

## 2024 Priority Date Index - Big Elk Creek Distribution Area

Enf. Priority Date	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
<b>40A 110018 00</b>														
1880-03-15	MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	NWSE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	04/15 to 10/01	4.68	2100.38
<b>40A 5024 00</b>														
1881-05-15	M LAZY D LTD PARTNERSHIP		REXM	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	03/01 to 11/19	1.4	628.32
<b>40A 5025 00</b>														
1881-05-15	M LAZY D LTD PARTNERSHIP		REXM	1	IRRIGATION	NWSWE	34	7N13E	BIG ELK CREEK	MARTIN SPRING DITCH	03/01 to 11/19	03/01 to 11/19	.38	170.55
<b>40A 110017 00</b>														
1884-07-15	MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWNEW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	03/01 to 11/15	4.7	2109.36
<b>40A 201293 00</b>														
1887-04-30	HORSE BUTTE RANCH LLC		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	03/01 to 11/15	1.7	762.96
1887-04-30	HORSE BUTTE RANCH LLC		POST	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	03/01 to 11/15	1.7	762.96
<b>40A 198480 00</b>														
1887-06-01	C BAR J RANCH LLC		REXM	1	IRRIGATION	NWNE	36	7N13E	BIG ELK CREEK	GEORGE MOORE DITCH	03/01 to 11/19	03/01 to 11/19	1.65	740.52
<b>40A 198479 00</b>														
1887-06-30	C BAR J RANCH LLC		REXM	1	IRRIGATION	SWSE	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	03/01 to 11/19	1.25	561
<b>40A 198478 00</b>														
1888-04-20	C BAR J RANCH LLC		REXM	1	IRRIGATION	SWSE	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	03/01 to 11/19	5.43	2436.98
<b>40A 201292 00</b>														
1888-04-30	HORSE BUTTE RANCH LLC		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	03/01 to 11/15	6.95	3119.16
1888-04-30	HORSE BUTTE RANCH LLC		POST	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	03/01 to 11/15	6.95	3119.16
<b>40A 5027 00</b>														
1888-05-15	M LAZY D LTD PARTNERSHIP		REXM	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	03/01 to 11/19	1.4	628.32
<b>40A 110019 00</b>														
1888-06-01	MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWNEW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	03/01 to 11/15	1	448.8
<b>40A 110026 00</b>														
1889-05-01	MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SENE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	03/01 to 11/15	03/01 to 11/15	2.3	1032.24
<b>40A 110031 00</b>														
1889-05-15	MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SWSE	1	6N12E	BIG ELK CREEK	OLD WEBER DITCH	03/01 to 11/15	03/01 to 11/15	1	448.8
<b>40A 201291 00</b>														
1889-05-15	VOSS	DENNIS	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	4.15	1862.52
1889-05-15	BORBE	ERICA	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	4.15	1862.52
<b>40A 198477 00</b>														
1889-06-01	C BAR J RANCH LLC		REXM	1	IRRIGATION	NWNE	36	7N13E	BIG ELK CREEK	GEORGE MOORE DITCH	03/01 to 11/19	03/01 to 11/19	1.65	740.52
<b>40A 201290 00</b>														
1889-06-15	VOSS	DENNIS	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	1	448.8
1889-06-15	BORBE	ERICA	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	1	448.8
<b>40A 189760 00</b>														
1889-08-20	MARTIN RANCH CO		POST	1	STOCK	NENW	32	7N13E	BIG ELK CREEK	E.L. SHUMAKER DITCH	01/01 to 12/31	01/01 to 12/31		
<b>40A 201289 00</b>														

