

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-04027

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

SOURCE: SCALP CREEK TRIBUTARY: SINKS

QUANTITY: 7.00 CFS

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.48 CFS. COMBINED RIGHT NOS.:
31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.

PRIORITY DATE: 05/01/1948

POINT OF DIVERSION: T13N R39E S03 NWSENE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	7.00 CFS
	Stockwater	05-01 TO 12-15	0.24 CFS

PLACE OF USE:	Irrigation		Within Clark County
	T13N R39E S11	NWSE 12.0	SWSE 37.0
	S13	NENE 19.0	NWNE 0.8
		NENW 0.2	SWNW 13.0
		NWSW 40.0	SWSW 40.0
		SESW 40.0	
	S14	NENE 5.0	NWNE 40.0
		SWNE 40.0	SENE 24.0
		NESW 23.0	SESW 25.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S23	NENE 29.0	NWNE 11.0
	S24	NWNW 15.0	
	574.0 Acres Total		

Stockwater Within Clark County
Same as Irrigation

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 350 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 574 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00253, 31-00254,
31-02077, 31-02125, 31-04027, 31-10208.

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

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

OTHER PROVISIONS (continued)

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication