

DEPARTMENT OF
WATER RESOURCES

Deputy Clerk

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

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUN 11 2024	
By _____	Clerk
Deputy Clerk	

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 31-12491

NAME AND ADDRESS: HAGENBARTH LAND IDAHO LP
PO BOX 1128
DILLON, MT 59725-1128

SOURCE: MILES CREEK TRIBUTARY: CROOKED CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 07/01/1944

POINT OF DIVERSION: T13N R38E S35 SWSW (Instream Beginning Point) Within Clark County
SWSW (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-15 TO 11-15	0.02 CFS

The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.
Stockwater use is for the in-stream watering of livestock.

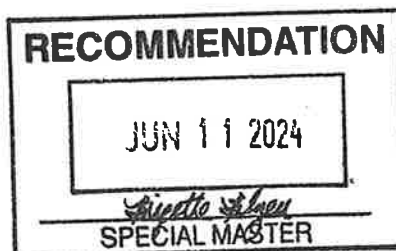
PLACE OF USE: Stockwater Within Clark County
T13N R38E S35 SWSW

This right is appurtenant to the base property described below:
T13N, R38E, S36, S1/2 SW1/4.
This right excludes the on-stream pond near the beginning point
of diversion.

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

The quantity of water decreed for this water right 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. I.C. SECTION 42-1412(6).



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NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 31-12491

On June 11, 2024, Special Master BRIGETTE BILYEU
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1 (A01), Section 13a, any
party to the adjudication including parties to the subcase, may file a
Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED June 11, 2024.



JANET CONNELL
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
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JUN 11 2024	
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_____	Deputy Clerk

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CERTIFICATE OF MAILING

Water Right(s): 31-12491

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 11, 2024, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

HAGENBARTH LAND IDAHO LP
Represented by:
JOHN M MARSHALL
JOHN M MARSHALL LAW PLLC
575 W BANNOCK ST STE B
PO BOX 2297
BOISE, ID 83701
Phone: 208-991-2701

UNITED STATES OF AMERICA
Represented by:
U S DEPARTMENT OF JUSTICE
ENVIRO & NAT'L RESOURCES DIV
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

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JANET CONNELL 06/11/24
Deputy Clerk