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
1889-08-20		HORSE BUTTE RANCH LLC		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	03/01 to 11/15	4.13	1853.54
1889-08-20		HORSE BUTTE RANCH LLC		POST	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	03/01 to 11/15	03/01 to 11/15	4.13	1853.54
<b>40A 189759 00</b>															
1890-05-15		MARTIN RANCH CO		REXM	1	IRRIGATION	NESESW	32	7N13E	BIG ELK CREEK	MAIN DITCH (SOUTH BANK)	03/01 to 11/19	03/01 to 11/19	5.75	2580.6
<b>40A 110021 00</b>															
1890-06-01		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SESWSW	2	7N13E	BIG ELK CREEK	UPPER MONTGOMERY DITCH NO. 3	03/01 to 11/15	03/01 to 11/15	1.93	866.18
1890-06-01		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	NWSESW	35	7N13E	BIG ELK CREEK		03/01 to 11/15	03/01 to 11/15	1.93	866.18
<b>40A 5026 00</b>															
1890-06-15		M LAZY D LTD PARTNERSHIP		REXM	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	03/01 to 11/19	4.7	2109.36
<b>40A 198483 00</b>															
1890-06-30		C BAR J RANCH LLC		REXM	1	IRRIGATION	SWSW	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	03/01 to 11/19	4.48	2010.62
<b>40A 201288 00</b>															
1891-05-31		VOSS	DENNIS	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	03/01 to 11/15	1	448.8
1891-05-31		BORBE	ERICA	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	03/01 to 11/15	1	448.8
<b>40A 201295 00</b>															
1891-06-15		VOSS	DENNIS	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	3.95	1772.76
1891-06-15		BORBE	ERICA	POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	03/01 to 11/15	3.95	1772.76
<b>40A 27144 00</b>															
1891-06-15		GLYNN RANCH INC		REXM	1	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.1	05/01 to 08/31	05/01 to 08/31	1.15	516.12
1891-06-15		GLYNN RANCH INC		REXM	2	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.2	05/01 to 08/31	05/01 to 08/31	1.15	516.12
1891-06-15		GLYNN RANCH INC		REXM	3	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	05/01 to 08/31	05/01 to 08/31	1.15	516.12
<b>40A 198481 00</b>															
1895-08-01		C BAR J RANCH LLC		REXM	1	IRRIGATION	SENWSW	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO. 2	03/01 to 11/19	03/01 to 11/19	4.8	2154.24
<b>40A 110011 00</b>															
1896-06-15		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	03/01 to 11/15	1.9	852.72
<b>40A 110033 00</b>															
1897-06-15		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	03/01 to 11/15	1.5	673.2
<b>40A 189756 00</b>															
1897-06-15		MARTIN RANCH CO		REXM	1	IRRIGATION	NESESW	32	7N13E	BIG ELK CREEK	MUIR MARTIN DITCH (NORTH BANK)	03/01 to 11/19	03/01 to 11/19	2.85	1279.08
<b>40A 201287 00</b>															
1898-06-01		HORSE BUTTE RANCH LLC		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	03/01 to 11/15	3.5	1570.8
1898-06-01		HORSE BUTTE RANCH LLC		POST	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	03/01 to 11/15	3.5	1570.8
<b>40A 201294 00</b>															
1898-06-01		HORSE BUTTE RANCH LLC		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	03/01 to 11/15	6	2692.8
1898-06-01		HORSE BUTTE RANCH LLC		POST	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	03/01 to 11/15	6	2692.8
<b>40A 110034 00</b>															
1898-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	03/01 to 11/15	2.4	1077.12
<b>40A 6691 00</b>															
1898-08-12		M LAZY D LTD PARTNERSHIP		REXM	1	STOCK	S2	34	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1898-08-12		M LAZY D LTD PARTNERSHIP		REXM	2	STOCK	S2	35	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
<b>40A 198482 00</b>															
1899-05-15		C BAR J RANCH LLC		REXM	1	IRRIGATION	NWSENE	25	7N13E	BIG ELK CREEK	C-J DITCH	03/01 to 11/19	03/01 to 11/19	5.8	2603.04
1899-05-15		C BAR J RANCH LLC		REXM	2	IRRIGATION	SENWSW	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO. 2	03/01 to 11/19	03/01 to 11/19	5.8	2603.04
<b>40A 145870 00</b>															
1900-05-15		MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	NWNEW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	2.18	978.38
1900-05-15		MCFARLAND WHITE RANCH INC		CHAU	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	2.18	978.38
<b>40A 110020 00</b>															
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	04/15 to 10/01	12.5	5610
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	04/15 to 10/01	12.5	5610
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	2	IRRIGATION	SESESW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	04/15 to 10/01	12.5	5610
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	2	IRRIGATION	SESESW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	04/15 to 10/01	12.5	5610
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	04/15 to 10/01	12.5	5610
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	04/15 to 10/01	12.5	5610
<b>40A 30002022</b>															
