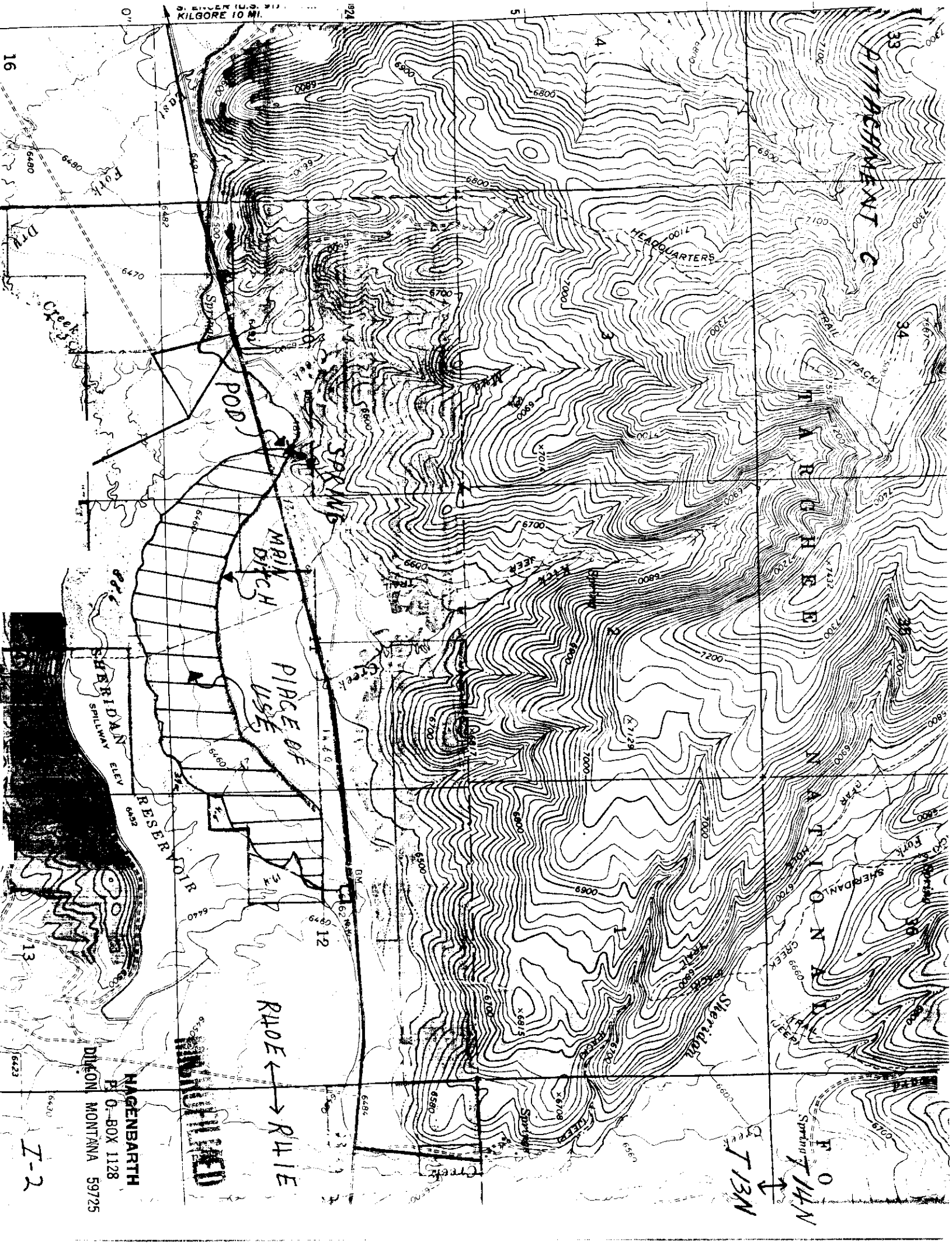
Margaret Hagenbach
David F. Hagenbach
James F. Hagenbach
(Claimant)

Candy Harbano
Notary Public
Residing at Dillon, Montana

My commission expires May 20, 1986

FOR DEPARTMENT USE ONLY

Received by JK Date 4-19-84 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date _____
\$20.00 fee received by JK Date 4-19-84 # 33519
Published in Standard Journal
Dates 5/23 + 5/24/84



ATTACHMENT C

TARCHEE

NATIA

F0

T13N

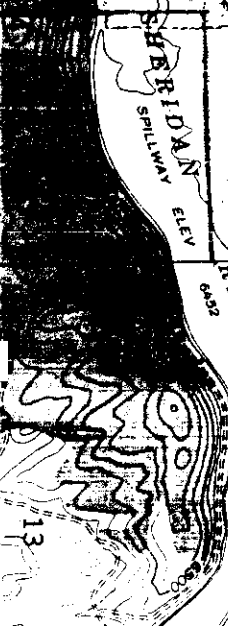
T14N

R40E
R41E

INITIATED

HAGENBARTH
P.O. BOX 1128
DILCON MONTANA 59725

Z-2



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

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 an unnamed spring which lies in the NWNESE of Section 10, T13N, R40E. The main supply ditch for the irrigation system diverts this spring's flow just below said spring. The point of diversion also lies in the NWNESE of Section 10. The flow from this spring supplements the other sources of water for the entire system and is used to irrigate and supply stockwater to lands below the main ditch. Land lying south and east of this unnamed spring. The place of use is clearly identified on the claim form and on Attachment C (map). The place of use is 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 me 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 as previously indicated.

After a careful analysis of the above mentioned attachments and an understanding of the history and uses described, it becomes obvious that this unnamed 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 unnamed spring's flow 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 claim and use this water for irrigation and stockwater as provided for under Idaho State Law.

James F. Hagenbarth
James F. Hagenbarth

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

Candy Garbano
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 236 Book 236 Page 250-2W. J. Hagenbarth
County RecorderW. J. Hagenbarth
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

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 1st day of March, 1984.

Candy Garkano
Notary Public for State Of Montana

Residing at Dulon, Montana

My Commission expires May 20, 1986

STATE OF MONTANA }
County of Beaverhead }

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

Margaret J. Thompson
County Clerk and Recorder

By Diane Scates
Deputy

RECORDED

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

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

(SEAL)

Notary Public.

My commission expires

Life

MICROFILMED

**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. 59726

Source: KICK CREEK trib. to SINKS

Priority Date: 10/01/1943

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

Use: IRRIGATION (3.60 CFS) STOCK-
WATER (0.05 CFS)

In: NESE Sec 10 T 13N R 40E NESW
NWSW SWSW SESW NESE NWSE SESE
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 59726

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 SWSW SESE Sec 10 T
13N R 40E NWSW SWSW SESW NESE
SWSW 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 308
ACRES.

31-4130

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

P.O. BOX 1128, DILLON, MT 59726

Source: HEADQUARTERS SPRING trib. to
SINKS

Priority Date: 10/01/1943

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

Use: IRRIGATION (0.26 CFS) STOCK-
WATER (0.05 CFS) DOMESTIC (0.02 CFS)

In: NESE NWSE SWSW SESE Sec 10 T
13N R 40E NWSW SWSW SESW NESE
SWSW 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

JUN 26 1984

Department of Water Resources
Eastern District Office

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

P.O. BOX 1128, DILLON, MT 59726

Source: SPRING trib. to SINKS

Priority Date: 10/01/1943

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

Use: IRRIGATION (0.60 CFS) STOCK-
WATER (0.05 CFS)

In: NESE SESE Sec 10 T 13N R 40E
NWSW SWSW SESW NESE SWSW 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

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

3

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 Correction

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 2
consecutive issues, the first publication hav-

ing been made on July 5, 1984
and the last publication having been made

on July 12, 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 July 13, 1984

Neil Hansen
(SEAL) Notary Public.

My commission expires 11/1/85

RECEIVED

JUL 16 1984

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that claim to a water
right No. 31-4129 in the name of Margaret
&/r David J. &/or James F. Hagenbarth was
advertised incorrectly on May 3 and 10,
1984. The place of use was advertised as
being within the NESE SESE Sec 10 T 13N
R 40E, NWSW SWSW SESE, NESE SWSW
SESE Sec 11 T 13N R 40E, NENE NWSE
SWSW Sec 12 T 13N R 40E, NENE NWNE
NENW NWNW Sec 14 T 13N R 40E for 241
ACRES.

WHEREAS, the actual place of use is
within the NESE SESE Sec 10 T 13N R 40E
NWSW SWSW SESE, NESE SWSW SESE
Sec 11 T 13N R 40E, NENE 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
Idaho Department of Water Resources, 150
Shoup, Suite 1A, Idaho Falls, Idaho, 83402.

R. KENNETH DUNN
Director

Publ. July 5, 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	} Renumbered to Basin 21 03-23-2000 JL
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	