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	04/15 to 10/01	6.58	2953.1
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	04/15 to 10/01	6.58	2953.1
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	2	IRRIGATION	SESESW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	04/15 to 10/01	6.58	2953.1
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	2	IRRIGATION	SESESW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	04/15 to 10/01	6.58	2953.1
1900-06-15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHAU	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	04/15 to 10/01	6.58	2953.1
1900-06-15		MCFARLAND WHITE RANCH INC		CHAU	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	04/15 to 10/01	6.58	2953.1
<b>40A 145875 00</b>															
1900-07-01		MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	NWNEW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
1900-07-01		MCFARLAND WHITE RANCH INC		CHAU	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
<b>40A 189758 00</b>															
1901-06-05		MARTIN RANCH CO		REXM	1	IRRIGATION	SENWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	03/01 to 11/19	03/01 to 11/19	1	448.8
<b>40A 145871 00</b>															
1901-06-15		MCFARLAND WHITE RANCH INC		CHAU	1	IRRIGATION	NWNEW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	4.6	2064.48
1901-06-15		MCFARLAND WHITE RANCH INC		CHAU	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	4.6	2064.48
<b>40A 189757 00</b>															
1901-06-15		MARTIN RANCH CO		POST	1	IRRIGATION	NESESW	32	7N13E	BIG ELK CREEK	MAIN DITCH (SOUTH BANK)	03/01 to 11/19	03/01 to 11/19	2	897.6
<b>40A 27145 00</b>															
1903-06-27		GLYNN RANCH INC		REXM	1	STOCK	S2	1	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	2	STOCK		1	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	3	STOCK		1	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	4	STOCK	E2	12	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	5	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	6	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	7	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
1903-06-27		GLYNN RANCH INC		REXM	8	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	9	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	10	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	11	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	12	STOCK	SESE	31	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
1903-06-27		GLYNN RANCH INC		REXM	13	STOCK	W2SW	32	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
<b>40A 57643 00</b>															
1905-06-01		USA (DEPT OF AGRICULTURE FOREST SERVICE)		POST	1	STOCK	N2	32	6N12E	BIG ELK CREEK		06/01 to 10/31	06/01 to 10/31		
<b>40A 205268 00</b>															
1911-07-01		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	05/20 to 07/19	15.43	6924.98
1911-07-01		C BAR J RANCH LLC		POST	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	05/20 to 07/19	15.43	6924.98
1911-07-01		M&W RANCH LLC		POST	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	05/20 to 07/19	15.43	6924.98
<b>40A 6661 00</b>															
1911-07-01		M LAZY D LTD PARTNERSHIP		REXM	1	IRRIGATION	NWSWSE	34	7N13E	BIG ELK CREEK	MARTIN SPRING DITCH	03/01 to 11/15	03/01 to 11/15	4.88	2190.14
<b>40A 189754 00</b>															
1927-10-15		MARTIN RANCH CO		POST	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK		01/01 to 12/31	03/01 to 11/15	12.5	5610
<b>40A 198487 00</b>															
1927-10-15		C BAR J RANCH LLC		POST	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	01/01 to 12/31	03/01 to 11/19	25	11220
<b>40A 205260 00</b>															
1927-10-15		M&W RANCH LLC		POST	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	01/01 to 12/31	03/01 to 11/19	12.5	5610
<b>40A 42833 00</b>															
1928-10-01		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST	1	STOCK	NWSWSW	23	6N12E	BIG ELK CREEK	HILINE DITCH	01/01 to 12/31	01/01 to 12/31		
<b>40A 6682 00</b>															
1938-10-01		BIG ELK CREEK RANCH LLC		REXM	1	STOCK		29	6N12E	BIG ELK CREEK, NORTH FORK		01/01 to 12/31	01/01 to 12/31		
<b>40A 6686 00</b>															
1938-10-01		BIG ELK CREEK RANCH LLC		REXM	1	STOCK	SESESE	29	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
<b>40A 137447 00</b>															
1939-02-23		MONTANA STATE BOARD OF LAND COMMISSIONERS		REXM	1	STOCK	SESW	12	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31		
<b>40A 110038 00</b>															
1959-05-31		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	03/01 to 11/15	4.46	2001.64
<b>40A 211043 00</b>															
1969-07-31		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWSENW	35	8N13E	BIG ELK CREEK		03/01 to 11/15	03/01 to 11/15	2.04	915.55
<b>40A 211586 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211587 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.3	583.44
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.3	583.44

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.3	583.44
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.3	583.44
<b>40A 211588 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
<b>40A 211589 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211590 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.2	538.56
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.2	538.56
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.2	538.56
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.2	538.56
<b>40A 211591 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.12	502.65
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.12	502.65
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.12	502.65
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.12	502.65
<b>40A 211592 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	5.83	2616.5
<b>40A 211593 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.33	596.9
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.33	596.9
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.33	596.9
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.33	596.9
<b>40A 211594 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1.5	673.2

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
<b>40A 211595 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211596 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	2.4	1077.12
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	2.4	1077.12
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	2.4	1077.12
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	2.4	1077.12
<b>40A 211597 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211598 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211599 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211600 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211601 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	NWENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	04/15 to 10/01	1	448.8
<b>40A 211602 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SENESW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	04/15 to 10/05	1.93	866.18

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	NWSEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	1.93	866.18
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	04/15 to 10/05	1.93	866.18
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO.3	04/15 to 10/05	04/15 to 10/05	1.93	866.18
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	04/15 to 10/05	1.93	866.18
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	6	IRRIGATION	NESEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	1.93	866.18
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	7	IRRIGATION	NWSEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	1.93	866.18
<b>40A 211603 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		POST	1	IRRIGATION	SESEW	26	8N13E	BIG ELK CREEK		04/15 to 10/09	04/15 to 10/09	2.3	1032.24
1973-06-30		MCFARLAND WHITE RANCH INC		POST	2	IRRIGATION	NESEW	35	8N13E	BIG ELK CREEK		04/15 to 10/09	04/15 to 10/09	2.3	1032.24
1973-06-30		MCFARLAND WHITE RANCH INC		POST	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK		04/15 to 10/09	04/15 to 10/09	2.3	1032.24
1973-06-30		MCFARLAND WHITE RANCH INC		POST	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK		04/15 to 10/09	04/15 to 10/09	2.3	1032.24
1973-06-30		MCFARLAND WHITE RANCH INC		POST	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK		04/15 to 10/09	04/15 to 10/09	2.3	1032.24
<b>40A 211604 00</b>															
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	1	IRRIGATION	SESEW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	2	IRRIGATION	NWSEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	6	IRRIGATION	NESEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	6.58	2953.1
1973-06-30		MCFARLAND WHITE RANCH INC		REXM	7	IRRIGATION	NWSEW	35	8N13E	BIG ELK CREEK		04/15 to 10/05	04/15 to 10/05	6.58	2953.1
<b>40A 215586 00</b>															
1973-06-30		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	04/01 to 10/15	04/01 to 10/15	1.14	511.63
<b>40A 215590 00</b>															
1973-06-30		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/01 to 10/15	04/01 to 10/15	4.2	1884.96
<b>40A 21115 00</b>															
1978-11-01		M LAZY D LTD PARTNERSHIP		ORIG	1	IRRIGATION	NWNESW	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO.2	05/01 to 07/15	05/01 to 07/15	2.78	1247.66
<b>40A 3000834</b>															
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	2	FISHERY		1	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	3	FISHERY		12	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	4	FISHERY		13	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	5	FISHERY		14	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	6	FISHERY		22	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	7	FISHERY		23	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	8	FISHERY		26	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	9	FISHERY		27	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	10	FISHERY		28	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
				ORIG	11	FISHERY				BIG ELK CREEK				9.5	