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

Ernie

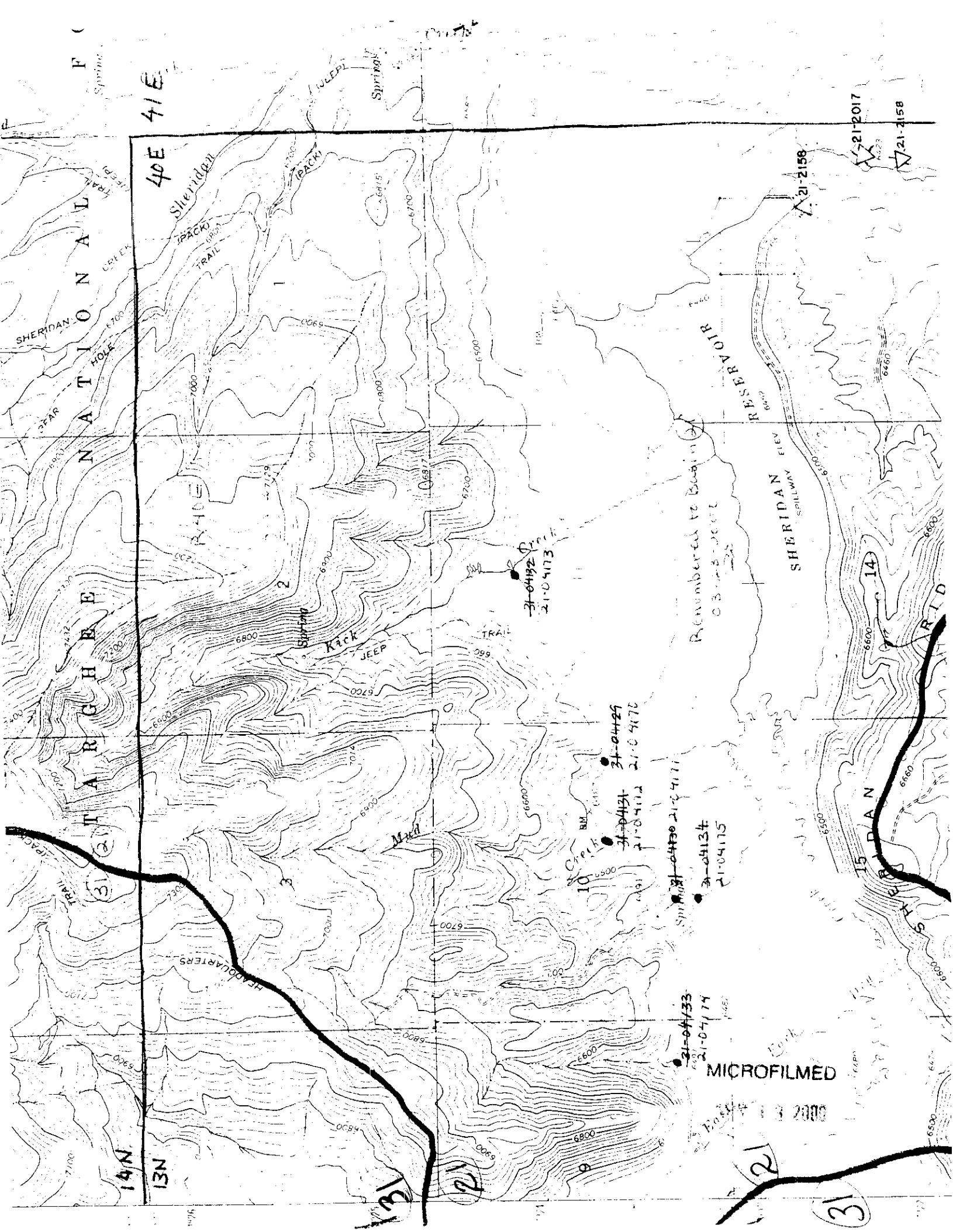
Richard,

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

Shelley

MICROFILMED

APR 11 2000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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. 31-4129

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

100-100000-1000

NOTICE OF CORRECTION

Notice is hereby given that claim to a water right No. 31-4129 in the name of Margaret &/or David J. &/or James F. Hagenbarth was advertised incorrectly on May 3 and 10, 1984. The place of use was advertised as being within the 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.

WHEREAS, the actual place of use is within the NESE 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 for 241 ACRES.

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

R. Kenneth Dunn

Director

Published in the Standard Journal, Rexburg, Idaho on July 5 and 12, 1984.

June 27, 1984

RE: Notice of Correction No. 31-4129 HAGENBARTH

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

Gentlemen:

We are resubmitting a legal notice to be published on July 5 and 12, 1984. This notice was originally published in your paper on May 3 and 10, 1984. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by July 23, 1984. Your cooperation in this matter is greatly appreciated.

Very truly yours,

BARBARA ZEIG
Secretary

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
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 23 1984

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: APR 20 1984

Right Number 31 4129 Applicant HAGEN BARTH 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:

- 4129
- ☒ 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*
July 23, 1984 - Lead

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Aug 21, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/27/84

RECEIVED
AUG 27 1984

Department of Water Resources

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)
STOCKWATER	(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 NWSW SWSW Sec 12 T 13N R 40E NENE NWNE NENW NWNW
Sec 14 T 13N R 40E FOR 241 ACRES