Enf. Priority Date	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Period of Use	Cfs	Gpm
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	11	FISHERY		29	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	12	FISHERY		31	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	13	FISHERY		32	6N12E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	14	FISHERY		1	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	15	FISHERY		2	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	16	FISHERY		3	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	17	FISHERY		6	6N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	18	FISHERY		2	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	19	FISHERY		11	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	20	FISHERY		12	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	21	FISHERY		13	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	22	FISHERY		24	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	23	FISHERY		25	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	24	FISHERY		31	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	25	FISHERY		32	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	26	FISHERY		33	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	27	FISHERY		34	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	28	FISHERY		35	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	29	FISHERY		36	7N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	30	FISHERY		26	8N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6
1985-07-01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIG	31	FISHERY		35	8N13E	BIG ELK CREEK		01/01 to 12/31	01/01 to 12/31	9.5	4263.6



# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 110011 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110011 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110011 00	BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.
40A 110011 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110017 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110017-00, 40A 110019-00, AND 40A 110038-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110017 00	MONTGOMERY NO. 2 DITCH TRANSPORTS BIG ELK WATER TO BUSHA-HEATON DITCH WHICH CARRIES THE WATER TO THE PLACE OF USE.
40A 110017 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110018 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 110018 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110020 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110020 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110021 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110021 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110021 00	POINT OF DIVERSION NO. 2 MAY BE INCOMPLETE. IT APPEARS A ROCK DAM IS USED INITIALLY TO DIVERT WATER FROM BIG ELK CREEK INTO A SHORT DITCH. A PUMP IN THE DITCH APPEARS TO BE USED TO CONVEY WATER INTO ANOTHER DITCH SYSTEM. THE ROCK DAM (HEADGATE) APPEARS TO BE IN THE NWSNW SEC 35 TWP 8N RGE 13E WHEATLAND CO. THE PUMP APPEARS TO BE IN THE NESNW SEC 35 TWP 8N RGE 13E WHEATLAND CO.
40A 110021 00	THE TOWNSHIP FOR POINT OF DIVERSION NO. 2 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWSNW SEC 35 TWP 8N RGE 13E WHEATLAND CO.
40A 110021 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WITH RESPECT TO WATER RIGHT 40A 110021-00, THE WATER USER CAN IRRIGATE NO MORE THAN 103.00 ACRES WITHIN THE LARGER TRACT OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT WHEN THERE IS ONLY WATER AVAILABLE SUFFICIENT TO SATISFY THIS RIGHT; PROVIDED, HOWEVER, THAT THE WATER USER MAY, IN ITS SOLE DISCRETION, SELECT THE PARTICULAR 103.00 ACRE PARCEL OF LAND WITHIN THE LARGER TRACTS OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT TO BE IRRIGATED UNDER THESE CIRCUMSTANCES, WHICH PARCEL, ONCE DESIGNATED, SHALL BE THE ONLY PARCEL IRRIGATED WITH SUCH WATER RIGHT FOR THE BALANCE OF THE IRRIGATION SEASON IN WHICH THE SELECTION WAS MADE.

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 110026 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110026 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110031 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110031 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110016-00, 40A 110022-00, 40A 110024-00, 40A 110025-00, 40A 110027-00, 40A 110028-00, 40A 110031-00, 40A 145870-00, 40A 145871-00, AND 40A 145875-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110033 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110033 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921 ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110033 00	BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.
40A 110034 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110034 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921 ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110034 00	BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 110038 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 110038 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110017-00, 40A 110019-00, AND 40A 110038-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110038 00	A PUMP LOCATED ON MONTGOMERY NO. 2 DITCH (IN THE SENWSW 35, T8N, R13E) PUMPS WATER INTO THE WESTERN BRANCH OF THE DITCH TO DELIVER THE WATER TO THE PLACE OF USE.
40A 110038 00	THE POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS A PUMP MAY BE INVOLVED. MONTGOMERY DITCH NO. 2 IS USED TO DIVERT WATER FROM BIG ELK CREEK AND A PUMP IN THE DITCH MAY BE USED TO PUMP WATER INTO ANOTHER DITCH WHICH BRANCHES OFF FROM THE MONTGOMERY DITCH NO. 2. THE PUMP APPEARS TO BE IN THE NWSW SEC 35 TWP 8N RGE 13E WHEATLAND CO.
40A 145870 00	THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.
40A 145870 00	THE PLACE OF USE IN SEC 04 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 6, 7, 10, 11, 12, 13, 14 AND 20. THE PLACE OF USE IN SEC 05 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 15, 16, 17, 18, 19 AND 20.
40A 145870 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 145870 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110016-00, 40A 110022-00, 40A 110024-00, 40A 110025-00, 40A 110027-00, 40A 110028-00, 40A 110031-00, 40A 145870-00, 40A 145871-00, AND 40A 145875-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 145870 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WITH RESPECT TO WATER RIGHT 40A 145870-00, THE WATER USER CAN IRRIGATE NO MORE THAN 116.00 ACRES WITHIN THE LARGER TRACT OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT WHEN THERE IS ONLY WATER AVAILABLE SUFFICIENT TO SATISFY THIS RIGHT; PROVIDED, HOWEVER, THAT THE WATER USER MAY, IN ITS SOLE DISCRETION, SELECT THE PARTICULAR 116.00 ACRE PARCEL OF LAND WITHIN THE LARGER TRACTS OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT TO BE IRRIGATED UNDER THESE CIRCUMSTANCES, WHICH PARCEL, ONCE DESIGNATED, SHALL BE THE ONLY PARCEL IRRIGATED WITH SUCH WATER FOR THE BALANCE OF THE IRRIGATION SEASON IN WHICH THE SELECTION WAS MADE.

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 145871 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 145871 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110016-00, 40A 110022-00, 40A 110024-00, 40A 110025-00, 40A 110027-00, 40A 110028-00, 40A 110031-00, 40A 145870-00, 40A 145871-00, AND 40A 145875-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 145871 00	THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.
40A 145871 00	THE PLACE OF USE IN SEC 04 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 6, 7, 10, 11, 12, 13, 14 AND 20. THE PLACE OF USE IN SEC 05 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 15, 16, 17, 18, 19 AND 20.
40A 145875 00	THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.
40A 145875 00	THE PLACE OF USE IN SEC 04 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 6, 7, 10, 11, 12, 13, 14 AND 20. THE PLACE OF USE IN SEC 05 TWP 06N RGE 13E IS MORE SPECIFICALLY DEFINED AS GOVERNMENT LOTS 15, 16, 17, 18, 19 AND 20.
40A 145875 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 145875 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110016-00, 40A 110022-00, 40A 110024-00, 40A 110025-00, 40A 110027-00, 40A 110028-00, 40A 110031-00, 40A 145870-00, 40A 145871-00, AND 40A 145875-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 145875 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WITH RESPECT TO WATER RIGHT 40A 145875-00, THE WATER USER CAN IRRIGATE NO MORE THAN 311.00 ACRES WITHIN THE LARGER TRACT OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT WHEN THERE IS ONLY WATER AVAILABLE SUFFICIENT TO SATISFY THIS RIGHT; PROVIDED, HOWEVER, THAT THE WATER USER MAY, IN ITS SOLE DISCRETION, SELECT THE PARTICULAR 311.00 ACRE PARCEL OF LAND WITHIN THE LARGER TRACTS OF LAND COMPRISING THE PLACE OF USE FOR THIS WATER RIGHT TO BE IRRIGATED UNDER THESE CIRCUMSTANCES, WHICH PARCEL, ONCE DESIGNATED, SHALL BE THE ONLY PARCEL IRRIGATED WITH SUCH WATER RIGHT FOR THE BALANCE OF THE IRRIGATION SEASON IN WHICH THE SELECTION WAS MADE.

# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 198482 00	THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 STATES THAT 2.30 CFS (92.00 MINER'S INCHES) ARE DIVERTED THROUGH THE C-J DITCH (NWSENE SECTION 25, T7N, R13E) AND THAT 3.50 CFS (140.00 MINER'S INCHES) ARE DIVERTED THROUGH THE NOBLE DITCH NO. 2 (SENWSW SECTION 34, T7N, R13E).
40A 198482 00	THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THIS WATER RIGHT MAY NOT BE DIVERTED THROUGH NOBLE DITCH NO. 2 AFTER JULY 1.
40A 198482 00	THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 STATES THAT PARCELS 1, 2, 3, AND 4 ARE IRRIGATED BY WATER DIVERTED THROUGH THE C-J DITCH (NWSENE SECTION 25, T7N, R13E) AND THAT PARCELS 5 AND 6 ARE IRRIGATED BY WATER DIVERTED THROUGH THE NOBLE DITCH NO. 2 (SENWSW SECTION 34, T7N, R13E)
40A 201287 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.
40A 201287 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 201287 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E.L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSION FROM BEAR CREEK AND CROOKED CREEK.</p>

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201287 00	THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.
40A 201287 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201288 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 201288 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201289 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.
40A 201289 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201289 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <ol style="list-style-type: none"> <li>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</li> <li>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</li> <li>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</li> <li>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</li> </ol>
40A 201289 00	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>
40A 201289 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 201290 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>



## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201290 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201291 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 201291 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201292 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.
40A 201292 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201292 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <ul style="list-style-type: none"> <li>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</li> <li>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</li> <li>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</li> <li>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</li> </ul>
40A 201292 00	THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.
40A 201292 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201293 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.
40A 201293 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201293 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <ol style="list-style-type: none"> <li>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</li> <li>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</li> <li>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</li> <li>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</li> </ol>
40A 201293 00	THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.
40A 201293 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201294 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.
40A 201294 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

# E064 Big Elk Creek Distribution Area

## COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201294 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</p>
40A 201294 00	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>
40A 201294 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 201295 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>
40A 201295 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WATER RIGHTS 40A 198477-00 AND 40A 198480-00 WERE HISTORICALLY DIVERTED FROM BIG ELK CREEK BETWEEN THE POINT OF DIVERSION KNOWN AS THE SHUMAKER-MOORE DITCH ON THE SOUTH BORDER OF SECTION 35, T7N, R13E AND THE CURRENT POINT OF DIVERSION ON THE EAST BANK OF BIG ELK CREEK, KNOWN AS THE SANFORD MOORE DITCH, IN THE NENESE SECTION 24, T7N, R13E. THE ABOVE-DESIGNATED RIGHTS, THEREFORE, ARE NOT SUBJECT TO CALL TO SATISFY WATER RIGHT 40A 201295-00.</p>

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 201295 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 205268 00	CROOKED CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER FROM HILINE DITCH.
40A 211043 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 211043 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 211043 00	WATER IS PUMPED INTO UPPER MONTGOMERY NO. 3 DITCH.
40A 211043 00	THE POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS A ROCK DAM IS USED INITIALLY TO DIVERT WATER FROM BIG ELK CREEK INTO A SHORT DITCH. A PUMP IN THE DITCH APPEARS TO BE USED TO CONVEY WATER INTO ANOTHER DITCH SYSTEM. THE ROCK DAM (HEADGATE) APPEARS TO BE IN THE NWSNW SEC 35 TWP 8N RGE 13E WHEATLAND CO. THE PUMP APPEARS TO BE IN THE NESNW SEC 35 TWP 8N RGE 13E WHEATLAND CO.
40A 211586 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211588 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211589 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211590 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211591 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211595 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211599 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.

## E064 Big Elk Creek Distribution Area

### COMMISSIONER REMARK INDEX

Water Right #	Remarks
40A 211601 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211602 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 211602 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 211603 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 211603 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 211604 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 211604 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
40A 30002022	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 30002022	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.